Only through the vigorous and imaginative use of all the mediums of communication can an administration expect to convince the country that it must make the sacrifices necessary to meet the multiple Soviet challenges and to avoid the catastrophe of either war or Soviet domination. And only through an equally vigorous use of communications mediums—founded soundly on intelligent policy, of course—can our leaders expect to rebuild the confidence and unity of the West and shatter the glib confidence of the Soviet leadership.

But even should we succeed in ending the arms race, in reducing the crushing burden of armaments and the overhanging threat of catastrophe from nuclear weapons, we must still be prepared to face a generation of struggle to win the minds and hearts of the peoples of Asia and Africa. Let us hope that we will have the determination to enter the contest seriously, the intelligence to formulate wise policies, and the trained men and women to put them into effective action.

Of all the powerful ideas at work in the world, none has more strength than the world's yearning for peace—and not simply the absence of war, but peace with progress.

We must identify ourselves vigorously, simply and directly, with this great idea, in terms of positive progress toward better housing, more jobs, more food, and for dignity and freedom for the men and women who have had nothing for so long.

Ideas, you see, are in motion—powerful ideas that are sweeping away old political institutions, breaking through the encrusted traditions of five centuries. Nationalism, and fierce nationalism at that, is an idea and a movement among the Asian and African peoples that must be recognized and taken into the most serious consideration by American policy planners. The idea of equal opportunity and nondiscrimination on the grounds of religion or color is another powerful idea that is upsetting the old order. The peoples of colored skin in this world are in the majority, and it has long since become evident that they will no longer tolerate the inferior status we of the West have assigned them for these five centuries of Caucasian domination.

The magnificent conception of international organization for peaceful purposes is still another tenacious and vigorous idea important in our world—and very much in motion. Steadily, in the face of the huge buildup of weapons of mass destruction, men and women of vision and purpose are working to strengthen the economic, social, and cultural organizations that are some of the brightest hopes in an often bleak international picture. The idea that all peoples should be free of the age-old scourge of disease is being magnificently carried forward—in malaria control programs, in the attack of trachoma, tuberculosis, and scores of other plagues.

Still another idea powerfully at work in the world, but one which our Government regretfully has not yet adopted, is that food and fiber are great national treasures, and can be vital instruments of foreign policy. Mr. Khrushchev is the first of the Soviet leaders to recognize this fact, and in the face of our own leadership's indifference to the opportunity to use food intelligently and wisely, the Soviet leaders are surging forward in an effort to overtake us in food and fiber production. American food and fiber abundance is not something we should be ashamed of, but an asset of incalculable value.

Finally, the idea of providing the kind of education that will permit individuals to realize their full intellectual potential, the idea of ensuring that gifted young people will not be denied higher education opportunities simply because of a lack of family finances, is gathering real momentum. In our history we have steadily widened the opportunity for education for everyone. But it is only recently that we have come to realize the great gaps in our educational structure. It is nothing short of tragic—for the individuals and for our Nation—that we have not devised a system that would provide the 150,000 or so young high school graduates with very superior ability who do not now go on to college each year for lack of funds, the opportunity to develop their potential through higher education.

I think we are going to take steps to meet this challenge. As long ago as January of 1957 I proposed legislation to provide direct scholarships and loans for 40,000 such young people. This year, I was privileged to join with Senator LISTER HILL in introducing the national defense education bill about whose title X we have had some discussion earlier. We have even succeeded in encouraging the administration to make a similar, though far smaller, request of Congress. Clearly we are going to have concrete, positive legislation in this field this year, and the impact on the intellectual level of our Nation may be astonishing over the coming decades.

Finally, it is important to point out that were there no Soviet Union, were there no Nikita Khrushchev, were there no overhanging threat of nuclear warfare, we would still live in a world of incredible problems and dangers, and opportunities. Surely it is shortsighted to be forever reacting instead of acting, to be forever holding back instead of forging boldly ahead with our own ideas. This is a world in constant flux, ever changing, constant only in its inevitable change.

The task of encouraging and training the young people of our Nation to assume political, economic, and technical leadership is of nobility and intense importance. You teachers, and you specialists in the visualization of the idea, deserve the warmest support and encouragement of the Nation. I can only assure you that there are many in the Congress of the United States who share my conviction that the profession of teaching must somehow receive the social and financial rewards that have for so long been denied to educators.

This is just another idea that I hope to get into motion.

Meanwhile, while our society, not yet in its full maturity, does not yet recognize in more concrete terms the critical importance of the teaching profession to the strength and economic health of our Nation, let me assure you that never has the prestige of the teacher been higher. Never, it seems to me, have the prospects been brighter for the participation by educators in major policy decisions of our Government. This is a long and important stride forward, I believe, and bodes well for the future welfare of our own, and of the world's people.

SENATE

THURSDAY, MAY 1, 1958

Rev. Walter B. Freed, D. D., pastor, Luther Place Memorial Church, Washington, D. C., offered the following prayer:

Almighty God, Thou who art the Father of all men and the Lord of nations, let Thy righteousness rest upon Thy servants, to encourage them to good, and to discourage them from evil. Come to our boisterous and stormy selves, where strong and stubborn wills hold sway, and still us with the calm steadiness of Thy presence until self is forgotten and Thou alone art Lord.

Cast out, O God, from our hearts and minds the fears and contradictions which tend to make us cowards and weaklings; and help us to comprehend, through the clear eye of faith, a destiny for Thy peoples which is in keeping with Thy holy will and divine purpose. Endow us with the grace of patience, so as to deal gently with those who may oppose us, while at the same time keep us loyal to convictions that are just.

In moments when decisions fraught with extended consequences are to be made, allow the light of Thy truth, O God, to shine into our minds until selfishness and prejudices are exposed and we are compelled to act because of a motive divine. In places where we are weak, make us strong in our reliance upon Thee; and where we are strong, use our strength to Thy honor and glory: through Jesus Christ, Thy son, our Lord, who liveth and reigneth with Thee and the Holy Ghost, ever one God, world without end. 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 30, 1958, was dispensed with.

MESSAGE FROM THE PRESIDENT

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

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 sundry 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 agreed to a concurrent resolution (H. Con. Res. 228) authorizing the printing as a House document of the pamphlet entitled "Our American Government. What Is It? How Does It Function?" in which it requested the concurrence of the Senate.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 228) authorizing the printing as a House document of the pamphlet en-

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

titled "Our American Government. What Is It? How Does It Function?" was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That, (a) with the permission of the copyright owner of the book Our American Government—1,001 Questions on How It Works, with answers by WRIGHT PATMAN, published by Scholastic Magazines, Inc., there shall be printed as a House document the pamphlet entitled "Our American Government. What Is It? How Does It Function?" In addition to the usual number there shall be printed 2,000 copies for use and distribution by each Member of Congress.

(b) As used in this concurrent resolution the term "Member of Congress" includes a Member of the Senate, a Member of, and a Delegate to, the House of Representatives, and the Resident Commissioner from Puerto Rico.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements made in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938, RELATING TO COURT PROCEEDINGS

The PRESIDENT pro tempore laid before the Senate a letter from the Chairman, Civil Aeronautics Board, Washington, D. C., transmitting a draft of proposed legislation to amend the Civil Aeronautics Act of 1938, as amended, in order to (1) assure for the Civil Aeronautics Board independent participation and representation in court proceedings, (2) provide for review of nonhearing Board determinations in the courts of appeals, and (3) clarify present provisions concerning the time for seeking judicial review, which, with the accompanying paper, was referred 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 PRESIDENT pro tempore:

A resolution adopted by the national executive committee of the Legion of Guardsmen, Inc., at Pittsburgh, Pa., opposing any reduction in strength of the National Guard; to the Committee on Armed Services.

A resolution adopted by the staff and sister governing body of St. Mary's Hospital, Huntington, W. Va., opposing the payment of cost of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits by the Federal Government, through the social-security system; to the Committee on Finance.

A resolution adopted by the Chamber of Commerce of Moorpark, Calif., favoring the enactment of legislation to repeal the telephone excise tax; to the Committee on Finance.

RESOLUTION OF COMMON COUNCIL OF CITY OF PLATTSBURGH, N. Y.

Mr. JAVITS. Mr. President, I present for appropriate reference a resolution adopted by the Common Council of the City of Plattsburgh, N. Y., favoring the enactment of legislation to authorize the United States Army Corps of Engineers to make a survey of a navigable inland waterway from the port of New York into Lake Champlain. I ask unanimous consent that the resolution be printed in the RECORD.

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

OFFICE OF THE CITY CLERK,
Plattsburgh, N. Y., April 18, 1958.

At a regular meeting of the Common Council of the City of Plattsburgh, N. Y., held April 17, 1958, the following resolution was adopted:

"Whereas the common council has been informed of present legislation before Congress (to authorize the U. S. Army Corps of Engineers to make a survey of a navigable inland waterway from the port of New York into Lake Champlain), with ultimate connection with the St. Lawrence River in Canada: such bill now before the House Public Works Committee being known as House Joint Resolution 519; and

"Whereas during recent years the exploitation of mineral resources in the Province of Quebec has increased so rapidly this vast source of potential tonnage will be added to the commerce generated by the port of New York at the southern terminus, and by the future potential of the Hudson and Lake Champlain Valleys, it is felt the entire State of New York, as well as the communities affected, would be benefited by such a survey: Now, therefore, be it

"*Resolved*, That the Common Council of the City of Plattsburgh, N. Y., hereby requests United States Senator JACOB K. JAVITS, United States Senator IRVING M. IVES, and Congressman DEAN P. TAYLOR to lend their support and efforts toward the obtaining of necessary authorization from Congress to initiate the investigation of this project; further

"*Resolved*, That a certified copy of this resolution be transmitted also to Hon. JOHN A. BLATNIK, chairman, Subcommittee on Rivers and Harbors, Public Works Committee, United States House of Representatives, Washington, D. C., for his information and files."

RESOLUTION OF REPUBLICAN CONVENTION OF HENNEPIN COUNTY, MINN.

Mr. THYE. Mr. President, I have received a resolution from the Republican convention of Hennepin County, which reads in part:

On Saturday, the Republican Convention of Hennepin County adopted the following resolution calling for enforcible world law.

I ask unanimous consent that the resolution be printed in the body of the RECORD and referred to the appropriate committee.

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

MINNEAPOLIS, MINN., *April 29, 1958.*

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

DEAR SENATOR THYE: On Saturday, the Republican Convention of Hennepin County adopted the following resolution calling for enforcible world law:

"Whereas the Republican Party is in full accord with President Eisenhower's conclusion that 'There can be no peace without law'; and

"Whereas the General Assembly of the United Nations has already voted that a charter review conference 'shall be held at an appropriate time': Now, therefore, be it

"*Resolved*, That the Republican Party pledges its leadership to work through the Government of the United States in cooperation with other nations, directly and through the United Nations, to reach agreement on a workable system of enforcible world law, consistent with American principles of individual liberty, and universal disarmament with effective inspection safeguards to assure the peaceful and just settlement of disputes between nations;

"We further urge the President to appoint a commission to study the changes in the United Nations Charter which would be appropriate to this goal so that the United States will have sound proposals to offer when the charter review conference is held."

At least 500 delegates heard this resolution discussed, and when the vote was taken there were not more than a dozen "noes."

Adding my own personal opinion, I believe that no issue is more urgent today than the need for world law and universal disarmament. Questions of unemployment, inflation, taxes, and farm prices become insignificant when compared to the threat of atomic war.

Sincerely yours,

RODNEY D. DRIVER.

P. S.—I am sending similar letters to President Eisenhower and Congressman JUDD.

RESOLUTION OF VETERANS OF FOREIGN WARS, ST. PAUL, MINN.

Mr. THYE. Mr. President, I have received a resolution from the Veterans of Foreign Wars of St. Paul, Minn. I ask that the letter and resolution be printed in the RECORD.

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

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
DEPARTMENT OF MINNESOTA,
St. Paul, Minn., April 28, 1958.

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

DEAR SIR: At a recent meeting of the Council of Administration of the Department of Minnesota, Veterans of Foreign Wars, a resolution was submitted protesting the policy of the Veterans' Administration in continuously reviewing cases of disabled veterans with the purpose of reevaluating their claims. After a thorough discussion of the situation, during which many individual examples of inequities were cited, the resolution was adopted and I was requested to contact you for your assistance.

There have apparently been many cases reviewed where the individual veteran was

awarded a service-connected disability compensation without being required to furnish detailed evidence. He has continued to draw his compensation for 10 or 15 years and now is being required to furnish additional proof of service connection. That proof, in many cases, could have easily been produced at the time the original rating was determined but was not obtained since it was not demanded or needed. At this late date, evidence is very hard to obtain since witnesses may have died, moved away, or have forgotten what happened. In the absence of additional proof, the disability compensation is being discontinued.

This practice would seem to be very unfair and without question has resulted in individual inequities. We realize that errors in judgment exist and that they should be corrected, whether the decision is favorable or unfavorable to the veteran, but we do feel that there should be some logical deadline beyond which no further question is raised as to service connection.

The enclosed resolution seems to be a fair solution to the problem and we ask that you institute or support legislation along the lines suggested.

With best regards, I am,

Yours very truly,

LOWELL J. EASTLUND,
Adjutant, Department of Minnesota,
Veterans of Foreign Wars.

RESOLUTION REQUESTING MAINTENANCE OF THE 1945 RATING SCHEDULE AND ASKING THAT SERVICE CONNECTION NOT BE SEVERED EXCEPT IN CASE OF FRAUD

Whereas there has been a continuing review of cases of disabled veterans by the Veterans' Administration, which has been disadvantageous to thousands of veterans, reducing compensation payments to them; and

Whereas other thousands of veterans have suffered severance of service connection without proper physical examination: Now, therefore, be it

Resolved by the Council of Administration of the Department of Minnesota, Veterans of Foreign Wars of the United States, in meeting assembled at Minneapolis, Minn., on February 15, 1958, That Congress be asked to take action maintaining and confirming the rating schedule of 1945, unamended, as the basic rating instrument of the Veterans' Administration for all service connected disabilities; and be it further

Resolved, That Congress be further urged to take such action as will prohibit the Veterans' Administration from severing service connections which have been in effect for 10 years or more without proof of fraud.

RESOLUTION OF ST. PAUL POST NO. 8, AMERICAN LEGION

Mr. THYE. Mr. President, I have received a resolution from the St. Paul Post No. 8, American Legion, which refers to an important factor in the matter of GI loans. I ask that the resolution be printed in the RECORD.

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

ST. PAUL POST 8, AMERICAN LEGION,
St. Paul, Minn., April 29, 1958.

Hon. EDWARD J. THYE,
United States Senator from Minnesota,
Senate Office Building,
Washington, D. C.

DEAR SENATOR THYE: The following resolution was adopted by Post No. 8 of the American Legion in regular meeting assembled on April 21, 1958:

"Whereas Federal legislation now in effect guaranteeing the payment of real-estate loans by private lenders was enacted to assist veterans to obtain home loans at low rates of interest; and

"Whereas private lenders have at present and for many months in the past refused to make such loans or to make money available to veterans for same, or who make the payment of exorbitant loan charges a condition of obtaining said loan; and

"Whereas periodic raising of the interest rate on same not only has failed to induce such lending but in fact defeats the purpose of the legislation itself: Now, therefore, be it

"Resolved by Post No. 8, That the Department of Minnesota, American Legion, urge the Congress of the United States to amend GI loan legislation presently in effect by providing for a separate governmental agency to loan money directly to otherwise qualified veterans who are unable to obtain GI loans from private lenders in their community, wheresoever situated; and by enacting the necessary legislation to establish said agency."

We urge you to take every means at your command to implement the conditions set forth in this resolution.

Veterans of our wars are being deprived of their rights by local lending institutions throughout the Nation although those rights are clearly set forth in legislation. We as a post of the American Legion feel that the only way that those rights can be guaranteed is for the Congress of the United States to threaten to set up or to set up a lending agency because the commercial ones refused to comply with the law.

We, of course, anticipate your full support in this matter given in the same way as it has been in the past and we shall look forward to your reply to this letter.

Respectfully,

JOHN K. DONOHUE, *Adjutant.*

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

H. R. 7568. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to provide that service in the grade of inspector and the grade of private in the Fire Department of the District of Columbia shall be deemed to be service in the same grade for the purpose of longevity increases (Rept. No. 1512).

By Mr. BEALL, from the Committee on the District of Columbia, with amendments:

H. R. 7300. An act to amend section 15 of the District of Columbia Alcoholic Beverage Control Act (Rept. No. 1511).

STUDY OF FACTORS IN CONSTRUCTION OF HELIPORT IN THE DISTRICT OF COLUMBIA—REPORT OF A COMMITTEE

Mr. BEALL. Mr. President, from the Committee on the District of Columbia, I report an original joint resolution (S. J. Res. 167) directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the construction of a heliport within the District of Columbia, and I submit a report (No. 1510) thereon.

The PRESIDENT pro tempore. The report will be received and the joint resolution will be placed on the calendar.

The joint resolution (S. J. Res. 167) directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the construction of a heliport within the District of Columbia, was read twice by its title and placed on the calendar.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. BIBLE, from the Committee on the District of Columbia:

Richard R. Atkinson for appointment as a member of the District of Columbia Redevelopment Land Agency.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. MARTIN of Pennsylvania:

S. 3732. A bill to amend the Internal Revenue Code of 1954 so as to increase the percentage depletion rates for coal and lignite; to the Committee on Finance.

By Mr. POTTER:

S. 3733. A bill to amend title XV of the Social Security Act to provide for payments of unemployment compensation thereunder to veterans discharged after 1958 to the same extent as such payments are made to civilian employees of the United States; to the Committee on Finance.

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

By Mr. BEALL:

S. 3734. A bill to amend the District of Columbia Teachers' Salary Act of 1955 (Public Law 243, 84th Cong., ch. 569, 1st sess.), approved August 5, 1955, and for other purposes; and

S. 3735. A bill to amend the charter of the National Union Insurance Company of Washington; to the Committee on the District of Columbia.

By Mr. BIBLE:

S. 3736. A bill to amend the District of Columbia Stadium Act of 1957 to require the stadium to be constructed substantially in accordance with certain plans, to provide for a contract with the United States with respect to the site of such stadium, and for other purposes; to the Committee on the District of Columbia.

By Mr. MAGNUSON (by request):

S. 3737. A bill to amend title 10, United States Code, section 2481, to authorize the United States Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources; to the Committee on Interstate and Foreign Commerce.

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

By Mr. KENNEDY:

S. 3738. A bill to amend the National Labor Relations Act, as amended; to the Committee on Labor and Public Welfare.

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

By Mr. MCNAMARA:

S. 3739. A bill for the relief of Hermine Elmon Papazian; to the Committee on the Judiciary.

By Mr. BEALL:

S. J. Res. 167. Joint resolution directing the Commissioners of the District of Columbia to cause a study to be made of all factors involved in the construction of a heliport within the District of Columbia; placed on the calendar.

(See the remarks of Mr. BEALL when he reported the above joint resolution, which appear under the heading "Reports of Committees.")

By Mr. THYE (for himself and Mr. HUMPHREY):

S. J. Res. 168. Joint resolution authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Minnesota into the Union; to the Committee on the Judiciary.

(See the remarks of Mr. THYE when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. CLARK, Mr. HENNINGS, Mr. LANGER, Mr. PROXMIRE, Mr. NEUBERGER, and Mr. MORSE):

S. J. Res. 169. Joint resolution to propose an amendment to the Constitution of the United States relating to the jurisdiction of the Supreme Court; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above joint resolution, which appear under a separate heading.)

ONE HUNDREDTH ANNIVERSARY OF ADMISSION OF MINNESOTA INTO THE UNION

Mr. HUMPHREY. Mr. President, on behalf of myself, and my colleague, the senior Senator from Minnesota [Mr. THYE], I submit a concurrent resolution cordially extending the congratulations and best wishes of the Congress of the United States to the State of Minnesota upon the occasion of the 100th anniversary of the admission of Minnesota to the Union.

Today, May 1, is the first day of Minnesota's anniversary month, the period during which the State has planned extensive centennial festivities, culminating in the celebration on May 11 of the actual date of Minnesota's entrance into the Union.

I am very much pleased and honored to offer this resolution honoring the great State of Minnesota. Later this month I intend to address the Senate at greater length concerning the history and accomplishments of Minnesota.

I hope we may have immediate action by the Senate on the concurrent resolution, which I now send to the desk.

The PRESIDENT pro tempore. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 86) was read as follows:

Resolved by the Senate (the House of Representatives concurring), That the congratulations and best wishes of the Congress of the United States are hereby cordially extended to the State of Minnesota upon the occasion of the 100th anniversary of the admission of the State of Minnesota into the Union.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota for the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

Mr. THYE subsequently said: Mr. President, I had given thought to introducing a joint resolution on the subject of the 100th anniversary of the admission of Minnesota into the Union. I communicated with the Library of Congress in order to obtain information about the proper wording of a joint resolution, in order that such a resolution might be placed officially and promptly before the President of the United States, because the official date of Minnesota's centennial is May 11, 1958. I shall be an official delegate from the Senate to the centennial celebration in Minnesota, as I know my colleague [Mr. HUMPHREY] will be.

I have prepared a joint resolution in accordance with the suggestion made by the legislative drafting service, and the information I have obtained from the Library of Congress; and in introducing the joint resolution, I have included the name of the junior Senator from Minnesota as a cosponsor. The joint resolution reads as follows:

Resolved, etc., That the President of the United States is authorized and requested to issue, on or before May 11, 1958 (the 100th anniversary of the date on which the State of Minnesota was admitted into the Union), a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the one hundredth anniversary of the admission of Minnesota into the Union.

So, Mr. President, I introduce the joint resolution on behalf of myself and my colleague, the junior Senator from Minnesota [Mr. HUMPHREY]. It is set forth in the language which the Library of Congress informed me would be proper for such a measure.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 168) authorizing the President to issue a proclamation calling upon the people of the United States to commemorate with appropriate ceremonies the 100th anniversary of the admission of the State of Minnesota into the Union, introduced by Mr. THYE (for himself and Mr. HUMPHREY), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF SOCIAL SECURITY ACT, RELATING TO PAYMENT OF UNEMPLOYMENT COMPENSATION TO CERTAIN VETERANS

Mr. POTTER. Mr. President, I introduce a bill for appropriate reference.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3733) to amend title XV of the Social Security Act to provide for payments of unemployment compensation thereunder to veterans discharged after 1958 to the same extent as such payments are made to civilian employees of the United States, introduced by Mr. POTTER, was received, read twice by its title, and referred to the Committee on Finance.

Mr. POTTER. Mr. President, this is a measure for servicemen, including those in the peacetime Army, so that they will receive the same unemployment benefits civilians now receive. The jobless ex-serviceman is at a disadvantage compared with those who remained in civilian employment. By serving in the Armed Forces he sacrifices wage credits entitling him to unemployment benefits. He cannot build up civilian job experience. And certainly his wages as a serviceman do not permit him to accumulate savings to tide him over a period of unemployment following discharge.

Our system of unemployment insurance is an important bulwark of the economy. It provides purchasing power for the individual during periods of unemployment. Unless my bill or similar legislation is passed, ex-servicemen will have no basis for qualifying under programs now being considered by Congress for paying extended temporary unemployment compensation.

About 81 percent of wage and salaried jobs in the Nation are currently covered by Federal or State unemployment insurance laws. This includes roughly 2.4 million Federal civilian employees.

In fiscal 1958 and 1959 it is expected that 850,000 individuals who entered service on and after February 1, 1955, will be discharged. During the next 3 years approximately 600,000 will be separated yearly. None are covered by present unemployment insurance legislation.

This program has been endorsed by the following organizations:

President's Commission on Veterans' Pensions.

Federal Advisory Council on Employment Security.

Interstate Conference of Employment Security Agencies.

The four major veterans' organizations by resolution passed at their conventions.

I might explain that the program for ex-servicemen would be administered in substantially the same manner as unemployment insurance for Federal civilian employees. The latter is administered by States under agreements with the Federal Government. Claims are processed under the unemployment insurance law of the State to which their wages are assigned. The bill prevents duplication of benefits by prohibiting payments for the period covered by mustering-out pay or other terminal leave payments, and by an education, training, or subsistence allowance.

A companion measure has been ordered reported by the House Ways and Means Committee.

AMENDMENT OF CODE, RELATING TO SALE OF CERTAIN UTILITIES BY THE COAST GUARD

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend title 10, United States Code, section 2481, to authorize the United States Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity, not available from local sources.

The purpose of the proposed legislation is to provide authority for the Coast Guard to sell utilities and services to the same extent and under the same conditions as the military departments. With this authority, existing utilities and water services in many instances

would be extended to isolated inhabitants, in many cases servicemen, whose close association with the Coast Guard is highly desirable.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3737) to amend title 10, United States Code, section 2481, to authorize the United States Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF NATIONAL LABOR RELATIONS ACT, AS AMENDED

Mr. KENNEDY. Mr. President, I introduce for reference to the appropriate committee, a bill which covers four additional problems in the labor field. This bill is complementary to the bill I introduced earlier this year. If this bill is enacted, I believe it will bring about very desirable improvements in labor-management relations. The bill proposes straightforward changes in existing law; and I believe they will command the support of all who are genuinely interested in industrial stability and the welfare of working men and women.

Very briefly, Mr. President, this bill would accomplish four purposes:

First. The first item is limited to the special problems which unions in the building and construction industries have encountered under the Taft-Hartley Act. This proposed amendment to existing law would permit certification without election of unions representing employees engaged in the building and construction industries, provided the employer is primarily engaged in this industry, and provided further that the employees concerned are already normally represented by the labor organization. This would have the effect of legalizing existing agreements in the building and construction industries relating to union security, and it contains appropriate protective provisions.

Second. Section 302 of the Labor-Management Relations Act would be amended by exempting from present restrictions on payments to employee representatives, payments to trust funds established by building and construction unions for the purpose of establishing apprenticeships or other training programs. This exemption would likewise be limited to employers primarily engaged in the building and construction industries.

Third. The next amendment is designed to eliminate from the Taft-Hartley Act a provision which has been universally recognized as a union-busting provision. This provision of my bill is one of those recommended by some of us in 1954, when proposed amendments to the Taft-Hartley Act came to the floor of the Senate. This part of my bill would remove from the act the prohibition against voting by economic strikers, and would make clear that employees engaged in a lawful strike shall not during such strike be denied the right to vote by reason of having been replaced during such strike.

Fourth. Finally, the bill would close a serious loophole in existing law, by forbidding the nefarious operations of labor-management middlemen. The bill amends section 302 (a) and (b), so as to make it unlawful for an employer directly or indirectly to bribe or attempt to influence by surreptitious means the course of his labor relations.

The bill also would make it a crime for anyone to accept a bribe in an effort to influence employees in the exercise of their collective-bargaining rights.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3738) to amend the National Labor Relations Act, as amended, introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF MUTUAL SECURITY ACT OF 1954—AMENDMENTS

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

AMENDMENT OF RULE RELATING TO CLOTURE—PRINTING OF SENATE REPORT 1509 WITH INDIVIDUAL VIEWS

Mr. MANSFIELD. Mr. President, I ask unanimous consent, on behalf of the Senator from Missouri [Mr. HENNINGS], that the printing of the individual views contained in the report (S. 1509), submitted by him on yesterday from the Committee on Rules and Administration, on Senate Resolution 17, amending the cloture rule, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

GLEN CANYON RESERVOIR (S. DOC. NO. 96)

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be printed as a Senate document, and as a supplement to Senate Document No. 77, a letter from the Governor of Arizona, together with a statement made by the Arizona Interstate Stream Commission and the Arizona Power Authority, dissenting from a portion of the First Annual Report of the Secretary of the Interior on the Colorado River Storage Project, which was printed as Senate Document No. 77 on January 16, 1958.

The total cost of the document will be $69.72.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

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. MARTIN of Pennsylvania:

Address delivered by him at annual Washington City dinner of Pennsylvania State Chamber of Commerce, Washington, D. C., April 29, 1958.

By Mr. SALTONSTALL:

Exchange of correspondence between the President and Mr. Maxwell Rabb of April 23, 1958, and April 24, 1958; and an editorial entitled "Nearly Anonymous," published in the Boston Herald of April 26, 1958.

NOTICE OF HEARING ON CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. JOHNSTON of South Carolina. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Monday, May 12, 1958, at 10 a. m., in room 424, Senate Office Building, upon the following nominations:

Walter H. Hodge, of Alaska, to be United States district judge, division No. 2, district of Alaska, for the term of 4 years.

Frank Aloysius McKinley, of Hawaii, to be fourth judge of the first circuit, circuit courts, Territory of Hawaii, for the term of 6 years.

Albert C. Wollenberg, of California, to be United States district judge for the northern district of California, vice Michael J. Roche, retired.

At the indicated time and place persons interested in the above nominations may make such representations as may be pertinent. The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND], chairman, the Senator from Indiana [Mr. JENNER], and myself.

ADDRESS BY SENATOR RUSSELL ON ACCEPTANCE OF GEORGE WASHINGTON AWARD BY AMERICAN GOOD GOVERNMENT SOCIETY

Mr. TALMADGE. Mr. President, on the evening of April 30, 1958, the American Good Government Society presented the George Washington award to two distinguished United States Senators—Senator RICHARD B. RUSSELL, of Georgia, and Senator WILLIAM F. KNOWLAND, of California. In responding to the presentation of the award, Senator RUSSELL made an outstanding address. I ask unanimous consent that his address be printed in the body of the RECORD.

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

ADDRESS BY SENATOR RICHARD B. RUSSELL, OF GEORGIA, IN ACCEPTING THE GEORGE WASHINGTON AWARD BY THE AMERICAN GOOD GOVERNMENT SOCIETY, STATLER HOTEL, WASHINGTON, D. C., APRIL 30, 1958

It is not possible for me to express the depth of my appreciation for the meaningful honors awarded me here tonight. They are accepted with the utmost humility.

An awareness of my own limitations bars the inclination to vanity that the praise and honors of this evening would otherwise evoke. Had my recommendations been requested, I would have chosen others for this award.

To the society, and particularly to those responsible for initiating the honors tendered, I can only say a deeply felt "thank you." The fact that you feel that my activities through the years have contributed to good government as we would define it is adequate compensation for many hours of toil. The special recognition extended me this evening is indelibly impressed on my memory and will serve as an inspiration to me for the remainder of my life.

It is pleasing to have so many of my friends here to share this experience. Many have traveled from Georgia to do so. But for the friendship and the confidence you have so freely given and expressed, this significant honor could not have come to me. I am deeply grateful for your many manifestations of loyalty throughout the years and particularly for your presence this evening.

I think it safe to assume that most of us here tonight are political fundamentalists. The religious fundamentalists like to emphasize the exact words of the Holy Writ. Political fundamentalists stress the importance of supporting the Constitution as it is written.

George Washington was a political fundamentalist. He believed that the Constitution meant exactly what it said. Summing up his views in his Farewell Address to the American people, he said:

"If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

With prophetic vision, he thus rebuked those who might ever assume that the ends justify the means and warned us against them.

By adhering to constitutional government, in a relatively short period of time we have achieved world leadership. We have builded the greatest civilization in all of human history. We have developed what we call the American way of life in which all of our people not only maintain their liberties but enjoy the highest standards of living that the world has ever known.

For many years now, we have heard the voices of those who insist that the American Constitution is outmoded. Others take the position that this sacred document is a sort of political accordion, to be expanded or contracted with the changing moods of men who temporarily hold power. Time will not permit us to conjecture on what would have resulted if we had accepted these views. But the lessons of history clearly depict the fate of other great civilizations who placed their trust in a government of men rather than adhering to written laws.

It is evident that the effectiveness of constitutional law as a system of restraints on governmental action and as a means of protecting the rights of the individual depends entirely on the recognition and application of those basic doctrines which find their origin in our national charter.

Two of the most important of these doctrines are federalism and the separation of powers.

The doctrine of federalism includes many elements. For the purpose of my brief comments tonight, the element I have primarily in mind is the division of sovereign power between the National Government and the States. This division was long controlled by the simple rule that the National Government is one of delegated power for enumerated purposes while the residual or undelegated powers remain in the States or the people.

To my mind, a primary test of good government involves an awareness of the importance of maintaining the balance between National and State legislative powers intended by the framers of the Constitution.

Various pressure groups are constantly working in behalf of national legislation which violates the intended division of legislative functions between the National and State governments. As we have observed over the last quarter of a century, legislative encroachment by the National Congress is particularly aggressive in times of economic distress. Emergencies of a temporary nature have caused the States to permanently lose many powers that are properly theirs. The lessons of past experience should be borne in mind today.

I am a disciple of the Jeffersonian school. The more that I study government, the more confirmed I become in the faith that the best and most economical government is that which is locally conceived and locally administered.

As a devout believer in the rights of the States and of local self-government, I have deplored and opposed the constant widening of national power in fields which properly belong to the States and their subdivisions.

The other constitutional doctrine that has become distorted is the doctrine of separation of powers. The Founding Fathers were determined to prevent the corrupting and tyrannous effects of undue concentration of power. They sought to safeguard against one big government. They were familiar with the axiom which history had proved before Lord Acton that "all power corrupts and absolute power corrupts absolutely."

They knew that the personal liberties of the individual could not be protected in a government of men. They therefore wisely sought to assure that their descendants would forever live under a government of law. Thomas Jefferson expressed this determination when he declared: "In questions of power, let no more be said of confidence in man, but bind him down from mischief by the chains of the Constitution."

The very genius of our system of government is found in the careful division of power to govern the people. These powers were distributed between the executive, the legislative, and the judicial branches of the Central Government. To assure the perpetuity of the American system, the founders established the most marvelous system of checks and balances ever devised by the minds of men.

This sound concept has been seriously impaired in recent years.

Too often, the Congress has been content merely to consider legislation initiated in the executive branch of the Government.

The willingness to delegate too much of Congressional responsibility to executive agencies, quasi-judicial commissions and boards has also contributed to the erosion of legislative power.

It is needless to say that any segment of the executive branch is all too willing to expand any powers that are delegated.

I freely concede that in the complex society of today the Congress cannot legislate with the preciseness and particularity that was formerly attainable. However, it is possible to establish more definite and precise statutory standards to delegated power. A great benefit from clearer standards would be a reduction in the number of employees of Government who are now doing battle with our citizens as to the effect and scope of delegated powers.

Even more serious than legislative deviations has been the recent encroachments on the rights of the States and on the prerogatives of the legislative branch of the Government by the judicial branch of the Government. Recent decisions of our highest court have contributed more to demeaning the rights of the several States and to centralizing the power of Government than has legislation by the National Congress.

A series of decisions have wiped out a number of rights and privileges which the States have exercised since the birth of our Republic. Under the cloak of judicial interpretation, the judiciary has assumed powers which undoubtedly belong to the legislative branch of the Government. The personal predelictions of those enjoying life tenure on the Federal bench have taken supremacy over precedent as established by the decisions of learned and able lawyers and judges.

The tendency of the Supreme Court to rely upon psychology rather than legal precedents and to legislate rather than interpret is a cause of great concern. Judge Learned Hand has long been recognized as one of the ablest of our judges. He has had more judicial experience than all of the members of the present Supreme Court combined had had to the time of their respective appointments. No one could view any judicial situation more objectively. Judge Hand recently referred to the trend to make the Supreme Court a third legislative chamber. If the Founding Fathers had ever believed that the Court would undertake to exercise legislative power, they would certainly have required the members of that body to go before the voters for periodic review as in the case of the members of the legislative branch.

The continuing practice of unrestrained judicial review not only establishes judicial supremacy over the other two divisions of Government; unchecked, it creates a judicial tyranny. The 9th and 10th amendments to our Federal Constitution, designed to limit the powers of the Federal Government and protect the rights of the States and of the people, were once the keystone of our system. The series of decisions to which I refer would cause one to believe that these provisions were no longer valid and binding parts of the Constitution.

The whittling process on the powers of the States by these decisions has gone so far as to threaten to reduce the several States to mere geographical boundaries or administrative areas of Federal departments.

There is at least a partial remedy for this situation. The appellate jurisdiction of the Supreme Court is subject to regulation by the Congress. An informed electorate does not pass upon the selection of Federal judges, but they can choose representatives who will consider the wisdom of limiting the jurisdiction of the court.

A great organization such as the American Good Government Society can serve as an anchor to windward in these trying times. While pressure groups seek to strike down precedents and traditional concepts and the clamor is loud for change for the mere sake of change, this organization remains dedicated to a Government of law rather than the rule of men.

I shall long remember and be grateful that my efforts have merited your approval.

POLISH CONSTITUTION DAY

Mr. IVES. Mr. President, the coming Saturday, May 3, will mark the 167th anniversary of the Polish Constitution. On that occasion, let us pause to note this Polish national holiday and applaud its survival, for in Poland on that day Constitution Day will be observed in the

hearts of the Polish people, even though their Communist masters would have this noble tradition liquidated if they could. There can be no question about it: The government of Poland is Communist; the Polish people are not.

The Polish Constitution of 1791 was inspired by the ideals of the American Declaration of Independence and the French Proclamation of the Rights of Man and Citizen. It is a document which will live long after the nightmare of communism has passed from the Polish homeland.

The Poles are our friends, and we are theirs. We who enjoy the blessings of liberty must join in the hope that not too much time shall elapse before the Polish people, staunch lovers of liberty and battlers for freedom, as they have repeatedly proved themselves to be, will be able to celebrate their Constitution Day openly and in fact, as they will celebrate it this coming Saturday, within themselves.

Mr. SMITH of New Jersey. Mr. President, the coming Saturday will mark the 167th anniversary of Polish Constitution Day, as has already been stated by my distinguished colleague, the Senator from New York [Mr. IVES]. On May 3, 1791, the Polish nation adopted a constitution eloquent with the love of liberty and inspired by the ideals of the Declaration of Independence. Through the years, the people of Poland have struggled bravely to preserve the principles of the document adopted on that occasion.

Since 1953, Poland has lain under the heel of Soviet communism; but that tyranny has not been able to eradicate the stubborn love of liberty from the hearts of the people. Their attachment to the principles of their historic charter of 1791 was reaffirmed by the Poznan uprising of 1956.

Today, Poland's existence is precarious. The threat of Russian force is ever present, as is the memory of the brutal suppression of Hungary's freedom uprising. Nevertheless, the Polish people continue to maintain their courage, patriotism, and moral resistence.

Mr. President, it is our fervent hope that in Poland the chains of oppression will weaken until they are burst asunder under the impact of the spirit of freedom, and that once again we may proudly welcome this courageous nation into the ranks of the free.

Mr. MARTIN of Pennsylvania. Mr. President, 167 years ago the Polish Parliament, by unanimous vote, enacted the constitution on May 3.

This historic document was inspired by the ideals of the American Declaration of Independence.

It was the first constitution on the Continent of Europe to proclaim equal justice for all, with social, political, and religious freedom.

It is revered and honored by the courageous people of Poland as the charter of their liberties, even though their beloved land is held captive by Soviet imperialism.

In every city and town where Americans of Polish birth or ancestry make their homes, May 3 will be celebrated in commemoration of Poland's Constitution Day.

These celebrations serve to remind us that the people of Poland, robbed of their sovereignty and suffering under tyranny and dictatorship, keep alive the spirit of independence.

Their love of liberty and their confident hope of eventual liberation sustain them in moral resistance to Communist indoctrination and terror.

This anniversary calls upon us to renew our pledge of friendship for Poland, a friendship which goes back to the American Revolution, when Polish heroes shed their blood in the cause of our freedom.

It is an appropriate time to make known to the people of Poland that we are wholeheartedly dedicated to the cause of their freedom, and that we join them in prayer that their land may soon regain her rightful place of honor among the free nations of the earth.

Mr. SALTONSTALL. Mr. President, May 3 will mark the 167th anniversary of the Polish national holiday, Constitution Day. Historically, the Polish people have been one of the leading national groups who have fought not only in their own nation, but in other countries of the world, to achieve liberty and self-determination for all men. General Pulaski was one of the most brilliant and courageous leaders in our own fight for liberty.

The constitutional principles laid down 160 years ago have had a profund effect on the Polish people over the years, and, although the constitution itself has not survived, the principles which prompted its founders to write it have. In preparing their own constitutional document, the Polish people were inspired by the ideals of the American Declaration of Independence and also by the French Proclamation of Rights.

Poland has in years past been dominated by foreign powers as it is dominated by the Soviet Union today. But so strong has been the desire of the Polish people for freedom and self-determination that they have each time in the past thrown off the yoke of imperialism and reasserted their own national independence.

We here in the United States who seek brotherhood, dignity, and self-determination for all men pay tribute to the Polish people on this Constitution Day, and wish for them a return to the principles and ideals which motivated the writing of their constitution. These ideals have become a permanent part of the Polish culture and heritage.

Mr. BUSH. Mr. President, the 167th anniversary of Poland's Constitution Day will be observed on Saturday next, May 3, in the hearts of the people living within that unfortunate country, and throughout Polish communities in the world.

I am confident that the spirit of freedom, reflected in the constitution enacted by the Polish Diet in 1791, still lives in Poland.

Mr. President, many of the citizens of Connecticut are of Polish descent, and among them are many whom I regard as close personal friends. A warm-hearted generous people, they keep alive the traditions of the land of their ancestors while yielding to none in their devotion to the American way of life. I send to them my greetings on the coming occasion of Poland's Constitution Day, and know I speak for all the people of Connecticut in expressing the hope that one day the people of that unhappy land will be freed from the yoke of Communist imperialism.

I ask unanimous consent that a memorandum prepared by the Polish American Congress be printed in the RECORD following these remarks.

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

POLAND'S KEY POSITION IN CENTRAL EASTERN EUROPE

The subjugation by Soviet Russia of the formerly free and sovereign countries of central eastern Europe after World War II proved to be, as time went on, one of the main sources of international tension. A direct consequence of this shift of power was the division of Europe, totally artificial from a historical, cultural, and economic point of view, and detrimental to the very idea of a united Europe.

The demarcation line dividing Europe is based solely on Soviet power policy considerations with the purpose to serve further expansion of international communism.

Thus the ideological conflict between communism and the Free World was brought nearer to Western Europe and therefore to the United States of America, resulting in a state of cold war in the relation between East and West.

Poland, by her geographical situation, number of inhabitants, and natural resources, forms a key position in central eastern Europe.

As a general rule United States foreign policy has in the past concentrated its main interest on Germany and Russia, and less attention was paid to the countries situated between those two powers.

This attitude was largely responsible for the fact that wartime agreements, such as Teheran and Yalta, were concluded with the U. S. S. R. in disregard of Poland's vital interests as well as of the other eastern European countries.

Similarly the idea of finality with regard to European nations under Soviet hegemony which found some adherents in the United States of America, and was expressed by certain American writers—curiously enough on the very eve of the events in Poland and Hungary in 1956 which contradicted flagrantly this assertion—showed underestimation of the importance of Poland and other captive nations as potential factors of security and peace in Europe.

CONDITIONS IN POLAND AND UNITED STATES ECONOMIC SUPPORT

The people of Poland, in spite of ruthless Communist subjugation on the Stalin pattern, have maintained their patriotism and moral resistance. Their feelings and beliefs did not flinch under Communist indoctrination and terror. This also applies to the much exposed young generation.

The Poznan revolt and the October events of 1956, which took place under popular pressure, have shown the resistance of the Poles against Soviet rule and their aversion to every form of communism. Idealogical slogans, like "Polish road to socialism" proclaimed as a new program by the Gomulka regime are regarded by the average Pole merely as tactical moves, Communist style.

It is fully realized that the country finds itself in a compulsory situation toward Soviet Russia. The suppression of the Hun-

garian freedom rising by Soviet troops, practically without any reaction of the Western Powers, remains as a threatening memento.

Under these circumstances but a slim restricted margin is left for the development of direct relations with the West and the United States in particular.

It seems, therefore, profitable to the United States to take advantage of every possibility to give the people of Poland moral encouragement by proving interest in their fate through concrete facts such as economic support recently granted. Although this might represent a calculated risk, it is in line with psychological and political necessities, considering the feelings of the Polish people who looked to America for economic support.

SOVIET INSISTENCE THAT THE STATUS QUO IN CENTRAL EASTERN EUROPE BE RECOGNIZED BY THE UNITED STATES

Soviet recent successes in intercontinental missiles and sputniks are being exploited by the Kremlin to obtain final recognition of its domination over the countries of central eastern Europe.

In his address of December 20 last, delivered to the Supreme Soviet Khrushchev asked the West "to recognize the status quo—that is the situation characterized as it is by the existence of Socialist and capitalist states."

His language became violent in Minsk, on January 22, when he replied to President Eisenhower's proposal, that "in the interest of peace and justice the right of free choice of the captive nations be discussed at the summit conference."

In the subsequent exchange of letters and memorandums with the United States and the Western Powers, the Soviet Union took a menacing attitude with regard to every proposal to place on the summit agenda the problem of the captive nations. The U. S. S. R. termed such a request as an insulting interference in the domestic affairs of those countries, in spite of the fact that this request was motivated by agreements and treaties binding the Soviet Union.

It is evident that Soviet Russia reserves for herself the exclusive right to exercise control over these countries using the respective Communist parties as docile instruments of action.

It is useful to remember that any country subjected to communism is considered by Soviet Russia as virtually conquered for the Soviet bloc with all consequences deriving therefrom. This means in practical terms that any effort on behalf of the people of that country to replace the Communist system of government by a democratic one, through free voting expressing the popular will, is regarded as a hostile interference in the omnipotent right of the Communist Party to rule the country. And therefore as an act of aggression against Soviet Russia and other member states of the bloc. The use of Soviet troops to extinguish the Hungarian freedom rising constitutes an evident proof of Soviet policy methods.

Judging from a wider perspective of possible future developments in other parts of the world—this shows a real menace of international Communist infiltration.

The obstinacy with which the Soviet Union opposes any discussion of problems relating to the captive nations and insists so strongly now on the sanctioning of the status quo finds additional explanation in the following consideration:

The Poznan revolt of 1956, followed by subsequent developments in Poland and the Hungarian uprising are proofs that the countries behind the Iron Curtain are in fact a weak spot in the Communist empire. The more so that the repercussions of these events were far reaching as far as the Soviet bloc is concerned, and their influence strongly felt in the Communist parties abroad.

United Nations Organization's reactions to brutal methods applied by Russia to Hungary, although expressed by resolutions, which were without practical consequences, had a negative effect on Soviet propaganda. The Kremlin is therefore anxious to close once and forever the Hungarian chapter.

In addition to that the Soviets try to obtain a complete disinteressment of the Western Powers, and United States of America in particular, with regard to the countries submitted to their influence.

In this way the U. S. S. R. would acquire a totally free hand in their action against all efforts of the people to gain more independence.

From our American point of view even tacit acquiescence to Soviet maneuvers aiming at the sanctioning of Moscow-sponsored Communist domination of formerly free and sovereign countries—would alienate the people of those countries and be detrimental to the United States of America from a moral, political, and military point of view.

OREGON PETITIONERS WITH RESPECT TO ADVERTISING OF ALCOHOLIC BEVERAGES

Mr. NEUBERGER. Mr. President, I have received many petitions and letters from organizations and individuals in Oregon expressing their interest in the bill introduced by the Senator from North Dakota [Mr. LANGER], S. 582, which would prohibit the interstate transmission of material advertising alcoholic beverages.

Since hearings on this measure have just concluded, and the Interstate and Foreign Commerce Committee will now begin its deliberations on the bill, I ask unanimous consent to read into the RECORD the names of Oregon residents and organizations who have written me urging support of S. 582. These are as follows:

Mrs. L. E. Allumbaugh, Eugene, Oreg.; Mrs. Frank H. Bennett, of Forest Grove, Oreg., who sent a petition; Mrs. John Blass, Medford, Oreg.; Mrs. R. J. Brood, Medford, Oreg.; Miss Elizabeth Burr, Medford, Oreg.; Mrs. Charles Cornell, of Springfield, who sent a petition signed by members of her church board; Mr. V. Dennis, Portland; Mr. Elling Johnson, Roseburg, Oreg; Mrs. E. R. Martin, Portland; Mrs. Sarah M. Meyer, Eugene; Mrs. D. A. Minick, Gaston, Oreg.; Mrs. T. M. Pallett, Forest Grove, Oreg.; Mrs. Geneva M. Schwan, Medford; Mr. and Mrs. S. B. Torvend, Silverton, Oreg.; Mrs. Arthur H. Tucker, Portland; and the Reverend D. K. West, minister of the First Presbyterian Church in Medford, Oreg.

The following individuals and organizations expressed support for S. 852 and also indicated their interest in favorable action on Senate bill 593, introduced by me, or Senate bill 4, introduced by the able Senator from South Carolina [Mr. THURMOND], which would ban alcohol from the airlines:

Miss Elizabeth Braden, Nelscott, Oreg.; Miss Necia E. Buck, of the Oregon Woman's Christian Temperance Union in Corvallis, Oreg.; Miss Theda B. Condron, Corvallis, Oreg.; Mrs. Harry Dunlap, president, and Mrs. H. J. Bushue, secretary, who sent a petition signed by members of the Woman's Society of Christian Service of the Pleasant Home Methodist Church in Gresham, Oreg.; Mrs. C. E. Oldham, McMinnville, Oreg.; Mr. and Mrs. G. O. Sanden, Medford, Oreg.; Miss Jean Schlappi, president of the Woman's Society of Christian Service of the Community Methodist Church, Seaside, Oreg., who sent a petition; and Mrs. Thera Womer, Monmouth, Oreg.

I should also like to make special mention here of the very deep interest in S. 582 expressed by the Oregon Woman's Christian Temperance Union, which sent a petition signed by over 1,600 residents of our State who favor enactment of S. 582.

LAW DAY

Mr. SMITH of New Jersey. Mr. President, today, May 1, has been proclaimed as Law Day, the first day so titled in our history. Certainly it is fitting that such an occasion should be observed in a Nation whose very society and structure rest upon the philosophy of the rule of law.

Because our system of law is nonrigid and flexible, we have been able to adjust to most of the great stresses of the past 170 years without damage to our fundamental beliefs and culture. Surely this is the hallmark of a free and mature land.

Because we so deeply understand that common acceptance of principles of law among nations is the surest means for obtaining lasting peace, the attainment of such a goal is also one of the basic aims of our foreign policy. We therefore, have an opportunity on this day to express our gratitude for the blessings which the rule of law has bestowed on us thus far, and our hope that the nations of the world in the coming years will eventually come to agree on the common principles which give promise of promoting peace and justice for all.

In this regard, I ask unanimous consent that an editorial entitled "To World Peace Through World Law," which appeared in the New York Herald Tribune of today, May 1, be printed in the RECORD, at the conclusion of my remarks.

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

TO WORLD PEACE THROUGH LAW

"Justice is spontaneous respect, mutually guaranteed, for human dignity, in whatever person it may be compromised and under whatever circumstances, and to whatever risk its defense may expose us."—Proudhon.

"Equal justice under law" is chiseled in stone above the Supreme Court Building. It is a fitting motto, not only for the Court, but for the whole American Nation. For it is the law which bred us, led us, and fed us.

Today is Law Day, the first in our history, so proclaimed by President Eisenhower. He did so at the urging of Charles Rhyne, the 45-year-old North Carolinian who is president of the American Bar Association. Ever since he took office last summer, in a London meeting where he dedicated the American bar's monument to Magna Carta on the historic field of Runnymede, Charles Rhyne has devoted his time to spreading a single concept: world peace through world law.

It is a noble concept. Many has groped, imperfectly, toward it from the beginning

of time. It finds expression in the Decalogue of Moses. Leviticus tells us, "Ye shall have one manner of law, as well for the stranger as for one of your own country." Three centuries before Christ, Aristotle defined it in Athens: "The law is reason free from passion." Christ himself preached it in his Sermon on the Mount. Five centuries later the Romans spoke it in the Institutes of Justinian: "The precepts of the law are these: to live honorably, to injure no other man, to render to every man his due."

From this Judaic-Greco-Roman seed came the stirrings which expressed themselves at Runnymede when the English nobles forced King John to sign this pledge: "No freeman shall be taken, or imprisoned, or disseized, or outlawed, or exiled, or in any way harmed, nor will we go upon or send upon him, save by the lawful judgment of his peers or by the law of the land." Kings were tyrants long after that, but the flames of Runnymede spread; Sir Edward Coke could fling in the face of James I these words: "The King ought not to be under man, but under God and the law."

And when other lawyers came together in a new world, to proclaim a new nation conceived in liberty, they drew their propositions largely from Aristotle's "natural law" and from Blackstone's commentaries on the English common law. "I pray God these principles may be eternal," wrote Thomas Jefferson. And as the new Nation emerged, a great Chief Justice, John Marshall, by the force of his decisions and his strength of mind, left a legacy of living law—of growing law, adaptable to vastly changed situations—which is still today our strength as it is our refuge.

Only as the whole world comes to accept a rule of law, and agree on its common principles, will there be hope for a lasting peace. The progress is slow; nevertheless it exists. President Eisenhower himself appealed to such a concept in opposing the British-French attack on Egypt. Moreover, his use of the U. N. to stop that attack has now borne some fruit in a peaceful settlement by Egypt of the claims of the canal stockholders, embodied in a formal legal contract. The now-pending United States proposal in the U. N. for international inspection of the Arctic is an attempt to extend the concept of international law. Significantly, it has such appeal that Secretary General Dag Hammarskjold momentarily stepped out of his role of impartial referee to make an eloquent appeal for the Soviet Union to accept it. The moral force of all humanity is a rising pressure for a rule of law.

Of course, the Soviet Union has a legal code of sorts, more honored in the breach than in the observance. Khrushchev in his famous speech against Stalin's crimes talked much about the "Socialist legality" which he said Stalin violated by imprisoning and executing men without trial, by decrees which bypassed the courts. No Communist has much respect for legal codes. And already Khrushchev is beginning to attack his political opponents in Stalinesque phrases; their lives or their freedom may soon be at hazard. All this flows from the two most glaring defects in Soviet law: (1) no provision for the election and legitimate succession of state rulers, which causes an inevitable and endless power struggle; and (2) no habeas corpus to provide universal protection against arrest and punishment without jury trial.

Our own law, and the Supreme Court itself, must fight off recurring attacks. Nevertheless, as in desegregation, we continue to move toward the ideal set by Solon long ago: "That city is the best to live in, in which those who are not wronged, no less than those who are wronged, exert themselves to punish the wrongdoers."

ROCKEFELLER PUBLIC SERVICE AWARDS

Mr. SMITH of New Jersey. Mr. President, yesterday I had the privilege of attending the sixth annual presentation of the Rockefeller public service awards, which were made to nine outstanding career employees of the Federal Government. The awards were established in 1952 by a grant from John D. Rockefeller III, and are administered as a national trust by Princeton University's Woodrow Wilson School of Public and International Affairs. It was announced yesterday that Dr. Harold W. Dodds, president emeritus of Princeton, has been appointed chairman of the selection committee.

At the ceremony here in Washington, both Mr. Rockefeller and Dr. Robert F. Goheen, president of Princeton, stressed the basic purpose of the awards, namely, to recognize valuable public service by civilians in the executive branch and to establish incentives for their continuance and advancement through the opportunity for the off-the-job study.

Because of the importance of this program in helping topflight Government personnel keep abreast of the latest developments in their field, I ask unanimous consent to have printed in the body of the RECORD at this point in my remarks the names of the Rockefeller public service award winners for 1958 and the Federal departments they represent.

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

NINETEEN HUNDRED AND FIFTY-EIGHT ROCKEFELLER PUBLIC SERVICE AWARD WINNERS

Dr. Churchill Eisenhart, Chief, Statistical Engineering Laboratory, National Bureau of Standards, Department of Commerce.

Mr. James B. Engle, Office of Western European Affairs, Department of State.

Dr. Karl R. Johannessen, Chief Meteorological Consultant and Technical Adviser to Air Weather Service, United States Air Force.

Dr. Robert H. Johnson, Secretary, Special Staff, National Security Council.

Mr. Stanley Lebergott, analyst, Office of Statistical Standards, Bureau of the Budget.

Dr. James R. McNesby, senior research scientist, free radicals section, National Bureau of Standards, Department of Commerce.

Mr. William R. Mickelsen, head, special problems section, propulsion chemistry division, Lewis Flight Propulsion Laboratory, Cleveland, Ohio; National Advisory Committee for Aeronautics.

Mr. Paul W. Rose, Director, United States Operations Mission to Nepal, International Cooperation Administration.

Dr. Joseph E. Upson, research geologist, United States Geological Survey, Department of the Interior.

SENATOR KENNEDY'S ADDRESS AT ROCKEFELLER PUBLIC SERVICE AWARDS PRESENTATION

Mr. SMITH of New Jersey. Mr. President, the principal speaker at the Rockefeller public service awards luncheon was the distinguished junior Senator from Massachusetts [Mr. KENNEDY]. In his remarks, he forcefully stated the need for broader opportunities for the continued training of key career personnel in every department of the Federal Government.

As he pointed out, industry has already come to realize the importance of a Rockefeller type of program in the training of career executives as a kind of intellectual retooling to extend their skills and broaden their outlook:

It is high time that we offered this kind of opportunity to our most talented, promising, and devoted career servants—to benefit those who receive its grants, to benefit those who strive for it, to benefit all of the career service, the Congress that makes so many demands upon it, and the public that so often wrongfully abuses it.

I ask unanimous consent that the text of Senator KENNEDY's address at the Rockefeller public service awards presentation be printed in the RECORD at this point in my remarks.

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

ADDRESS BY SENATOR JOHN F. KENNEDY, OF MASSACHUSETTS, AT THE ANNUAL PRESENTATION OF THE ROCKEFELLER PUBLIC SERVICE AWARDS, WASHINGTON, D. C., WEDNESDAY, AFTERNOON, APRIL 30, 1958

I am greatly honored to participate in this annual presentation luncheon for the Rockefeller public service awards. My sense of privilege is heightened by the distinction of these annual awards, by the distinction of this program and those responsible for it and by the distinction of those recipients whom we honor today.

The opportunity which has now been granted to them is, I am certain, unprecedented in their lifetime—and it will never be offered again.

It is not, however, an opportunity for mere personal enrichment. We are confident that in the year ahead they will benefit in such a way as to benefit us all in the years to come. We are confident that they will bring new vision, new wisdom, and a new stimulus back to the musty halls of Washington officialdom as the result of their observations and learning during the coming year.

* * * * *

I know that these recipients whom we honor today will bring some learning back with them—that they will be better fitted to meet the challenge of our age. Certainly our Government and our people have never stood so acutely in need of developing in full the talents of our ablest public servants. We have long been accustomed to the practice of elevating talented scholars in the public service. * * *

But a growing disdain for public service in our Nation as a whole and in our colleges in particular has been coupled with a trend for increasing complexity of national problems. We must secure the services of the best minds of our Nation—and expand the horizons of those career servants who have demonstrated their distinction—if we are to cope with the staggering burdens of discouraging and puzzling problems that now confront us. This is no time for overspecialized public servants who are unable to ride easily over broad fields of knowledge. * * *

On the contrary, we need career servants especially trained to meet the critical issues of our time—issues which have become both so immense and so complex that the experts disagree and the laymen throw up their hands. Think, if you will, of the technical competence necessary to enable one to make an informed judgment on the desirability of suspending atomic tests, on the necessity of establishing missile bases abroad, on the effort worth devoting to reaching the moon, on the disposition of our agricultural surpluses,

on the stabilization of the world's currencies and a whole host of other problems. Some of our problems are so familiar that we have almost taken their existence for granted—we have in effect despaired of ever ending mental illness or social tensions or juvenile delinquency or business cycles. * * *

The fact remains that the American people lack the information and training necessary to make an informed judgment on many of these issues; and we in the Congress, ill housed and ill staffed, are not much better equipped to deal with them effectively. We are dependent upon alert, informed, resourceful, and objective guidance from our civil servants. If they, too, lack the necessary opportunities for training and growth, then we will be reduced to the "blind leading the blind"—or, to put it more precisely in the case of our most difficult issues, the bland leading the bland.

I do not say that a year in college will work miracles for our public servants. * * *

But it is no exaggeration to say that whether or not the Battle of Waterloo was won on the playing fields of Eton, the struggle in which we are now engaged will be won or lost in the classrooms of America. * * *

And what should be of concern to us today is that there are so few who are to be given this opportunity—that even these awards are available only because of the foresight and philanthropy of John D. Rockefeller—and that this program is one of a limited duration.

The Rockefeller Foundation and family have recognized—perhaps more than any comparable group—the usefulness of what the economists like to call "seed capital." They have pioneered in the establishment of new projects and programs—not as permanent monuments but as pilot projects. They have established task forces or initiated ventures in order to demonstrate what can and should be done by the rest of the Nation. These undertakings have stimulated our awareness and action in a number of fields—in medicine and public health, in education, the arts, and elsewhere.

But certainly one of their finest contributions has been to the strengthening of our career public service. The awards and training program we honor today is built in a sense upon a similar precedent which the foundation set a generation ago. Under the auspices of the National Institute of Public Affairs, the cream of our college talent was attracted to Washington and to an internship in Government service. Those interns today hold top positions in the Government, or in educational, industrial or professional activities closely identified with it.

That experiment was successful—its value to the whole Nation became apparent—and the idea first conceived by the foundation was adopted by the Government as its continuing responsibility. The junior management training and executive development programs administered by the Civil Service Commission and the various departments have enlarged upon this original and decisive model of the Rockefeller Foundation. And the result has been the most imaginative program of recruitment ever devised in this country for creating a strong backbone to the professional career service.

Today we witness another successful program, established by Mr. John D. Rockefeller III, in association with Princeton University. This program, too, has blazed a trail for the public service—and this program, too, deserves to be adopted by the Federal Government.

In a sense, the Rockefeller public service awards have a double purpose: The first is to provide a reward for merit and to recognize distinguished service. This aim has already been reinforced within the Government by the Presidential awards to distinguished civil servants begun this year.

But the second aim has not yet been secured, though it lies within reach—and that is to spotlight the needs for continued training of career servants—to emphasize the value of their maintaining up-to-date competence, renewing their relationships with the scholars and researchers who are in their field of specialty extending the frontiers of knowledge—to take men in middle life, who have gone far in a relatively narrow field, and broaden their outlook, then to use them in positions of still broader scope and responsibility. Given new incentives, for advancement, a new environment, an opportunity for a fresh exchange of ideas and constructive criticism, these men have been enabled to move out of the ruts of routine. Their contribution to the public good is greater—and at the same time our Government has retained the services of highly and often expensively trained public servants.

This concept of additional training and experience for the advanced career man is not unique, of course. It is not a new device to ease the lot of bureaucrats or spend the taxpayer's money. Lawyers, doctors, and other professional men avail themselves of private opportunities to recharge their batteries, so to speak.

The tradition of the sabbatical in the field of education—for intellectual retooling and extension of skills and research—is now well established. In industry, too, there is a growing recognition that men in middle life can benefit enormously from the change and pause of an educational environment. In my State the School for Industrial Management at MIT, and the program of advanced management at Harvard, have been foremost in contributing to these new developments in executive training. The Bell Telephone Co. and the University of Pennsylvania are associated in a program of liberal education for its higher executives. Indeed, most large industries are now actively considering new ways by which the rich resources of our educational institutions can be mobilized for the broadened training of career executives.

Yet the record in our Government is a spotty one, to say the least. The Foreign Service, the military services, and a few departments do have limited authority to send personnel to universities for tours of training and advanced education. Yet there are many departments which cannot, under current law, enrich their personnel standards, and stimulate their most promising men and women, through providing this kind of educational leave and training. The Rockefeller awards have made it possible for only a few.

The value of this program is now undeniable. Those whom we honor today, to be sure, are an exceptional few—but there are potentially many, many more. We cannot expect the Rockefeller program to do the job alone—or forever. It is high time that the Congress adopted this Rockefeller program, also. It is high time that we offered this kind of opportunity to our most talented, promising, and devoted career servants—to benefit those who receive its grants, to benefit those who strive for it, to benefit all of the career service, the Congress that makes so many demands upon it, and the public that so often wrongfully abuses it.

It is high time that we acted—that we nourish the seed first planted in this program so many years ago. And I know of no more appropriate year to act than 1958—the year which marks the 75th anniversary of the civil service. Here is the ideal backdrop against which Congress should act. Training is the only broad area of public personnel administration for which this Congress has not passed any legislation. Yet we are, as I indicated earlier, on the brink of action.

Through the leadership of the able Senator JOE CLARK, the Senate has passed S. 385. It is a training bill which gives the broad authority required by most agencies and permits its flexible administration. The main features of the bill have been supported by the President, the Bureau of the Budget, the Civil Service Commission, and the personnel directors of most agencies.

I am hopeful that the Senate and House can soon reconcile their differences in a sensible compromise—and that Mr. Rockefeller's seed capital can give momentum to a sustained and flexible training program in our Government.

The enactment of such a program will mark a turning point, in my opinion, in the attitude of the Government toward the intellectual capacity of its employees. In recent years we have scoffed at intellectuals in Government, isolated them, refused to finance their research. We drove them out of the career service or discouraged them from ever entering. And today the Soviets have seized the initiative in intellectual achievements and prestige, with telling results—not because they captured German scientists but because we neglected American scientists. Because Mr. Wilson wasn't interested in basic research as to why certain chemical substances turned green—and now we're finding out too late why certain nations turn Red. Did anyone else in history ever think the best way to prepare for a crucial battle was to blow his own brains out?

Today we need new ideas, new techniques, statesmen, politicians, and civil servants willing to take the lead in new fields. We are moving ahead along a knife-edged path which requires leadership better equipped than any since Lincoln's day to make clear to our people the vast spectrum of our challenges.

The question is whether a democratic society, with its freedom of choice, its breadth of opportunity, its range of alternatives, can meet the single-minded advance of the Communists.

Our decisions are more subtle than dramatic. Our farflung interests are more complex than consistent, our crises more chronic than easily solved.

Can a nation organized and governed such as ours endure? That is the real question. Have we the nerve and the will? Have we got what it takes to carry through in an age where, as never before, our very survival is at stake, where we and the Russians have the power to destroy one-quarter of the earth's population, a feat not accomplished since Cain slew Abel? Can we carry through in an age where we will witness not only new break-throughs in weapons of destruction—but also a race for mastery of the sky and the rain, the ocean and the tides, the inside of the earth and the inside of men's minds?

In the words of Woodrow Wilson: "We must neither run with the crowd nor deride it—but seek sober counsel for it—and for ourselves."

COMMUNIST ECONOMIC THREAT

Mr. SMITH of New Jersey. Mr. President, on Monday, April 28, Mr. Allen Dulles, Director of the CIA, delivered a challenging address to the United States Chamber of Commerce on the Communist economic threat. In commenting on Mr. Dulles' remarks, the Washington Evening Star, in an editorial in yesterday's issue, stated:

In view of the nature of the Communist system, Mr. Dulles * * * has not exaggerated in declaring that Soviet economic progress constitutes the most serious challenge the United States has ever faced in time of peace.

The editorial goes on to point out that such a warning is intended in no way to discount the equally enormous threat implicit in the Kremlin's armed power and scientific advances. It is, however, a sober reminder of the imperative need to meet the Communist cold war on all fronts, a reminder directed especially, as the Star states, at "all those Americans who seem recklessly intent upon scuttling our foreign-aid and reciprocal-trade programs."

Mr. President, I ask unanimous consent that the editorial entitled "The Red Economic Threat," from the April 30 issue of the Washington Star, commenting on the meaning of Mr. Dulles' remarks, be printed in the RECORD at the conclusion of my statement.

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

THE RED ECONOMIC THREAT

If the Soviet Union were a land of liberty, there would be no occasion for Allen Dulles' warning about its economic growth. Instead, the world would have reason to welcome and cheer the development as something that could help to promote human betterment and a prospering international peace of freedom and justice.

Far from being a bulwark of liberty, however, the Soviet Union is a totalitarian tyranny run by a handful of power-hungry and intensely secretive conspirators whose ultimate objective is to communize mankind and win dominion over the entire globe. Naked armed force, deceit, treachery, infiltration, subversion—these are among the weapons they have used, and still use, to attain their ends. Anyone who thinks otherwise had better ponder the fate of Hungary and all the other captive lands behind the Iron Curtain.

Accordingly, in view of the nature of the Communist system, Mr. Dulles, Director of our Central Intelligence Agency, has not exaggerated in declaring that Soviet economic progress constitutes the most serious challenge the United States has ever faced in time of peace. In making this point, he has not discounted the enormous threat implicit in the Kremlin's armed power and scientific advances, but Khrushchev and company—in his judgment—want to avoid a shooting conflict and to win global domination with such weapons as trade, aid, and infiltration carried out in Asia, Africa, South America, and free Europe. In short, as he sees the situation, "it is most probable that the fateful battles of the cold war will, in the foreseeable future, be fought in the economic and subversive arenas."

Mr. Dulles has drawn a somber picture of how well equipped the Kremlin is for such battles. Thus, although American productive capacity still is far ahead in many respects, the Soviet economy is growing at a rate roughly twice that of ours. Moreover, since it operates under a despotism that does not have to seek parliamentary support or worry much about public opinion, it can be readily geared to policies of international infiltration and subversion. Moscow has made effective use of it, for example, in Egypt, and in places like Syria and Yemen, where Russia's trade and aid must be viewed as an investment in disorder calculated to make trouble for the forces of freedom. Similarly, the Kremlin's stepped-up drive for commerce with Western Europe might easily become—if it succeeds—a formidable weapon of economic warfare.

Of course, as Mr. Dulles and others have pointed out, the men of the Kremlin cannot entirely ignore the wants and discontents of the masses of the U. S. S. R. As education spreads among those masses, and as the Soviet economic machine continues to grow, the Moscow dictatorship should feel mounting popular pressures to put that machine to work to liberalize and improve domestic living conditions. But this possibility, though real enough, is likely to materialize—if ever—only at a very slow pace.

Meanwhile, in terms of the next decade or two, the United States and the Free World at large must reckon most seriously with Soviet internal and external economic expansion. For the threat implicit in it, as Mr. Dulles has warned, is at least as great as the threat implicit in the Kremlin's military might, and it should sober all those Americans who seem recklessly intent upon scuttling our foreign aid and reciprocal trade programs.

SATURDAY EVENING POST ARTICLES BY SENATOR McCLELLAN

Mr. KNOWLAND. Mr. President, in this week's Saturday Evening Post there appears an excellent article written by the Senator from Arkansas [Mr. McCLELLAN], the distinguished chairman of the Senate select committee, dealing with the subject matter of the current investigation of the coercion and corruption which have taken place in some of the labor organizations, and the consequent abuse not only of the public, but of the membership of labor organizations.

I hope not only that every Member of the Senate and the House will have an opportunity to read the first article, which appears this week, and the second article, which will appear in a subsequent issue, but I hope as many of the American people as possible may read the articles. I think when they have done so they will recognize the problem, and join with some of us who have felt this session of Congress should not adjourn without giving needed help both to the rank and file of American labor and to the American public.

MEET THE PRESS INTERVIEW WITH SENATOR ANDERSON CONCERNING ADMINISTRATION'S NUCLEAR WEAPONS POLICY

Mr. PROXMIRE. Mr. President, last Sunday the distinguished Senator from New Mexico [Mr. ANDERSON] appeared on the television panel show Meet the Press. His performance was one of the most brilliant and significant by any public figure in recent years.

This was the interview in which the great Senator from New Mexico sharply challenged the administration's lack of a single sensemaking, affirmative nuclear weapons policy. He brought to the American people his own remarkable knowledge and understanding of this immensely critical problem of human survival.

Mr. President, this interview has already been the subject of consideration at the President's press conference. It will be discussed for months to come wherever throughout the world people concerned with the preservation of the human race in the nuclear age convene.

I ask unanimous consent, Mr. President, that the transcript of this tremendously significant interview, which is, of course, not now available in print, be printed in the RECORD following my remarks.

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

MEET THE PRESS, SUNDAY, APRIL 27, 1958

(Produced by Lawrence E. Spivak)

Moderator: Ned Brooks.

Guest: Senator CLINTON P. ANDERSON, Democrat, from New Mexico.

Panel: William S. White, United Features Syndicate; John Finney, New York Times; Richard Wilson, Cowles Publications; Lawrence E. Spivak.

The ANNOUNCER. Our guest, ladies and gentlemen, is CLINTON P. ANDERSON, ranking Senator on the Joint Atomic Energy Committee, and a member of the Senate Space Committee. Ready for this spontaneous, unrehearsed conference are four of America's top reporters. Please remember their questions do not necessarily reflect their point of view. It is their way of getting behind the headlines.

Here is the moderator of Meet the Press, Mr. Ned Brooks.

Mr. BROOKS. Welcome once again to Meet the Press.

For some weeks past, three major problems have dominated the front pages: the testing of nuclear weapons, the conquest of outer space, and the recession.

Our guest today, Senator CLINTON ANDERSON, Democrat, of New Mexico, has important connections with all three of these problems. He is the ranking Senate member and the former chairman of the Joint Atomic Energy Committee of Congress. He is the chairman of a subcommittee on outer space, and he recently was appointed to the new blue ribbon Senate committee which next week begins hearings on a long-range space program.

Senator ANDERSON is a member of the Senate Finance Committee now studying the cause of the recession and how to put it into reverse.

In Democratic Party affairs he has long occupied an active and influential position. He was Secretary of Agriculture for 3 years under former President Truman and he is now serving his second term in the Senate.

Seated around the press table today, ready to interview Senator ANDERSON, are Richard Wilson, of the Cowles Publications; John Finney, of the New York Times; William White, of United Features Syndicate, and Lawrence E. Spivak, our regular member of the Meet the Press panel.

Now, Senator, if you are ready we will start the questions with Mr. Spivak.

Mr. SPIVAK. Senator ANDERSON, the Chairman of the Atomic Energy Commission, Mr. Strauss, has told the American people that these tests which are coming up are important for us so that we can learn more about cleaner bombs and build defensive weapons.

Now don't you agree that these are important objectives for us and that it would be a mistake to stop testing before we achieve them?

Senator ANDERSON. I do not agree that it would be dangerous to stop testing before we achieved them. I think we know now far more than the Russians do about clean bombs and I think if the Atomic Energy Commission really believed the story about clean bombs they would have some clean bomb tests in this series of tests. I think the number of clean bomb tests will be relatively small in proportion to the number of testings. I think that is the real way to try it out.

Mr. SPIVAK. Well, why do you think they are testing, just for the fun of it?

Senator ANDERSON. Oh, no, they are anxious to develop—and properly so—a complete family of small-sized weapons. We are having remarkably good success. We are doing wonderful things. I would say we are prob-

ably ahead of anyone else in the number of the tiny weapons we have which are going to be important, and I think that this country is doing a fine job of testing.

I merely say that I wonder if the results are worth the costs.

Mr. SPIVAK. You evidently made your conclusion on that because you want to stop testing, don't you?

Senator ANDERSON. I want to take the Russians up when they make a bluff. The Russians say they want to stop testing immediately. I would take them up and call them at once and say "Well, you ran your show and we will run ours and when we finish ours we will both stop testing."

You would find out something pretty quickly. You would find out if the Russians are prepared to stop testing, which I do not believe they are because I think they want small weapons too. If they were prepared to do it then we would know something about the size and complexity of their stockpile. We would have some idea of how it was constituted and we might learn something for ourselves.

Mr. SPIVAK. Senator, as a member of the Atomic Energy Committee, you know something about our stockpile and I imagine you have some hints about what the Russian stockpile is.

Do you think we are far ahead of them? We have been wrong in almost every other estimate we have made on military matters where the Russians are concerned.

Senator ANDERSON. I think it can be fairly accurate that we are substantially ahead of them. We have ways of knowing just how much plutonium production they have had and they have ways of knowing how much we have. I think they can calculate our stockpile with amazing accuracy and I think we can calculate theirs.

Mr. WHITE. Senator ANDERSON, there are reports today that Secretary of State Dulles is retreating from his earlier position and is now proposing agreement with the Russians to stop these tests, and Admiral Strauss, of the Atomic Energy Commission, is remaining adamant about stopping them. Does what you have said earlier indicate that you support Mr. Dulles' present line here and would you be prepared to stop them if the Russians are not bluffing?

If, in fact, we said we would stop them and they stopped them, would this be good for us?

Senator ANDERSON. I don't know what Secretary Dulles' line is, but I would be inclined to say from his previous testimony that I would support him. I think the discovery that we could detect a small, underground explosion in Nevada 2,350 miles away has changed the picture. It has given some support to those people who have said that 20 stations inside Russia would give us a complete picture of whether they were or were not testing, and I think that Secretary Dulles, if he has changed his position, has changed it very wisely because I am afraid world opinion would have to agree that it is possible to detect the test.

Mr. WHITE. Senator, is it fair to say that there are 2 issues here, and that 1 issue is a matter of public opinion? That is the almost universal desire to stop these tests; and another issue is military opinion. I asked that question because I have been told that the military people in general believe it would be dangerous to us to stop these tests even if the Russians agreed on the line, as they have explained it, that the Russians can afford to contemplate a so-called dirty bomb and we cannot?

Senator ANDERSON. We can afford to contemplate it, Mr. White. As a matter of fact, this is not a matter that I can prove because every time you try to prove it, you run up against this wall of executive communications, but I believe I am very reliably informed that there has been a quarrel between the State Department and the military for a long time over the type of bombs. I believe our State Department does want cleaner bombs, but I believe the military is steadily stockpiling dirtier bombs and I think any investigation would show that.

They not only are supporting them, they have pulled bombs out of the stockpile and inserted something which makes it dirtier.

Mr. WHITE. Why, Senator?

Senator ANDERSON. Because they want dirty bombs and that is the best evidence in the world of what they are trying to do. We talk clean on one side, and we stockpile dirty on the other side. I don't think it makes much sense.

Mr. WHITE. Why do our military people want dirty bombs?

Senator ANDERSON. They want it effective. You don't have bombs in order to have Fourth of July explosions. You have them for destructions.

Mr. WHITE. Is the clean bomb not going to be effective?

Senator ANDERSON. Well, what will a clean bomb do?

Mr. WHITE. I ask you, sir.

Senator ANDERSON. I don't know what it is going to do. It would be all right if you are going to have very limited warfare and if you can be sure you can just pinpoint a target, but if atomic war starts, in the opinion of the men like Curt LeMay for example, who plays his war game before the joint committee, and I think makes a wonderful case for it, he points out war is going to be destructive and if you are going to be engaged in destructive war, you better have the instruments of destruction.

Mr. FINNEY. Senator, I am a little bit confused. Would you stop testing without some agreement to inspect, to make sure there was no attempt to cheat?

Senator ANDERSON. No; I would not. But the Russians have said they are willing to have inspection. What we were always told was that you couldn't find it out and that is why this 2,350-mile limit was so important, because we have been told you couldn't hear it 200 miles away.

Dr. Teller and Dr. Lawrence were rushed to the White House to tell the President that you could not detect one if you did it in the right fashion. I think I know what they proposed. I don't believe it has been announced, but it is very similar to what we did in Nevada. Then the word comes out that you can detect it 2,350 miles away and I believe it will show they detected it 3,000 miles away and it completely destroyed the whole argument.

Mr. FINNEY. In other words, you believe it is possible to set up an effective inspection system that would be foolproof?

Senator ANDERSON. Well, I don't know just how foolproof "foolproof" is, but I think it would be completely effective. That is all that I could say. I don't say something couldn't come along with a new gadget that would test a very small weapon but I don't think anything useful would come out of that size test. I think anything in the neighborhood of 1 kiloton can be detected.

Mr. FINNEY. That is 1,000 tons TNT, you think we can inspect?

Senator ANDERSON. And this is a mighty small bomb as you well know.

Mr. FINNEY. How many stations would we have to have within Russia and within the United States to carry out such ban?

Senator ANDERSON. We haven't worried about the United States as yet because we wouldn't care how many they would have, I wouldn't think, but a professor at Princeton testified before the Disarmament Committee—he has been writing some articles and he said 22 stations would be enough. That would put them every 250 miles.

Mr. FINNEY. You heard Hans Bette who has been acting as special adviser to Dr. Killian and President Eisenhower on this. He recommends a substantially larger number of stations within the Soviet Union, doesn't he?

Senator ANDERSON. I don't know. I didn't hear that part of his testimony if he did, but I think 22 would be sufficient. Twenty-five would certainly be ample.

What if we had 50, it certainly wouldn't cost anything like shooting off 1 missile down at Cape Canaveral.

Mr. WILSON. Senator, I wish you would talk to just one point in connection with what you said previously. I think you said something which caused me to believe you didn't think there was such a thing as a clean bomb.

Senator ANDERSON. There is no such thing as a completely clean bomb. I don't wish to quibble about words, but maybe it is 95 percent clean or 96 or 97 percent clean, but just remember if we would shoot a large multi-megaton bomb, it would be far dirtier than the bomb we discharged over Japan at the end of the World War.

Mr. WILSON. I just wondered if you thought we were sort of pursuing a will o' the wisp and carrying this——

Senator ANDERSON. They can be made fairly clean, and almost completely clean, but not entirely clean. Something has to be there to kick it off.

Mr. WILSON. Senator, I wanted to ask you about—you are a member of several committees, two committees which have a very direct connection with the future of space exploration and space control. I wondered if you yourself have any clear and concise ideas of the steps we should take in this whole field in the immediate future?

Senator ANDERSON. Well, I think we ought to decide what our objective is first of all. If it is a stunt, then a stunt is what we have chosen because we are going to send some sort of a weapon to the moon. If it is military work, then of course we must keep on developing some sort of military devices. If it is long-range exploration, then we should be developing nuclear propulsion because no spaceship can go to the moon and come back, in my opinion, without nuclear propulsion and that opinion is backed up by many scientists so we ought to decide what our objective is.

If it is just a stunt, it doesn't matter much what we do; we have chemical engines for the stunts now.

Mr. WILSON. That is what I am trying to get at, sir.

From your study of the things so far, what do you think we should do?

Senator ANDERSON. I think we should look for long-range exploration. I am afraid if we put all our hopes and aspirations on the stunt that just before we are ready to try it, Russia will put one on the moon and we are not going to be too happy about that, but long-range propulsion of devices through the sky, long-range exploration of other planets is possible. It can be done, I think, only by nuclear propulsion and we ought to take a great lead in that field.

After all, we developed the first atomic bomb, the first hydrogen bomb, the first atomic submarine, why not the first spaceship? We are not going to have the first atomic airplane apparently. Why not the first atomic spaceship.

Mr. WILSON. I notice Dr. Killian places very little emphasis upon the propulsion of these vehicles by nuclear power. Do you think he is wrong in that?

Senator ANDERSON. Yes; I think it just goes to show how far wrong a good man can go. I think he is a very fine person, but the bill which he sent to the Congress didn't contain a single word about nuclear propulsion and made you think it was designed only to make sure that the space work stayed in the hands of the people who make chemical propellants and conventional types of rockets. I admit there is nobody having any nuclear fuel for sale but just

the same it is an important thing if you are going into the space age.

Mr. WILSON. Of course Dr. Killian doesn't have any interest in chemical fuels per se. I wouldn't think.

Senator ANDERSON. No; but all the people who have worked with him feel we should go ahead on chemical fuels because they are well developed, and they are.

Mr. WILSON. They are too traditionally minded in your opinion, then?

Senator ANDERSON. I think they have lost sight completely of what the future might be. You could, to be sure, send some sort of a device to the moon with a chemical rocket but you couldn't bring it back. The thrust that it takes to get there is tremendous. There is no atmosphere around the moon. Therefore, if you are going to land a party on the moon, you have to have something to hold it back as it comes in for landing and once it lands, then you have to take off. And while you come back to the earth, you have to take an orbital speed of some 66,000 miles an hour on the earth and catch up as you are coming in. It is a pretty difficult task and you will have to have nuclear power to do it. You have to have the thrust of the nuclear engine.

Mr. SPIVAK. Well, Senator, the Atomic Energy Commission with the approval of the President feels that these tests are very important. Now, are they talking through their hats?

Senator ANDERSON. No, no. The tests are very important if you want to keep on developing more and more and more of these small devices and I think it is a fine thing. But I do say that if we were to stop testing, we have laboratories at Livermore and Los Alamos that must have notebooks full of very wonderful things. So let them work for some years on what they have already developed. I think we would have all the things we need to do for a long time to come. And maybe they would have some time to do some work on atoms for peace. What has happened to atoms for peace? You don't hear a word about it any more.

Mr. SPIVAK. And they go on working on things without testing them? They say that testing is a very important part of that job.

Senator ANDERSON. It is important; but I say, having already developed as far as we have, we can go on with a multitude of ideas without tests. What do you suppose they do between tests? They work on devices all the time.

Mr. SPIVAK. And you say it is impossible for the Russians to carry on secret tests?

Senator ANDERSON. I think it is; I say very frankly.

Mr. SPIVAK. How do you know that if they have been secret? They might have been carrying on secret tests for quite some time. You wouldn't know if they were really secret.

Senator ANDERSON. The proposal was that we have inspection stations inside of Russia. I don't say that Russia announcing it wasn't doing something would mean anything to me or to you either, and I wouldn't pay any attention to that sort of agreement. But if Russia says, as I have understood they have said, that they are willing to allow inspection, then I know we can find out.

Mr. SPIVAK. You say we are testing for small weapons. Aren't we going to test another H-bomb, too? Hasn't that been announced? Aren't we going to test another H-bomb in August?

Senator ANDERSON. Yes, and it is pretty dirty. You see, that is what is holding it up. There is a very substantial amount of fission product connected with that test and it is going to be put at the tail end and maybe something will happen by that time so it can be postponed still farther, but we don't get any real announcement of the purpose of most of these tests and, therefore, I don't know whether it is going to be held or not. But if we do test one it will probably be tested under such circumstances——

Mr. SPIVAK. What do you mean you don't get any real announcement? Isn't that the job of your committee to find out what is going on?

Senator ANDERSON. We get a list, but the purpose of the test comes to us in the evaluation after the test.

Mr. SPIVAK. Well, Senator, as I understand it, foreign scientists have been invited to come to these tests in August and they are going to be told something about the power of these tests and how clean they are. Don't you know anything about it?

Senator ANDERSON. Oh, yes; we find that out too; but what I am trying to say is the power of the test doesn't mean anything about its composition or what they are trying to find out by it. They may have left out a very important element to see whether they can have a bomb without that element in it. And that is important to the Atomic Energy Commission. It is important to the future cost of the weapons program.

I only say I don't think it is quite as important as the present situation of world unrest over this question of testing.

Mr. SPIVAK. Senator, I would like to get this straight. If the Russians said tomorrow "We are prepared to sign an agreement to stop testing, to stop production and to destroy all our bombs and to accept whatever inspection system you want, would you be prepared to go along with them on that?

Senator ANDERSON. I think I would have great worries about what the land armies of the Russians could do in the domination of the world. I had hoped that if we reached a program of the gradual reduction of stockpiles we leave some residue of atomic weapons in the hands of the United Nations to try to enforce the peace. I think the Russian land armies could overrun a great deal of Europe immediately and therefore I would have some reservation on what they would say about the complete destruction of everything.

Mr. SPIVAK. Suppose they hid a large supply of atomic bombs?

Senator ANDERSON. I think they could hide a large quantity of them. I think it is possible to make small weapons that can be hidden. I don't know what detection device we would have for that. Therefore I would like to take it by steps and try first of all this termination of tests upon an agreed-upon basis for inspection to accompany it. I thought the administration was not hostile to that.

Mr. SPIVAK. I don't quite understand your program. You don't trust them. Why would you go ahead on a basis where what you do, if you are honest, you do, and you know you do it, but you are never sure of what they do.

Senator ANDERSON. Oh, yes; you do. That is exactly what I have said. If we had a basis of inspection so we could tell, and we can detect and I am sure we can detect, then I would know we might safely go ahead on that part of the program.

Mr. SPIVAK. But you say you can't detect if they hide them?

Senator ANDERSON. That is another story.

Mr. SPIVAK. A very important story.

Senator ANDERSON. That is the second stage of it. You are talking about what we are going to do about the destruction of the stockpile and I say I am very dubious on the destruction of stockpiles until I know whether they can be hidden away. I think now they can be.

Mr. WHITE. Senator ANDERSON, in view of this profound division within the Government about whether we should or should not stop these tests, and in view of the fact that Admiral Strauss of the Atomic Energy Commission is in the forefront of those opposing halting these tests, would you vote to confirm his nomination if the President reappointed him or would you oppose him?

Senator ANDERSON. Well, I would think that that would be a question that would come up very much later and have a wholly different aspect to it.

Admiral Strauss stated very plainly before the Disarmament Committee that he was opposed to the individual parts of the program, but willing to accept it all. I think we would have many long discussions as to his attitude on that and on public power if his name came before the committee again.

Mr. WHITE. Turning away from that, Senator, but still on matters of personnel, there have been many suggestions made in the last few months that Dr. Robert Oppenheimer should be recalled to the Government service in view of the crisis about this weapon.

Do you have any thoughts on that? Do you think he should be? Do you think his services should be used in any way or not?

Senator ANDERSON. Yes, I have said that I think he should be given an opportunity to serve. I don't think that you can conceal from Dr. Oppenheimer some of the things that he himself has developed. I think that his work was exemplary when he was at Los Alamos in connection with the bomb. I think he was foolish after he got away from there, but I wouldn't be at all concerned when he was put in his position of responsibility.

Mr WHITE. You would like to see his clearance restored or whatever the term is?

Senator ANDERSON. I would like to have him put on a program like thermonuclear research in the development of power where we are not going to have any great amount of secrecy anyhow and where his remarkable brain could be used for the benefit of this country. It would not bother me in the slightest.

Mr. FINNEY. Senator to turn from the question of testing to the question of production of weapons, is our production of plutonium adequate for the military requirements for these new small, tiny weapons that you talk about?

Senator ANDERSON. It may be today. It couldn't possibly be in a few years from now. Our plans are wholly inadequate on plutonium.

Mr. FINNEY. Why are they inadequate? What is the stumbling block, the bottlenecks, here?

Senator ANDERSON. It is in the Atomic Energy Commission, I think, without any question. The Joint Committee has been pushing for additional plutonium production. Some members of the Atomic Energy Commission have been pushing for it. Some feel we should let plutonium production develop in Europe and buy it back from them. I do not and many others do not.

Mr. FINNEY. To go off on the atoms-for-peace program for a moment, you and other Democrats up on the Hill have been urging for some time that the Government ought to be spending a lot of money for constructing atomic-power reactors and that we can't look to private industry to do that job alone. What's the hurry? We have a lot of conventional, cheap power in this country. Why do we have to go out and spend hundreds of millions of dollars to erect atomic-power plants?

Senator ANDERSON. From the standpoint of conventional power in the United States, we have plenty of time and plenty of devices for doing it. We do have some responsibility for world leadership in this field. We have industrial firms who would like to sell equipment abroad. That would provide employment for American workmen. Many of us feel it is a very essential development. It isn't important from the standpoint of current need today. It is much more costly than conventional fuel.

Mr. WILSON. Senator, as one of the Democratic leaders of Congress, I wondered if you thought there was a possibility that the Democratic Party has done itself some real political damage by crying wolf about the sputniks and about the business recession. Aren't you in some risk of being the "gloom and doom" boys again?

Senator ANDERSON. I don't know. I don't think we have done ourselves any harm in calling attention to what happened on sputnik. Personally, I have had a great many things to say about the fact that there was a program organized many times to try to give us the first satellite. That program was shelved. We objected to that.

On the question of the financial aspects, certainly if people haven't found out by now there is a recession, then there isn't much we can do about it.

Mr. WILSON. Let's go back to the sputnik question. We have 2 or 3 in the air now and perhaps we will have more before very long. Doesn't that make some of the fears that some of you Democrats expressed last fall look a little ridiculous today?

Senator ANDERSON. It is like a woman wearing a hat. The first time down the street, it looks good on her, but if she is followed by 3 or 4 women wearing the same style hat, it is not quite so hot.

The Russians got theirs up first and that primacy counted tremendously in the opinion of the people of the earth. If you just follow what happened when Russia put theirs up compared to what happened when we put ours up, you know they got all the best of that argument.

Mr. WILSON. Well, are we in military danger, or risk, today?

Senator ANDERSON. No; I don't say we are in military danger from the sputnik. I think we lost a great deal in psychological values all over the earth, by what we didn't do and could have done.

Mr. WILSON. Let me take you to one final question on the recession. You have studied it a great deal. Is it prevalent in New Mexico?

Senator ANDERSON. No; it is not.

Mr. WILSON. Is it a spotty recession which only affects a few areas of the country?

Senator ANDERSON. I think so. It varies certainly in areas. Certainly the unemployment in Detroit is not matched in my home community because we have, I think, the second largest per capita Government payment in the Union, Virginia only, exceeding us.

Mr. SPIVAK. The President has asked for an amendment to the Atomic Energy Act, so they can give our allies some of our know-how. Do you think he is going to get that amendment?

Senator ANDERSON. He may get it. It will be substantially modified. Very substantially modified, and the Department has already substantially modified it by withdrawing several parts of it.

Mr. SPIVAK. Are you personally in favor of giving him the right to exchange secrets with our allies?

Senator ANDERSON. I think I am more in favor of dealing bilaterally with England at the present time. I am worried about who gets to be the third, the fourth, and the fifth atomic power.

Mr. SPIVAK. Would you give information to England, knowing Bevan, who is very anti-American and very pro-Soviet may be the next Foreign Minister?

Senator ANDERSON. Yes; I would. I realize the danger, but I would.

After all, through the long years the British have been our most reliable allies.

Mr. BROOKS. Gentleman, I think I will have to interrupt. I am sorry, but I see that our time is up.

Thank you very much, Senator ANDERSON, for being with us.

The ANNOUNCER. Goodby for Senator CLINTON P. ANDERSON and Meet the Press.

Mr. NEUBERGER subsequently said: Mr. President, I concur in the statement made earlier today by the junior Senator from Wisconsin [Mr. PROXMIRE] about the very able presentation made last Sunday by the junior Senator from New Mexico [Mr. ANDERSON] on the network program Meet the Press.

I had the privilege of viewing and listening to Senator ANDERSON at that time. I think what he said about nuclear testing, fallout, and dirty bombs has more than been upheld and ratified by the very significant and alarming disclosure today by leading scientists about the amount of radiation and the potential perils which exist in outer space.

GREAT AMERICANS AWARDS TO DR. JONAS E. SALK AND RICHARD K. MELLON

Mr. MARTIN of Pennsylvania. Mr. President, the Chamber of Commerce of the United States last Monday night honored seven as great living Americans. As Pennsylvanians we are extremely proud that two of that list were Pittsburghers—Maj. Gen. Richard K. Mellon, a great civic-minded man, and a prominent banker and industrialist, and Dr. Jonas E. Salk, the developer of the successful polio vaccine.

I ask unanimous consent that a statement appearing in the Pittsburgh Post-Gazette of April 29 be printed in the body of the RECORD as a part of my remarks.

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

Two Pittsburghers, Dr. Jonas E. Salk, developer of the successful polio vaccine, and Richard K. Mellon, prominent banker, were honored last night by the Chamber of Commerce of the United States as "Great Living Americans."

The awards to Dr. Salk and Mr. Mellon and five other prominent Americans were presented at the 46th annual meeting of the chamber of commerce in Washington.

Inaugurated last year, the awards are made annually by the chamber to American citizens who, by their own initiative, self-reliance, and ambition have made notable contributions to human progress.

PRESENTED BY TALBOTT

This year, the awards were presented by Chamber President Philip M. Talbott at a leadership recognition dinner.

Dr. Salk was named for his achievement in medicine, notably the development of successful vaccines against poliomyelitis and influenza. He is professor of preventive medicine at the University of Pittsburgh. Dr. Salk, tied to his laboratory work here, was unable to attend.

The award to Mr. Mellon was made for his personal leadership in the rejuvenation of the city of Pittsburgh. Chamber officers said his dedication awoke a new sense of civic pride in the business citizens of his community. Mr. Mellon is chairman of the board of the Mellon National Bank & Trust Co., of Pittsburgh.

OTHERS SIMILARLY HONORED

Also honored were Dr. Wernher von Braun, for missile research; Allan B. Kline, president of the American Farm Bureau Federation, for his leadership in the effort to free the farmer from Government intervention; J. Edgar Hoover, Director of the FBI, for his work in detection and control of crime and subversion; Calla E. Varner, principal emeritus of Central High School, St. Joseph, Mo., for her devotion as a teacher; and Charles F. Kettering, director and research consultant for General Motors Corp., for his foresighted devotion to basic research.

KHRUSHCHEV'S CHALLENGE—ADDRESS BY ALLEN W. DULLES

Mr. MANSFIELD. Mr. President, on April 28 one of the most significant addresses of our time was delivered by Mr. Allen W. Dulles, Director of the Central Intelligence Agency, to the 46th annual meeting of the Chamber of Commerce of the United States. I think it would be well worth the time not only of businessmen, but of all our people, to read the remarks which Mr. Dulles made on that occasion. He has given us a good deal to think about. He has brought before us the economic significance of the Soviet Union as it exists today. He has brought us face to face with a dimension which I think we in the Congress, and the American people as a whole, have not been aware to the extent we should.

Mr. President, because of the extreme significance of the address delivered by the Director of the Central Intelligence Agency, Allen W. Dulles, I ask unanimous consent that it be printed at this point in my remarks, along with sundry news stories and editorials covering the same subject.

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

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

KHRUSHCHEV'S CHALLENGE

(Address by Allen W. Dulles, Director of Central Intelligence, to the 46th annual meeting of the Chamber of Commerce of the United States, Washington, D. C., April 28, 1958)

The subject for your meeting today Dimensions of the International Peril Facing Us, is a particularly appropriate one for the Chamber of Commerce of the United States. With its membership of 2½ million businessmen, your organization occupies a key position of influence in our Nation's approach to international as well as domestic problems.

It is also a timely subject for you to be considering. Today the Soviet Union, though its very vocal leader, Khrushchev, is directly challenging the United States in the fields of industrial development and foreign trade and aid as well as in military matters. The other day he remarksed, "To the slogan that says 'let us arm,' we reply with the slogan, 'let us trade'."

The economic challenge is a dual one. They are setting goals for their own domestic production to compete directly with our own and to quote their words, "to get ahead of us in the economic race." The other phase of their challenge is through their foreign economic penetration program.

I shall discuss both of these challenges. But before doing so, I shall analyze briefly the development of Soviet policy over recent years, as this, I feel, helps to explain why they have turned to the economic and industrial field to promote their long range international policies.

In the immediate postwar period, Stalin relied on military and paramilitary action and the military threat as the chief weapons for the advancement of Soviet aims.

It was with military force that the Soviet took over and established their control in the European satellites and repressed the democratic forms of government which tried to find root immediately after the war. It is with military occupation force and the threat of force that they still hold their position in central Europe.

Then in Iran, in Greece, and at Berlin in the early postwar years, it was force and the threat of force that was used in the attempt to break down the Free World defenses. Through the Marshall plan and our growing military preparedness following Korea, this threat was contained in the West; but China was overrun by the Communists and Northern Vietnam taken.

These and other military and subversive maneuvers alerted the Free World to the dangers of Stalin's policies. Our countermeasures tended to make them counterproductive. Stalin was posthumously discredited by Khrushchev. Stalin's programs were generally repudiated by his successors who literally trembled at the risks he had taken at a time when the Soviet had no atomic capability to match our own. It is well, however, that Khrushchev's ruthless repression of liberty in Hungary with Soviet troops should stand as a reminder to us that Stalinist tactics may at any time be revived if the Soviet Union feels its vital interests are affected.

Today we face the subtler policies of Nikita Khrushchev. Will they be more or less effective than the Stalin policies in achieving the overall aims of international communism?

Of course, I do not mean to discount the seriousness of the Soviet military threat or its challenge in the scientific and technical fields on which advanced weapons systems depend. But as I see it, under its present policies, the U. S. S. R. does not intend to use its military power in such a way as to risk general war. They have a healthy respect for our retaliatory capability.

Furthermore, the Soviet success with sputniks and in the field of ballistic missiles has well alerted us to the military danger and our missile and other programs are receiving top priorities. We must, however, be ever watchful of the Soviet emphasis on the military applications of science and technology in order to anticipate any attempts at a breakthrough which would change the balance of military power.

Barring such a possibility, it is most probable that the fateful battles of the cold war will, in the foreseeable future, be fought in the economic and subversive arenas.

To understand the seriousness of the Soviet economic threat, it is essential to understand the Soviet economic and industrial base on which they are developing their economic penetration program.

Since 1928 the Soviet Union has developed rapidly from a predominantly agricultural and industrially underdeveloped country to the second largest economy in the world. Forced draft industrialization, emphasizing heavy industry, was carried out by Stalin to prevent, to quote his words, another beating of backward Russia by the more economically advanced capitalist countries. Forced draft industrialization continues in Russia today, and now the emphasis is more positive; namely, to meet Khrushchev's goal of catching up and surpassing the United States in per capita production within the shortest possible historical period of time. This theme is being used not only as internal propaganda but also to propagate the Soviet faith abroad.

Comparison of the economies of the United States and the U. S. S. R. in terms of total production of goods and services indicates the U. S. S. R.'s rapid progress.

Whereas Soviet gross national product was about 33 percent that of the United States in 1950, by 1956 it had increased to about 40 percent, and by 1962 it may be about 50 percent of our own. This means that the Soviet economy has been growing, and is expected to continue to grow through 1962, at a rate roughly twice that of the economy of the United States. Annual growth overall has been running between 6 and 7 percent, annual growth of industry between 10 and 12 percent.

These rates of growth are exceedingly high. They have rarely been matched in other states except during limited periods of postwar rebuilding.

A dollar comparison of U. S. S. R. and United States gross national product in 1956 reveals that consumption—or what the Soviet consumer received—was less than half of total production. It was over two-thirds of the total in the United States. Investment, on the other hand, as a proportion of gross national products in the U. S. S. R., was significantly higher than in the United States. Furthermore, investment funds in the U. S. S. R. were plowed back primarily into expansion of electric power, the metallurgical base, and into the producer goods industries. In these fields, it was over 80 percent of actual United States investment in 1956, and in 1958, will probably exceed our own. Defense expenditures, as a proportion of gross national products in the U. S. S. R., were significantly higher than in the United States; in fact about double.

Soviet industrial production in 1956 was about 40 percent as large as that of the United States. However, Soviet heavy industry was proportionately larger than this overall average, and in some instances the output of specific industries already approached that of the United States. Output of coal in the U. S. S. R. was about 70 percent of that of the United States, output of machine tools about double our own and steel output about half.

Since 1956, Soviet output has continued its rapid expansion. In the first quarter of 1958, Soviet industrial production was 11 percent higher than a year ago. In comparison, the Federal Reserve Board index shows a decline of 11 percent in the United States.

According to available statistics, in the first quarter of 1958, the Sino-Soviet bloc has for the first time surpassed the United States in steel production. The 3 months figures show that the U. S. S. R. alone turned out over 75 percent of the steel tonnage of the United States.

A recession is an expensive luxury. Its effects are not confined to our own shores. Soviet propagandists have had a field day in recent months, pounding away at American free enterprise.

Every Soviet speech, magazine article, or radio broadcast beamed to the underdeveloped nations plays up and exaggerates our economic difficulties. The uncommitted millions are being told by the Communists, "See, we told you so. Crises and unemployment are inevitable under capitalism. Communism is the only true road to social progress." Our economy is giving the Communists a propaganda target as damaging and I trust, as transitory, as their own sputniks.

Continued Soviet industrial growth has had a counterpart in increased trade with the Free World. Over the past 2 years, their trade with the West has been moving ahead far more rapidly than it has within the bloc itself. About 70 percent of the U. S. S. R.'s increase in nonbloc trade in 1957 was with the industrial nations of Western Europe and, under agreements such as that just concluded with Germany, will expand still more.

Recent speeches by Soviet leaders—Khrushchev, Mikoyan, and Deputy Foreign Minister Zahkarov—stress the U. S. S. R.'s desire to expand trade with the Free World. Mikoyan, for example, said that the U. S. S. R. is confident that with the establishment of normal trade relations a significant forward step will be taken along the road leading to the establishment of cooperative relations between the Soviet Union and the United States. This month, Zahkarov told the United Nations' Economic Commission for Europe that Western trade ministers should devote their energies to bringing about a long-run increase in East-West trade.

Soviet capabilities to export petroleum and metals—aluminum, tin, zinc, and ferroalloys—is increasing. The U. S. S. R. is already a supplier in a few traditional Western metal markets. Over the years, the U. S. S. R. may well become a major source of many such industrial necessities to Western Europe.

This seems particularly likely if Khrushchev's 1972 commodity goals prove to be realistic.

Take, for example, petroleum. By 1972, the Soviets plan to produce as much crude oil as we in the United States do today. Even allowing for substantial increases in domestic consumption, they could export about 2 million barrels a day. Today, all of Western Europe consumes about 3 million barrels a day.

A start has already been made on the pipeline needed to bring the crude oil from the Ural-Volga Basin to the Baltic.

Soviet ability to use trade as a weapon to advance its political aims will increase in a direct ratio to their success in realizing their economic goals.

For example, once they have penetrated Western European markets to the extent that these markets become substantially dependent on Soviet industrial raw materials, they will have available a new and formidable weapon of economic warfare. By withholding supplies, by capriciously raising prices, or by dumping commodities, the Soviets in effect will have a seat at the council table of the great industrial nations of Europe.

During the Suez Canal crisis, we saw a brief glimpse of Soviet capabilities to grant or withhold economic favors through the forms of its own petroleum exports. The increase in sales of metals and petroleum to Free World countries, which moved sharply upward in 1958, is not an economic flash in the pan. It is a reflection of growing Soviet industrial capacity.

Further, their governmental setup is well adapted to waging economic as well as political warfare. They have no budgetary controls when it comes to diverting funds to particularly urgent national policies. There need be no prior consultations with parliaments or the people.

This, briefly described, is the Soviet economic base and foreign-trade program, as we analyze it today. It is to this base that Moscow is adding its foreign economic penetration deals designed to wean to its camp the uncommitted and newly developing areas of the world.

It is important at the outset to note that Soviet credits and grants are not limited to those countries where there is an early prospect of acceptance of Communist doctrine.

Of the $2 billions of development and military aid extended by the Sino-Soviet bloc over the past 3 years—and this is exclusive of intrabloc aid which is a substantial drain on Soviet economy—large sums have gone to countries which are not now in the Soviet camp.

Let us get down to cases: In Egypt the Communist Party was outlawed at the time of the bloc's original military aid offers in 1955. Despite repeated crackdowns on Communist elements within the country since that time the U. S. S. R. concluded a major $175 million economic-aid program with Egypt in 1957.

Communist influence in Syria has been reduced following its membership in the

United Arab Republic in February of this year—even to the point where Khalid Bakdash, the leading Arab Communist, fled the country. But the U. S. S. R. is going ahead with its $170 million economic-aid program and continues to supply arms under agreements worth $100 million. The magnitude of this and other military programs raises the question as to who may be the eventual user of these arms.

The list of examples can be extended. Afghanistan is a monarchy. The Imam of Yemen is an absolute ruler. Both are recipients of large Soviet aid programs.

Soviet bloc economic penetration of Yemen provides a striking instance of the use of trade and aid as an investment in disorder.

Yemen is strategically located at the entrance to the Red Sea from the Gulf of Aden. It commands one entrance to all Suez Canal traffic; the oil moving westward, as well as goods moving from Europe to the east.

Soviet overtures were appealing to the Imam because the bloc was willing to supply him with arms, while the West would not. Arms in Yemini hands on the scale contemplated can only create more trouble in the Middle East. They will fan the Imam's dispute with the British and with local Sultanates over the borders of the Aden protectorate.

The Soviets were quick to sense the opportunity to create disorder by giving aid to Yemen. They moved quickly. In less than 2 years, this small country of some 4 millions of people has been granted $80 millions in credits. Additional offers of over $20 million are currently outstanding. Arms valued at $30 million have been delivered. A Soviet and Czech military mission of some 65 advisers is currently in Yemen for training assistance.

Even the Red Chinese have joined in with an offer of a loan of $15 million. If all proposed projects are carried out, the Communists will play a key role in Yemen's economic, as well as military, development.

The Communists have no interest rate problems. They have no legislative restrictions. The U. S. S. R. has developed an attractive package credit deal—long term loans, generally for 12 years; 2½ percent interest rates; repayment in surplus commodities, and room for bargaining on prices. They have devoted much effort to the native language training of the technicians they send with their aid to the newly developing nations.

Though the Communists eschew capitalist types of business organizations in their own country, they make liberal use of them abroad.

One of the most important of these is the Bank of China. It is a primary source of funds to the 12 million Chinese in Southeast Asia. These loans, controlled from Peiping, often require appropriate gestures of support to the Communist regime in China.

Branches of the bank throughout the East promote the export and sale of Chinese Communist goods in the area. They also collect a vast store of economic and political information, both openly and by clandestine means.

In Paris, for its European business, the Soviet use a commercial bank called the Banque Commerciale pour l' Europe du Nord. It often serves as agent for effecting sales of Soviet gold in London and on the Continent and is the means through which Soviet credits are transferred to the satellites. It also maintains a widespread system of correspondent relationships with banking institutions throughout Europe and in this hemisphere and is one of the chief instruments for the financing of Soviet trade with the West and for obtaining information on trade opportunities.

In Latin America, there are a number of Communist front or bloc associated organizations actively campaigning for closer commercial ties with the bloc. In Brazil, one of these has been offering to import and sell Russian automobiles at ridiculously low prices. When this fell through, it offered to import a complete auto factory from the U. S. S. R. While neither offer may have been serious, they had considerable propaganda value.

On a worldwide basis, the Soviet Union presents itself as eager to do business on terms attractive to the customer.

Moscow's foreign aid program has particular appeal in the undeveloped countries because Russia until so recently was an undeveloped country itself. For some reason the recently liberated countries seem to feel that the Kremlin has found a new and magic formula for quick industrialization which is the hallmark of becoming a modern state to many of these countries. They recognize American economic and industrial leadership in the world but they feel that the democratic process of economic development may be too slow.

Soviet propaganda charges that it took the West 150 years to achieve industrially what the Soviets have built in a generation. In the newly developing countries, the drive for economic betterment has become a crusade, not always based on reason.

Also these countries feel that we in the United States are far ahead of them and that while they may aspire eventually to an economy something like that of the Soviet Union, they cannot, in the foreseeable future, hope to reach the high standards of living of this country.

Factors such as these give a particular appeal to overtures from the Soviet Union. They are not able to see the invisible strings which are tied in with Soviet offers nor do they understand the subtle implications of Soviet subversive penetration which is a part of every economic package.

Each time that I prepare a summary of any phase of Soviet activities, whether it be in their domestic industrial development, their foreign economic exploitation activities, or their military defense preparations, I am impressed by the efforts which the Soviets make to keep secret the details of their operations.

If their motives in the military, industrial, and economic field are, as they claim, peaceful and defensive, why should this be the case? Why are we not entitled, before we accept their protestations regarding peaceful coexistence, to ask that there should be a franker disclosure of their activities—something comparable to the disclosure made by the free countries of the world?

For example, before their recent offer of a suspension of nuclear testing, they themselves had just completed a series of nuclear tests, concentrating a great number of tests in a short period of time. For example, 3 tests occurred with a single 2-day period in an unprecedented burst of activity. This was done behind a cover of secrecy except for announcements that our Government itself made of the Soviet tests. But, by and large, their activities in nuclear testing remain quite unknown particularly in those countries which are being filled with Soviet propaganda against testing.

The nature of their military aid programs such as I have described above have, by and large, been keept as secret as the Soviet could manage. An even tighter veil of secrecy is kept around almost all phases of their military establishment.

The details of our own aid programs as well as of defense expenditures and military production, with few exceptions, are available to the world through our newspapers. In contrast, the Soviets release only the annual ruble total of what they call defense spending.

It is our best estimate that the announced Soviet defense budget as published to the world actually covers little more than half of the rubles they are now putting into military activities.

As long as this secrecy remains a cardinal tenet of Soviet practice it is extremely difficult to accept Soviet protestations of a desire for peaceful relations as expressing their real intentions.

It is true, and it is an encouraging sign, that exchanges of visits are being arranged, particularly in the cultural, technical, and academic fields. This may well help to a better mutual understanding but that understanding will be very incomplete until it is broadened to a point where the barriers of secrecy are removed. It is this very secrecy which makes meaningful agreements so difficult to reach.

One answer to Khrushchev's challenge to us should be a renewed challenge to them, as in the President's open-sky proposal, to put an end to secrecy which breeds suspicion and doubt.

Undoubtedly one of the reasons for secrecy is to hide from the world some of the problems which the Soviet Union faces.

In the analysis I have given above, I have stressed their very real achievements, their growing power, and their rapid rate of progress. These factors we must not underestimate. However, the realization of many of the goals they have set depends on resolving some very real obstacles to success.

For example, Khrushchev has repeatedly promised his people startling improvements in the quality of their diet. The realization of these dreams rests on a precarious agricultural base, whose crops over large areas, as we saw in 1957, are vulnerable to serious drought. Further, Khrushchev has brought the antigeneticist Lysenko back into favor, a theorist whose plant- and animal-breeding ideas are regarded as nonsense by all competent Western scientists.

They are now engaged in a massive reorganization of the control of their industry and this move toward decentralization has built-in, long-run dangers for any dictatorship such as that of the Kremlin today.

The myth of collective leadership has been abandoned and there are signs today of a reversal to a harsher line with consequences of a far-reaching nature. Khrushchev, despite his gregarious characteristics, as he assumes new positions of power and eliminates his rivals, becomes more and more an isolated and lonely figure.

As they enter into the field of international trade on a major scale they lack a convertible currency. They must rely on the device of settling international balances in sterling or dollars. In essence, most of their trade must remain on something approaching a barter basis. The ruble is not an international currency and within wide ranges its value is a matter of speculation, varying from the official rate of around 20 cents to a purchasing value of around 10 cents, as a quoted value for ruble notes in the Swiss market of only a few cents. But, of course, this latter rate is due to the fact that ruble currency can neither be legally imported into nor exported from the Soviet Union.

Possibly today the most acute problem facing Khrushchev is that of meeting the growing demands of the Russian consumer for a greater share in the overall production of the Soviet Union. With a gross national product of around 40 percent of our own, they put into the military sector a national effort roughly comparable to our own, leaving only a modest share for consumer goods.

If the Kremlin responds to popular pressures, they will be forced to give more and

more to the consumer. This trend has already started. The Russians have somewhat improved living standards and the national output of such consumer goods as TV sets and washing machines has been stepped up. Some former armament plants are now producing civilian goods.

All this may help to develop a society where people will have more opportunity to satisfy the individual yearning for a fuller life. Economic betterment, added to the massive educational system they have already installed, may help to build up generations of people more and more inclined to question the basic tenets of a totalitarian philosophy and less willing to tolerate the autocratic forms of government under which they are living.

Under Khrushchev there has been, undoubtedly, some relaxations of the old Stalinist police system, but every two steps in advance seem to be followed by one step backward as they wrestle with the problem of reconciling a measure of freedom with the stern line of Communist doctrine and discipline.

The fact that the leadership of the U. S. S. R. faces these very real problems is, however, no excuse whatever for complacency on our part. During and since the war, their leadership has faced even more serious problems and has surmounted them. The economy of the Soviet Union has momentum and versatility and, while I predict that their people will undoubtedly press for an improvement of their lot, some real concessions can be made to them without fundamentally altering the general tempo of their present industrial and military programs.

Certainly here we have the most serious challenge this country has ever faced in time of peace. As this challenge is very largely based on the economic and industrial growth of the Soviet Union, it is one which concerns very directly the business leaders in our country.

[From the Washington Star of April 30, 1958]

THE RED ECONOMIC THREAT

If the Soviet Union were a land of liberty, there would be no occasion for Allen Dulles' warning about its economic growth. Instead, the world would have reason to welcome and cheer the development as something that could help to promote human betterment and a prospering international peace of freedom and justice.

Far from being a bulwark of liberty, however, the Soviet Union is a totalitarian tyranny run by a handful of power-hungry and intensely secretive conspirators whose ultimate objective is to communize mankind and win dominion over the entire globe. Naked armed force, deceit, treachery, infiltration, subversion, these are among the weapons they have used, and still use, to attain their ends. Anyone who thinks otherwise had better ponder the fate of Hungary and all the other captive lands behind the Iron Curtain.

Accordingly, in view of the nature of the Communist system, Mr. Dulles, Director of our Central Intelligence Agency, has not exaggerated in declaring that Soviet economic progress constitutes the most serious challenge the United States has ever faced in time of peace. In making this point, he has not discounted the enormous threat implicit in the Kremlin's armed power and scientific advances, but Khrushchev and company, in his judgment, want to avoid a shooting conflict and to win global domination with such weapons as trade, aid, and infiltration carried out in Asia, Africa, South America, and free Europe. In short, as he sees the situation, "it is most probable that the fateful battles of the cold war will, in the foreseeable future, be fought in the economic and subversive arenas."

Mr. Dulles has drawn a somber picture of how well equipped the Kremlin is for such battles. Thus, although American productive capacity still is far ahead in many respects, the Soviet economy is growing at a rate roughly twice that of ours. Moreover, since it operates under a despotism that does not have to seek parliamentary support or worry much about public opinion, it can be readily geared to policies of international infiltration and subversion. Moscow has made effective use of it, for example, in Egypt, and in places like Syria and Yemen, where Russia's trade and aid must be viewed as an investment in disorder, calculated to make trouble for the forces of freedom. Similarly, the Kremlin's stepped-up drive for commerce with Western Europe might easily become—if it succeeds—a formidable weapon of economic warfare.

Of course, as Mr. Dulles and others have pointed out, the men of the Kremlin cannot entirely ignore the wants and discontents of the masses of the U. S. S. R. As education spreads among those masses, and as the Soviet economic machine continues to grow, the Moscow dictatorship should feel mounting popular pressures to put that machine to work to liberalize and improve domestic living conditions. But this possibility, though real enough, is likely to materialize—if ever—only at a very slow pace.

Meanwhile, in terms of the next decade or two, the United States and the Free World at large must reckon most seriously with Soviet internal and external economic expansion. For the threat implicit in it, as Mr. Dulles has warned, is at least as great as the threat implicit in the Kremlin's military might, and it should sober all those Americans who seem recklessly intent upon scuttling our foreign-aid and reciprocal-trade programs.

[From the Washington Star of April 30, 1958]

CIA CHIEF'S ECONOMIC WARNING—DULLES SEES NATIONAL SECURITY FACTOR IN RED'S INDUSTRY-TRADE OFFENSIVE

(By Doris Fleeson)

Allen W. Dulles, Director of the Central Intelligence Agency, has added the supremely important dimension of national security to a debate which many economists and politicians have long been trying to get off the ground.

It is the debate about the future shape of the American economy, what it gives promise of being and what it ought to be in order to keep this country ahead of the Russians.

Mr. Dulles has now warned in a speech to the annual meeting of the United States Chamber of Commerce that Russia's economic offensive is replacing its warmaking threat as the most serious challenge this country has ever had to meet in time of peace. The new threat is made possible, he explained, because of the steadily growing Soviet economy.

That growth, Mr. Dulles emphasized, is proceeding at a rate roughly twice that of the economy of the United States.

There is nothing new in this for informed observers. Senator PAUL H. DOUGLAS of Illinois and his colleagues of the Joint Economic Committee said the same thing a year ago. But Mr. Dulles landed on the front pages and forced an attention which both Government and the people today seem reluctant to accord to any warning except the purely military.

The harsh truth is that even before the recession, the American economy had been all but standing still. Testimony before the Joint Economic Committee has suggested normal growth goals for the gross national product of $460 billion this year, $475 billion next year and $490 billion in 1960.

The present figure is below $425 billion.

The Full Employment Act of 1946 was the last significant Federal planning legislation in the economic and social fields. It also was the only element of his domestic Fair Deal that Harry S. Truman managed to get on the statute books.

Much watered down from the Truman version, it asserts that the national policy shall work toward full employment. Since the country is expanding in many striking ways, including population, this stated goal should meet the challenge of Soviet expansion if it is achieved.

Allen Dulles, brother of the Secretary of State, does not expect that the Russians will risk general war, but he pointed to many areas in the economic field where it is scoring against this country.

He attached the stinging label of "expensive luxury" to the recession and warned that Soviet advances were not a flash in the pan. Conceding that the Russian people would undoubtedly demand improvement in their lot, he said it could be had without impairment of present Soviet military and industrial progress.

Liberals of both parties—Senators DOUGLAS, KEFAUVER, CASE, and others—have protested strongly the idea that the United States could halt on any plateau, however high it might seem. They are welcoming the support of the CIA Director but they also admit a practical dilemma.

While the Federal Government certainly cannot do it all, the only force able to mobilize the machinery, public and private, to do it, is the White House. No sign exists today the White House has the will to act in this field.

[From the Christian Science Monitor of April 29, 1958]

CIA CHIEF BARES SOVIET TRADE THREAT

(By Neal Stanford)

WASHINGTON.—When Soviet Premier Nikita S. Khrushchev the other day boasted to United States Ambassador Llewellyn E. Thompson, Jr., that "we will bury you" in an industrial-output race, he was not jesting.

Washington officials for months have been taking the threat of Soviet economic competition with increasing seriousness. But it has taken a frank, blunt public talk by Allen W. Dulles, Director of the Central Intelligence Agency, before the annual convention of the United States Chamber of Commerce, to really publicize the danger.

Allen Dulles, who is not to be mistaken for his more publicized brother, John Foster Dulles, Secretary of State, does not often talk off the record—much less on. So when he opened up before the chamber with this theme of Soviet economic expansion, it was something of an experience.

GROWTH RATE CONTRASTED

The U. S. S. R.'s rapid economic progress, he asserted, poses the most serious peacetime challenge the United States has ever faced. The rate of Soviet economic growth now is roughly twice that of the United States, he declared. And the United States business recession isn't improving the American position, he added wryly.

Allen Dulles, who is top American intelligence officer, publicly sided with those in Washington who are saying that general war is unlikely, that the real danger and threat are "in the economic and subversive areas."

It is not only the prospect of the U. S. S. R. industrially overtaking the United States that alarms Washington, but more specifically the expectation of what Moscow will do with its enlarged industrial productivity when it starts taking over various markets in Europe, Asia, South America, and elsewhere.

TRADE TIES THREATENED

As Mr. Dulles warned American business leaders, with the Soviet economic base expanding so fast, particularly in the production of petroleum, steel, and machine tools,

United States trade relations with Western Europe could be seriously threatened.

The United States could see its markets abroad visibly shrinking. Then, continued Mr. Dulles, if these markets should become substantially dependent on Soviet industrial raw materials, the Soviet leaders "will have available a new and formidable weapon of economic warfare."

As he explained: "By withholding supplies, by capriciously raising prices, or by dumping commodities, the Soviets in effect will have a seat at the council table of the great industrial nations of Europe."

Lest any of his audience believe that Soviet productive growth was a temporary phenomenon, Mr. Dulles added: This is no "flash in the pan." Moscow is stepping up its sales to Free World countries and also providing economic and military aid to many other nations—Egypt, Syria, Afghanistan, Yemen, for example.

It is not the economic race, per se, between the United States and the U. S. S. R. that disturbs Messrs. Dulles, Nixon, and Dillon, et al., but the foreign economic penetration aspect of that challenge.

Mr. Dulles disclosed that in the first quarter of 1958, "the Sino-Soviet bloc has for the first time surpassed the United States in steel production." The United States recession can explain this condition but it cannot correct it. As Mr. Dulles said: "A recession is an expensive luxury"; not only does it relatively help the Soviets in East-West relationships, but Soviet propagandists are having a field day with it.

Both the Soviet Union's rapid industrial expansion and the American recession have persuaded more and more recently liberated countries that somehow the Soviets have discovered a new and magic formula for quick and sustained industrialization.

These countries do not deny American current leadership but what they want to copy is Moscow's rapid industrialization. In fact, the United States high living standard, the product of its high industrialization, is more often than not a deterrent to these countries in their aspirations. For whereas they feel they may aspire to the living standards of the Soviet Union in time, they cannot picture ever reaching the hign standards of living in the United States.

In analyzing the Soviet industrial threat, Mr. Dulles did not overlook certain advantages falling to the Soviets because of their political structure. "Their governmental setup," he explained, "is well adapted to waging economic as well as political warfare. They have no budgetary controls when it comes to diverting funds to particularly urgent national policies. There need be no prior consultations with parliaments or the people.

WARNING TO CONGRESS

According to Allen Dulles, the U. S. S. R. has no intention of using its present military power, vast as it is, in any way that would risk a general war. "They have a healthy respect for our retaliatory capability," was his explanation.

But they also have a keen appreciation of the other ways by which Soviet influence and control can be extended—economic and subversive. And it is in these fields, Mr. Dulles is persuaded, "the fateful battles of the cold war, in the foreseeable future, will be fought."

The speech was in effect a warning to Congress and the Nation of the growing Soviet economic threat by the administration spokesman best qualified to describe it.

[From the Wall Street Journal of April 30, 1958]

EXPENSIVE LUXURIES

"A recession," said Allen Dulles in a speech the other night, "is an expensive luxury."

The Director of the Central Intelligence Agency meant several things by this remark. For one, the recession provides a field day for Soviet propagandists. More tangibly, it happens that while United States industrial production in the first quarter of this year was down 11 percent from a year ago, Soviet industrial production was up by the same percentage in the same period.

Mr. Dulles mentioned some other alarming-sounding comparisons. The Soviet economy is growing at a rate roughly twice that of the United States economy, and so, it can be inferred, might catch up with or even overtake the American economy before too long—especially if we continue to allow recessions to hold us back.

This concern over Soviet economic growth is by no means confined to Mr. Dulles. Some people go much further than Mr. Dulles did in his speech and suggest that it should be public policy to keep far ahead of the Soviets and, among other things, make very sure we never indulge in the luxury of a recession.

Before subscribing to that view, however, a few things should be noted. The Soviet economic base is much smaller than ours and so it is not surprising that it grows at a faster rate; that is what usually happens when an economy starts building from a low level of output. Also, it would be a mistake to suppose that violent economic dislocations are unknown in the Soviet Union or that there is no such thing as recession; as far as living standards are concerned, the Soviet people are and have been not in a recession but a deep depression.

Still, granting that the Soviet economy is growing, what is it proposed that the United States should do about it?

The typical "liberal" view is that the American economy should constantly expand from year to year, with never any interruption. The recent Rockefeller report, for example, selects a rate of growth of 5 percent a year—a pretty high rate in view of the size of this economy—as a desirable goal.

The next question is how you make the economy grow at such a rate. A large impetus, according to the liberal persuasion, must be increased Federal spending for all kinds of social projects as well as for essentials like defense.

It should not need explaining—but apparently it does—that this sort of program provides neither real economic growth nor a preventive against recessions. Forced-draft expansion for expansion's sake, regardless of demand and spurred by Federal extravagance, will create a weirdly distorted economy (the Soviets have such). It will be accompanied by inflationary excesses which will sooner or later have to be corrected by a real recession if not a resounding crash.

Thus to meet the Soviet "challenge" those who advocate unlimited expansion by Federal decree would take us much further along the statist road. And it would not end with centralization of economic authority; political liberty cannot long remain unimpaired in a statist economy.

The danger here is not an abrupt collapse of our free institutions. It is that we will gradually undermine them out of the mistaken fear that otherwise the Soviets will outstrip us. Perhaps not even so gradually, at the rate Federal spending is already increasing.

The real answer to the Soviet economics "challenge," if that is what it is, is to break out of this statist encirclement before we are trapped. If this country had limited Government and sound Federal fiscal and monetary policies, no American would have to lose sleep about the future of the economy.

To adopt the theories of the statists in order to prevail against the archstatists is the one "expensive luxury" the United States cannot afford.

CONTRASTING FACTORS IN REPORTS ON 1958 RECESSION

Mr. NEUBERGER. Mr. President, I desire to bring to the attention of the Senate a very significant facet of the so-called recession or depression of 1958.

Business sections of the press for April 30 reported the fact that General Motors profits for the first quarter of this year dropped 29.4 percent, and that United States Steel Corp. earnings fell off 46 percent during the same period.

By contrast, the earnings of American Tobacco Co. went up 22 percent in the first quarter of this year, as compared with the first 3 months of 1957.

This must be significant. I am not an economist or a psychologist, so I cannot professionally assay the full meaning of these reports, but they must be an indication of something, Mr. President.

For 1958, to date, the earnings of the world's largest manufacturer of automobiles and the world's largest producer of steel are far off from last year. Yet, American Tobacco, one of the biggest sellers of cigarettes, is far ahead of earning for 1957.

Does this mean that people have money only for soft goods, such as cigarettes, and not for durable goods, such as automobiles and other merchandise into which steel is fitted? Does it mean that the tensions and anxieties of our times are creating men and women who must spend their limited finances first on a drug like cigarettes and on more stable items only after that?

I pose these questions, in presenting these facts to the Senate. I do not attempt to interpret such figures, but merely to report them.

Still more ironic, on the day when the bright earnings picture for American Tobacco was released, the American Cancer Society issued its bulletin, volume VIII, No. 2, which discloses that "lung cancer could be largely prevented by abolishing the use of tobacco."

SEASONALLY ADJUSTED UNEMPLOYMENT STATISTICS

Mr. CLARK. Mr. President, I am seriously concerned by the lack of candor on the part of the Secretary of Commerce with respect to the figures on unemployment which were released the day before yesterday.

I deplore the fact that at his press conference yesterday the President of the United States, perhaps inadvertently, compounded the lack of candor of the Secretary of Commerce.

What I have reference to, Mr. President, is that the administration yesterday gave only the gross figures on the changes in unemployment and failed to give the seasonally adjusted figures.

Mr. President, any high school student of economics knows that the gross figures on unemployment are relatively meaningless. Unemployment is normally highest during the early months of the year, then goes down in the spring, rises again in June, declines throughout the rest of the summer and part of the fall, then rises again to its January peak.

I suggest it is therefore deceptive, Mr. President, to rely on gross figures. Since the Secretary of Commerce did not see fit to make the seasonally adjusted unemployment figures public, I should like to do so through the CONGRESSIONAL RECORD. In order to get the adjusted figures for each month it is necessary to multiply the estimate of the actual unemployment by a percentage figure which reflects the normal departure of that month from the average of all the months of the year.

When that is done, the seasonally adjusted unemployment figures compare with the unadjusted figures as follows:

	Unadjusted total	Seasonally adjusted total
December 1957	3,374,000	3,422,000
January 1958	4,494,000	3,932,000
February 1958	5,173,000	4,570,000
March 1958	5,198,000	4,800,000
April 1958	5,120,000	5,172,000

These figures show a large increase in unemployment each month. It went up 510,000 in January; 638,000 in February; 230,000 in March; and 372,000 in April.

What did the President of the United States say about the seasonally adjusted figures? He said they "would not be quite as favorable" as the unadjusted figures. I suggest that an increase of 372,000 in unemployment is a large increase. It is not favorable at all. It is definitely unfavorable.

The President said further that "the implication of those figures" is that "the decline is flattening out." I suggest that the contrary is the fact. The decline between March and April was greater than in the previous month. Unemployment during that period rose from 7 percent to 7.5 percent of the labor force.

I am seriously critical of a national leadership which calls an increase of 372,000 in unemployment for 1 month a "flattening out." I am not one who would like to be a prophet of gloom and doom. Quite to the contrary. I am optimistic about the long-range economy of the country. But I think the people of America are entitled to the facts—the truth, the whole truth, and nothing but the truth. They did not get it yesterday from the Secretary of Commerce or the President.

In my own Commonwealth of Pennsylvania 1 of every 9 workers is looking for a job—and not finding it. Five hundred and nine thousand are unemployed in my Commonwealth, and, what is most tragic, 43,000 have exhausted their benefits, and they and their families are for the most part suffering the humiliation of public relief. We are approaching a rate of 20,000 workers a month exhausting their unemployment benefits.

That does not frighten me; I am not panicked; but I am seriously concerned lest the American people be misled as to the facts with respect to this recession. I think there is an obligation on the Congress, as well as the administration, to see to it that the facts are made publicly available.

The figures which I have quoted are from a high and reputable Government source, and cannot be controverted. As we look forward to determine what action to take to help in this situation, I hope that from now on we shall not have any distortion of the facts relating to our economy.

REV. FREDERICK BROWN HARRIS AND CONSERVATION OF NATURAL RESOURCES

Mr. NEUBERGER. Mr. President, all of us in the Senate are proud of our eloquent Chaplain, the Reverend Frederick Brown Harris.

The May 1958 issue of American Forests magazine pays tribute to one of the major interests of our Chaplain—the conservation and wise use of the bounty placed here on earth by the Creator. Dr. Harris is himself a fervent and dedicated conservationist.

A moving sermon by Dr. Harris, entitled "Whose Land Is It?" is reprinted in the May number of American Forests, as well as a splendid and vivid biographical sketch of the Chaplain of the Senate, written by Miss Betty Kindleberger, of the staff of American Forests magazine. The title of Miss Kindleberger's article honoring Dr. Harris is "Preaching Conservation."

The author quotes our Chaplain as declaring, "There can be no genuine patriotic consecration without conservation." To that noble thought, virtually all Senators should subscribe.

Because many issues now before the Senate involve the question of natural resources, the material about our illustrious Chaplain, who was for so many years the pastor of the Foundry Methodist Church here in Washington, ought to be of vital interest to us all. Therefore, Mr. President, I ask unanimous consent that these articles from the May issue of American Forests be printed in the CONGRESSIONAL RECORD at this point.

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

[From the American Forests of May 1958]

PREACHING CONSERVATION

(By Betty Kindleberger)

There can be no genuine patriotic consecration without conservation. This is the firm belief of Dr. Frederick Brown Harris, the distinguished clergyman who daily inspires the United States Senate with his invocations. "Every intelligent citizen must be interested in conservation," he declared, "and we must alert and alarm the people to the devastated and desecrated land to stop waste."

Dr. Harris preaches this conservation philosophy, when the pressures of his senatorial duties are somewhat relaxed, through articles for magazines and newspapers, many of which are reprinted by dozens of publications including the CONGRESSIONAL RECORD. These articles, actually sermons, are exceptionally eloquent, and each is based on a Biblical text, giving rise to the thought that conservation of resources is not really a new philosophy.

In Sanctity of the Open Spaces (the sermon Dr. Harris wrote for National Wildlife Week 1957 was taken from Isaiah 5: 8—"Woe unto them that join house to house, that lay field to field, till there be no place where one may be alone in the midst of the earth.") he portrayed our modern civilization as grasping and devouring. "The bleak and barren goal of a creeping process of acquisition, oblivious to any realization of stewardship of the land on which man lives, has never been expressed more vividly than in this ancient warning. Here is glimpsed a danger as old as the prophet Isaiah and as new as today's expanding subdivisions, shattering the verdant frames surrounding the human hives called cities. Above the crash of murdered trees, as axes and bulldozers ravish the shady countryside, as blueprints are spread over green fields, sounds this stern alarm out of vanished yesterdays."

The plight of the city of Jericho thousands of years ago was recalled by Dr. Harris in "Tainted Waters." The health of this ancient, prosperous city was once threatened by a polluted water supply. "'Behold,' cried the members of the city council, 'Behold, the situation of the city is pleasant but its waters are tainted.' That is the accusing consciousness now in America the beautiful, as we look out upon many of our broad streams, or gaze down at swift currents from some point of vantage along a spanning bridge: Our waters are tainted."

Dr. Harris lamented in that sermon: "Industrialism has its price. Factories take their toll. In every bustling city beauty and health are sacrificed on the altar of commercialism. * * * But no pollution which accompanies so-called civilization is more sadly tragic than the contamination of our rivers. * * * As a city expands and its marts of trade increase and its manufactured products pour forth in greater volume, so often a once proud river, the joy of the pioneer who reveled in the lordly loveliness of the site, becomes a polluted sewer of contamination in which even fish scarcely can live. Thus the very springs of the city's life are poisoned. * * *"

In an effort to help waylay the inroads of civilization upon an unspoiled woodland right in the city of Washington, D. C., Dr. Harris penned Spare That Tree. In that article he declared, "the groves were man's first temples. Whenever and wherever woody reservations owned by the people are threatened by the juggernaut of traffic, ethical and spiritual concerns are involved, for which the Nation are ever symbolized by its spires against the sky. * * *"

These brilliant sermons on conservation, however, are only a small portion of Dr. Harris' literary accomplishments. He has been writing articles on many subjects for 10 years, including a weekly column for the Washington Star, but they all point to the greatness that is America and counsel everyone to raise his sights for the betterment of all.

Dr. Harris' daily invocations to the Senate are no less inspiring. In a published volume of these prayers Vice President RICHARD E. NIXON wrote, "In the usual order of business of the United States Senate, the invocation is often the best speech of the day. As a matter of fact, in the prayers of the Chaplain, rather than in the hectic day-to-day clashes of debate, we can see the greatness of America, because in the invocations the faith is expressed which brings us all together, whereas the debates often tear us apart."

That everyone in the Senate appreciates the devotion and efforts of this Chaplain, is apparent from the numerous remarks made about him in the Senate Chamber and recorded in the CONGRESSIONAL RECORD. As Senate Chaplain he ministers to the spiritual needs of all Members of the Senate and their families, which include varying religious creeds. And through this representative group of Americans his spiritual inspiration is felt throughout the country. As Senator PURTELL remarked, "Dr. Harris could be called a nonvoting member of our group who, while elected by no constituency, serves all constituencies."

Dr. Harris has served as Senate Chaplain since 1942, except for 2 years during the 80th

Congress. Besides his duties already mentioned, Dr. Harris is constantly deluged with a stream of visitors. Some come seeking advice, while others come to give it. Then there are the crackpots with which everyone in public office must contend. Curiously, requests to open the Senate are the most frequent. Some actually plead with Dr. Harris for the opportunity, sincerely believing they have a worthwhile message, while others are the save-the-world variety. At one point, Dr. Harris had 17 such requests.

Dr. Harris is in demand as a speaker, and spends much time traveling about the country to fulfill these requests.

Incidentally, while serving as Senate Chaplain and writing numerous articles, Dr. Harris served as full-time minister for the Foundry Methodist Church in Washington. After serving that congregation with distinction for over 30 years, he retired from that position 2 years ago.

Dr. Harris has received many honors for his work through the years, including four awards from the Freedom Foundation, his latest being this year. The citation for this award sums up the high regard in which he is held by all who have come in contact with him. It reads as follows:

"With esteem and affection to an American whose prayers, sermons, and editorial works have lifted the hearts of multitudes—

"With regard and honor to him whose thoughts, far vision, and steadfast faith move all whom he touches to patriotism and love of country—

"With matchless service to the cause of free men, he makes known the strength of prayer and iron will in language beautiful in his prayers in the Senate of the United States. Truly one who desires freedom for all under God, and asks nothing for himself."

[From the American Forests of May 1958]

WHOSE LAND IS IT?

(By Dr. Frederick Brown Harris)

"And messengers came to David saying, 'Whose is the land?' "—II Samuel 3: 12.

Here is a question mark lifted above what to the Israelites was the Promised Land. Certain contentions with regard to the possession of the land had been raised. Out of those old, unhappy far-off days comes echoing down the crowded centuries the query, Whose land is it? Into that ancient controversy we need not go. Suffice it to say that in the argument which grew out of this question the quarreling parties forgot that the chief stake in the land was God's.

However, it is ours in this meditation simply to take this question asked of King David and lift it high above the plains and mountains and rivers of this vast promised land called America. Whose land is it?

As we contemplate the glorious sweep of America, throned in might and beauty between the oceans, and raise the question, Whose land is it? surely the place to begin in any adequate reply is at the climax of the famous hymn, "My Country, 'Tis of Thee": "Long may our land be bright, with Freedom's holy light, Protect us by Thy Might, Great God, our King." We are reminded that the chief fact regarding this privileged land is that it belongs to God.

You simply cannot explain and interpret America without God. Not only America as an idea, but her very land is God's. Of course, there is a real sense in which that can be said of all lands—"The earth is the Lord's and all that is therein."

America also belongs to us as trustees who temporarily possess it, who walk its soil, who cross its plains, who climb its mountains, who sail its lakes and rivers, who explore its wilderness. We who have inherited it * * * must regard it as holy ground, whose beauty is to be reverenced, whose forests are to be guarded, whose soil is to be preserved, whose rivers are to be unpolluted, whose primitive wildernesses are to be unspoiled, and whose wildlife is to be protected. The unpardonable sin is to sacrifice our patrimony on the altar of commercialism which cares for nothing but greedy personal aggrandizement.

Alas, that already disregard for what happens to the land has wrought tragic irreparable havoc. Wanton disregard of the people's rights in forests and rivers and mountain majesties has brought its tragic harvest in dust bowls, land erosion, privately channeled water power, desecrated park areas, and poisoned rivers.

What we call our civilization, if uncurbed, will prove a creeping blight whose symbol is the bulldozer. Big trees must go down before big business. Crystal rivers must be contaminated with disgusting waste rather than to pay the cost for sewage disposal. Public land must be exploited by devious undercover schemes for private gain.

Get-rich promoters with predatory feet go forth to despoil the sanctuaries of the wilderness. Men who loudly advocate arming against foreign foes, for dollars become vandals of the very land of which they hypocritically sing, "I love thy rocks and rills, thy woods and templed hills." Whose land are they defiling? Yours and mine.

Every American has fabulous possessions. Literally, this is a land where every man is a king. Do you realize that your real estate holdings are enormous? Do you know that as an average American you own an undivided interest in the public lands of the United States equal to nearly 3 acres? That is the equivalent of a dozen generous-sized suburban lots. In addition to that, you have valuable property in State and county lands. As an American you are part owner of 460 million acres of Federal land—more than twice the size of Texas, or four times as large as California.

The managers who administer the vast interest of all these grazing, scenic and forest areas are your employees. They guard your interests.

Before it is too late, the attempts to exploit and mar the public lands, the property of every American, must be exposed and halted. Nature's masterpieces must be left untouched and unspoiled. The royal people who own these treasures must make it plain to covetous eyes that these crown jewels are not for sale. America needs prophets to thunder as Nehemiah did centuries ago to the land despoilers of his day, "Behold we are the servants of that large and fat land Jehovah's great goodness hath given our fathers."

It also belongs to those who come after us. There is a striking sentence in the Old Testament, "The fathers have eaten sour grapes and the children's teeth have been set on edge." That is an unforgettable way of saying that what the fathers do today will affect their children and their children's children. If we are not vividly conscious of our role as trustees of the future, then for some temporary expediency we may adopt policies in the present that will rob the generations following of the birthright it was intended should be theirs. We have no right to pilfer and misappropriate the capital of those who will take over the land when we leave it.

A very wise conservationist, with his eyes on binding mistakes of the past when the future decisions were made before the future had a voice, suggests that a 3-year wait for most proposed development projects is not long compared to the eternity our descendants shall otherwise have to live with any mistakes we make out of premature commitments. At every conference when get-on-with-the-work advocates are clamoring for immediate action, with a bulldozer parked just outside the committee room, there ought to be brought in an empty chair to represent those who will have to live with today's decisions when they arrive in the years to be.

We are living now within the limits of the shortsightedness of yesterday. We represent those who will inherit the good earth a thousand years from now. The coming generations have a right to do the things which delight us for our little day—things of which we can rob them if we are prodigal, especially in our bumper-to-bumper existence, in our herded lives. We must shout from the housetops of our swarming cities that for us and for all the long future the vast parks and forests and the scenic cathedrals we call wilderness must be inviolate as we hold them in all their glory for those distant feet we hear coming along the future's broadening way.

THE REST OF THE WORLD SHOULD LEARN FROM INVEST-IN-AMERICA WEEK

Mr. WILEY. Mr. President, earlier this week, it was my pleasure to stress the celebration at the present time of the fourth annual Invest-in-America Week.

While it is a good thing for us to invest in material wealth, in corporations, and in land, there is something else more important than that, and that is to invest in the confidence that we Americans have—invest in the understanding of our system of free enterprise; invest in our concept of freedom of worship; invest in our idea of trial by jury; invest in the knowledge of our constitutional system of checks and balances.

We have had occasionally to realize that there is a great deal of unsettled thinking in this country. Some persons wish to disturb the balance which our Founding Fathers provided in our system of government, including a free and independent judiciary; a legislative branch to make the laws, and an executive branch to enforce the laws. They would like to unsettle that balance and distribute power a little differently. That is not investing in America.

Today, particularly because we are now engaged in celebrating the fourth annual Invest-in-America Week, I wish to speak of what is occurring in this country and also abroad.

In a telegram President Eisenhower has congratulated the invest-in-America program for its efforts "to reaffirm our belief in the power of work, savings and investments to create new business and better job opportunities for all our citizens."

In other words, our citizens should invest in this great Nation, which has been the wonder of the world, because the people of America have shown individual enterprise and have had confidence in themselves, which enabled them to forge ahead.

Tomorrow, Friday afternoon, it will be my pleasure to join with members of the Washington Board of Trade in acting as hosts to a reception, which will serve to climax this week's observance.

There will be present officials of the executive agencies, including Mr. Edward Gadsby, Chairman of the Securities and Exchange Commission, Mr. Julian Biard, Under Secretary of the Treasury for Monetary Affairs, Mr. Albert Cole, Administrator of the Housing and Home Finance Agency, together

with members of the Senate and House Banking and Currency Committees, the Senate Finance Committee, and House Ways and Means Committee, as well as civic leaders interested in this program.

One of the most vital aspects of the Invest-in-America Week concept is that everyone can own a share and should own a share in America.

That means owning one's own insurance policy, having one's own bank account, owning a security, owning one's home, or any other sound method of having a real stake in this country.

This concept of the masses of people owning resources, is something unique in this world. In the Old World, ownership of resources was limited to but a few—ownership of land, of securities, and of any real financial stake. Many of our forebears came to America because in the Old World they were not supposed to be good enough to own land.

I am pleased to say, however, that in the years of recovery, in postwar Europe, the American concept of peoples' capitalism has begun to sink in.

In countries where once only the elite did the investing, today, literally hundreds of thousands of ordinary citizens are beginning to invest.

Naturally, let me again sound, as I have previously done, a word of caution which I have always stated: The last thing I, or anyone else wants, is reckless speculation, at home or abroad, because that can lead only to harm and suffering. But sound investment is certainly to be desired.

I was interested to read, therefore, in the April 25 issue of the Christian Science Monitor, a most enlightening article, describing the increasing amount of stockownership by large numbers of the German people. To anyone familiar with the former traditions of Germany, this news comes as a most welcome development. For, we must remember that not only were there severe class divisions in the old Germany, but Germany went through the nightmare of inflation in the 1920's, a nightmare which destroyed public confidence in securities, particularly fixed-income securities such as bonds. We welcome, therefore, the increasing role of peoples' capitalism in West Germany and elsewhere in Western Europe.

The miracle of West German recovery—a miracle of hard work—is now reflected in the miracles which can be wrought by masses of ordinary West Germans, owning shares in their country's future.

I send to the desk two items which provide an interesting parallel picture of United States and European investment.

The first consists of three articles which appeared in last Monday's Philadelphia Inquirer describing the celebration of Invest-in-America Week in that great city, and throughout the Nation.

It is only logical that the Inquirer, a great newspaper in its own right, has given this fine prominence to the observance this year, as in previous years. Why? Because the City of Brotherly Love, the city which is the birthplace of American liberty, was likewise the birthplace of the "Invest-in-America Week" concept.

Secondly, I send to the desk the Monitor article, describing the growth of open-end investment companies in West Germany and elsewhere in Europe. These companies' mutual funds are, of course, but one relatively small phase of German security ownership. They symbolize, however, the dramatic innovation in investment which is, today, transforming West Germany.

I ask unanimous consent that these articles be printed in the RECORD.

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

[From the Philadelphia Inquirer of April 28, 1958]

FETE SPONSORED BY LEADERS FOR "INVEST" WEEK

Financial and business leaders of Philadelphia will sponsor the opening lunch of Invest-in-America Week today at the Drake Hotel. The speaker will be Walker L. Cisler, president of Detroit Edison Co. and chairman of the 1958 observance of national Invest-in-America Week.

Except that Philadelphia will have the national chairman, the luncheon will be duplicated in scores of cities throughout the Nation.

In many respects the observance planned for Invest-in-America Week here in Philadelphia this year could be taken as a model of how such a week is planned.

Today, for instance, is Freedom To Invest Day, sponsored by the investment community here and throughout the Nation.

On Wednesday Labor and Industry Day, will be observed, with a Rotary Club luncheon at the Bellevue-Stratford to be addressed by Edward T. McCormick, president of the American Stock Exchange.

Thursday will be Women Investor's Day. A group of women's organizations will sponsor a dinner at the Warwick Hotel. It will be addressed by Robert Dechert, General Counsel for the Department of Defense.

Youth of America Day is set for Friday. Maj. Gen. Anthony J. Drexel Biddle, Jr., will address a dinner at the Broadwood Hotel sponsored by Junior Achievement of Delaware Valley.

Oliver G. Willits, chairman of the board of Campbell Soup Co. and local chairman of the week, also announced the following groups were cooperating in observance of Invest-in-America Week and had in some cases held meetings to plan their participation: newspapers, 30 area insurance companies, the Philadelphia Board of Realtors, banks, savings and loan associations, schools, radio and television stations, the American Association of Industrial Editors, the Restaurant Association of Philadelphia, and the Hotel Association of Philadelphia.

He cited the following other examples of cooperation:

A number of Philadelphia companies have set up window displays or made space available in their windows for posters. The Reading and Pennsylvania Railroads have placed posters on their trains. National Transit-Ads has placed 500 car cards on the PTC and Red Arrow Lines. General Outdoor Advertising Co. has given 13 billboards, and Philadelphia Transportation Co. is using a streamer on more than 1,250 cars.

PHILADELPHIA GROUP STARTED INVEST IN AMERICA

More than 50 cities throughout the Nation today will begin observing Invest-in-America Week, a movement that has grown from a 1-day symposium held in this city in October 1949.

In the summer of 1949, Alexander Biddle, executive vice president of the Philadelphia-Baltimore Stock Exchange, was busy with plans to bring a better understanding of the role of the stock market when he came across an editorial in Investment Dealers' Digest.

TO FOCUS ATTENTION

The editorial was written by Eliot H. Sharp, editor of the magazine. It suggested an Invest-in-America Week to focus attention on just what the economic system, under which we enjoy our high living standards, is all about.

"Such a week," Sharp said, "would be devoted to telling—in advertising, news stories and feature articles in the press, the magazines and over radio and television—just how this country has been built to its present eminence, just how the faith of millions of investors has made possible the Nation's unparalleled industrial plant. It would tell of how America savers also had helped build our municipal plant, of how they have helped finance the Nation itself."

Biddle and a group from the Philadelphia exchange and the Consumer Advisory Council of the Philadelphia Chamber of Commerce, in cooperation with the eastern Pennsylvania group of the Investment Bankers Association of America, in October 1949, organized a 1-day symposium followed by a series of lectures for women on the general theme, invest in America.

COMMITTEE FORMED

In the meantime, the Philadelphia Invest-in-America Committee had sponsored a temporary national committee and the publication of an Invest-in-America primer for groups that wished to observe the week.

Finally, in 1954, the National Invest-in-America Committee was incorporated on a national basis and the first meeting of the incorporators was held here in Philadelphia on April 15, 1954. That year there were 13 cities chartered to observe the week.

CERTAIN TYPES OF SAVING CAN GIVE ECONOMY BOOST

(By Royal H. Plenty)

Should you save your money or spend it? Is this a good time to encourage people to invest in America or should we, as President Eisenhower has suggested, urge them to go out and buy goods?

These are not easy questions to answer. On the threshold of Invest-In-America Week they seem almost heretical. Yet the questions should be answered.

From the standpoint of the individual, I believe it is always to his benefit to save as much as he comfortably can. A home, security, a college education for his children, retirement, a trip to Europe—many of the important material and cultural things of life are awarded almost exclusively to the saver.

Viewed from the standpoint of what is best for the economy, the answers are more difficult.

The reasoning of those who would have you buy now is simple, and clear. If enough of us would go out and buy new cars, for instance, the auto companies would have to step up production. This would mean the men laid off in that industry would be called back to work. They would then be able to start buying again, causing other industries to step up output and more unemployed to be recalled.

But when a farmer buys a tractor, he provides at least as much stimulus to the economy as the man who buys an automobile. The farmer, however, is making an investment. Thus increased investment in tools, machinery and plants would do as much for the economy as increased consumer spending.

The catch is that the average person, unlike the farmer who buys a tractor, cannot invest directly in tools and factories. He must make his investment through a savings

account, his insurance premiums or by buying stocks or bonds.

This means there is more to investing than just saving. It also means the investor has an obligation. He owes it to the Nation to see that his funds are invested in a manner which will be most beneficial to the economy. In other words, he should place his funds in such a way as to stimulate spending.

How can the investor be certain that his funds will be invested in a manner to aid the economy? It is typical of our economic system that the investor can generally do this by seeking to serve his own best interest, by seeking the greatest return on his capital for the amount of risk he wishes to take.

By buying stock in a new firm, for instance, the investor would be creating new jobs as well as a demand for new tools and equipment. Here the profits could be large, but the risk is great.

A more conservative investor might purchase the bonds of a company that is building a new plant. His earnings will be smaller on his investment, but he will have contributed to the building of the new plant. If enough people are willing to buy bonds, they become easier to sell and encourage other firms to issue bonds and undertake new projects.

Finally, you can put your money in an institution which will invest it for you. An insurance company or a bank might invest it in corporate securities, home mortgages, and Government bonds. A savings-loan association will use the funds primarily for home mortgages and Government bonds. If an institution has trouble investing funds profitably, it tends to lower the interest rate it pays you. In that case you serve both yourself and the economy by seeking a better rate elsewhere.

During the depression, one large Philadelphia bank stopped paying interest on savings accounts to discourage depositors. It lost only a small portion of its accounts. Its depositors were savers, but not investors.

This Nation needs savers who are investors. Not only must the old plants and tools be replaced, but new ones must be added to supply the rising population, to produce the new products being developed by our research and to increase productivity. Our standard of living can only continue to rise if some of us are willing to forego the consumption of goods today so that we can produce the machinery and factories needed for tomorrow.

[From the Christian Science Monitor of April 25, 1958]

GERMAN MUTUALS VIE FOR SAVINGS

(By Philip W. Whitcomb)

FRANKFURT.—The stock picture of the good middle class German when he was young used to show him as going on long walks in the woods, with a mouth organ or accordion; taking his refreshments within earshot of a good band as he grew older; and at all ages putting all the money he could get his hands on into a savings bank.

Woods and gardens are outside the scope of the present note, but there is something of interest to say regarding savings. The belief of the small German investor that he must never put his money anywhere except in a savings bank is beginning to crumble slightly. Last year the five German mutual funds, all only recently founded, gathered in a total of $85 million from the little investor, nearly trebling the amount they had received in the previous 12 months.

CREDIT GIVEN

Part of the credit for this daring leap of the small investor into what he had previously regarded as high finance must go to the Federal Government's ruling on April 16, 1957 that mutual fund certificates would not be subject to property tax levies. Partly because this added to their security, but chiefly because it proved that Bonn regarded this type of investment seriously, the new ruling stimulated certificate sales.

The usual advantages of mutual funds had, of course, been offered to the German investors: wide distribution of risk, issuance of certificates in small denominations, and no worry as to which company to select for purchases of common stock—the same freedom from worry which had been the great appeal of the savings banks.

An added attraction, in a country where the investor may find his money being nibbled away by tiny percentage charges of various kinds, was that the German commercial banks undertook to hold the mutual fund certificates on deposit without charging any fee.

BEST ADVERTISEMENT

But the best advertisement received by the mutual funds in 1957 was probably the fact that several of the five paid 8 percent on their certificates. It is true that the average of declared dividends on common stock in Germany in 1957 was 8.95 percent, but this figure, of course, does not take account of the purchase price when above or below par. Further, official statistics show that the average return on all common shares was only 4.8 percent.

German mutual funds have been in existence only four years, their establishment having been brought about by the leading commercial banks partly as an experiment. About 40 percent of public subscriptions go to Concentra Fonds, managed by the Deutscher Investment Trust. The second largest is Investa Fonds, of which the total approaches $20 million. Allgemeine Deutsche Investment has issued about $18 million worth of certificates.

ENTHUSIASTS VIE WITH BRITISH

German enthusiasts for such investments talk of equaling the British rate within from 5 to 10 years. By this they mean that the present German per capita investment in mutual funds of about $1.70 can be made to equal that of Britain, where the per capita rate is $24.

The situation in Switzerland (over $90 per capita) is exceptional, as the true owners of Swiss mutual funds include a large number of persons residing in other countries. The United States per capita mutual fund investment rate, said to be $72, is regarded as completely impossible for Germany where the gap between minimum living costs and average salaries is not a large one.

American investment techniques, however, arouse great interest.

One American company now has opened an office in Germany, offering investment methods which may soon be copied by one or two of the German funds.

Facilities for installment purchase are of course much greater than those offered by the German companies, but the possibility which has most surprised German investors is that subscribers to the American fund may choose their own shares and pay by installments.

The American newcomer at present sells only to non-Germans, but has announced that arrangements will be made later to sell to Europeans.

There is an American angle, too, in a new type of debenture just issued, for a total of $12 million, by Esso AG, which is fully controlled by Standard Oil Company of New Jersey. Another $12 million will be issued later. At 3 percent below par (by the Dresdener Bank, and Brinckmann, Wirtz & Co.) with interest at 7 percent, the issue was a great success. Amortization begins in 5 years, the full maturity period being 15 years.

SECURITY SALES TOTALED

More than $1,300 million worth of securities were sold in Germany in 1957. This was more than in the best previous year since the war, 1955, and a fifth more than in 1956, when there had been a slump in security sales.

It should be noted, however, that 1956 had been better for the sale of common shares, and that the 1957 sales were more than 70 percent in debentures and bonds.

During the first postwar years German industrial companies had paid a very high interest in order to borrow capital. Even at the beginning of 1957 it was necessary to offer 8 percent on debentures. But by September it was possible to float the German Shell issue at par value at 7.5 percent interest. The Esso issue at 7 percent shows that this tendency continues.

NOTICE OF CONSIDERATION OF WIDOWS' PENSION BILL

Mr. JOHNSON of Texas. Mr. President, I should like to give notice that if Calendar No. 1516, H. R. 358, is not passed on the call of the calendar today, I shall call it up by motion following the call of the calendar. It would increase the monthly rate of pensions payable to widows and former widows of deceased veterans of the Civil War, Spanish-American War, Indian War, Mexican War, the Boxer Rebellion, and the Philippine Insurrection; and would also provide pensions to widows of veterans of the Confederate States of America during the Civil War.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that I may speak for 7 or 8 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I wish to reserve my right to object. I informed the Senator from New York [Mr. JAVITS] that following the calendar call he could make any statement he desired to make, and that we would transact only morning business during the morning hour, with statements limited to 3 minutes. If he has no objection to the Senator from South Carolina proceeding, I have no objection, but I do not wish to break faith with the Senator from New York. I do not wish to ask other Senators to stay here for speeches prior to the call of the calendar.

Mr. JAVITS. I certainly will not object to my dear friend from South Carolina addressing the Senate. I wonder if I may ask unanimous consent that I be recognized immediately following the conclusion of the call of the calendar.

Mr. JOHNSON of Texas. I would have no objection to that. However, I think it would be better procedure for the Senator to file his name at the desk. I would rather that be done.

Mr. JAVITS. I withdraw my request.

LOYALTY DAY—THE COMMUNIST MENACE

Mr. JOHNSTON of South Carolina. Mr. President, Loyalty Day is a good time for us to dwell on things American and to count our blessings.

We can be thankful for our constitutional system of government, thankful for the sacrifices of the patriots who founded the Republic, thankful to all who, down through the decades, labored to keep our democratic institutions sound and intact.

We need to note well that the liberties we enjoy are not guaranteed to us forever but must be sustained by each new generation. This is the trust and responsibility of citizenship: preserving democracy in our land, passing on to those who come after us a government that embodies the hopes and dreams of the Nation's founders.

This, indeed, is the highest duty of citizenship: preserving and protecting our free institutions and the democratic values which have brought America from an infant republic to a great world power.

It is with justifiable pride that we can reflect that American liberties and independence have been a source of inspiration to peoples everywhere. The mantle of leadership has been our rich inheritance just as it is our continuing responsibility. But, as we contemplate our situation in this year of our Lord 1958, we recognize we are confronted with a formidable foe that would destroy all for which we stand.

For an understanding of what is communism we have the precise and complete definition of no less an authority than J. Edgar Hoover, head of the Federal Bureau of Investigation, who in the opening pages of his Masters of Deceit, an able exposé of this menace, states:

> Communism is many things: An economic system, a philosophy, a political creed, a psychological conditioning, an educational indoctrination, a directed way of life. Communists want to control everything: Where you live, where you work, what you are paid, what you think, what streetcars you ride (or whether you walk), how your children are educated, what you may not and must read and write. The most minute details, even the time your alarm clock goes off in the morning or the amount of cream in your coffee, are subjects for state supervision. They want to make a Communist man, a mechanical puppet, whom they can train to do as the party desires. This is the ultimate, and tragic, aim of communism.

After this illuminating definition of communism, Mr. Hoover then continues:

> These statements are confirmed, day after day, by documented reports from areas where Communists have already taken over: Hungary, East Germany, Bulgaria, Poland, Rumania, Czechoslovakia, Red China, and other areas.
>
> When you read such reports, do not think of them as something happening in a far-off land. Remember, always that it could happen here and that there are thousands of people in this country now working in secret to make it happen here.
>
> But also, thank God, there are millions of Americans who oppose them. If we open our eyes, inform ourselves, and work together, we can keep our country free.

Mr. President, this is a vivid and stirring message from the man who has done so much to fight the Communist conspiracy on the home front. We would do well to take his warning to heart.

Vigilance has always been the price of liberty. We must be on guard against this menace which actually seeks the enslavement of the whole world. At the very time America observes Loyalty Day, it is a sad thought that thousands upon thousands of people are prisoners of the Communists in Siberia and elsewhere, and equally depressing is the realization that whole countries have been transformed into slave states through Communist tyranny.

Realism compels the admission that the world today is largely set off into two rival camps, the Free World and the Communist group. The issue is clearly drawn: Freedom against Communist tyranny.

Marx, Engels, and Lenin have stated clearly and emphatically that world conquest is the ultimate goal of communism. Historical pauses, periods in which the Communists consolidate their gains, are so to speak, "par for the course." This is all from the party manual. All of this has been reaffirmed in strong, unmistakable language by Khrushchev and other Kremlin spokesmen in recent days.

Our policymakers will be jeopardizing our national interest if they do not assess Soviet policies for what they are in this pause period—a breathing spell in preparation for new aggressions, whether raw aggression through overt military action or indirect aggression through subversion and infiltration in countries marked for liquidation and absorption into the Communist orbit.

In our time, America cannot be too vigilant to the menance of communism. The Red conspiracy assumes many forms; it is a many-headed monster. Its insidious propaganda seeps in virtually everywhere. The Reds are everlastingly on the job seeking to destroy belief in American principles and institutions.

The disciplined legions of the Kremlin are fanatics in their cause. We must turn them back with equally strong faith in Americanism. Our country was built on freedom and free institutions. Because we had a climate of freedom and championed free enterprise, America has grown from the small beginnings of 13 Colonies to our present status as leader of the Free World. Because of our constitutional government, we have spiritual, moral, and economic strength. We are a Nation of 170 million people, possessing the greatest productive might of any nation in the world, and we enjoy religious, personal, and economic freedom.

A sharp and profound difference between America and the Soviets is that we are dedicated to a belief in the Almighty, entreat the blessings of our Creator, and guarantee to every citizen freedom of worship.

Communism, on the other hand, is based on a denial of God. It is atheistic and materialistic; its teachings deny to man a soul. Consequently it strips him of any dignity or right and feels warranted in any exploitation, no matter how vicious, to further its cause.

Mr. President, I cite these important truths so that we will be ever mindful of the nature of the struggle in which we find ourselves caught on loyalty day, 1958. It is a good time for us as individuals and as a people to rededicate ourselves anew to those tried and proved principles which conceived America and brought her to her present eminence in history.

So I suggest that this is an ideal time for us to pledge again our loyalty to our God, our Nation, our State, our community, our neighbors—the things we hold precious and invaluable beyond price—and to progress the hope that one day the priceless boon of freedom will be granted the enslaved peoples who are presently condemned to the living death of Communist tyranny.

ADDRESS BY PHIL KLUTZNICK BEFORE FEDERATION OF JEWISH SOCIETIES OF OMAHA

Mr. HRUSKA. Mr. President, on Sunday, April 27, the Federation of Jewish Societies of Omaha commemorated the 10th anniversary of the founding of the State of Israel.

It was a notable occasion, attended by approximately 500 people, fully one-third of whom were leading citizens other than members of the Jewish community.

Under the able chairmanship and leadership of David Blacker an outstanding program was presented following the banquet.

Highlighting the evening was an address by Phil Klutznick, of Park Forest, Ill., president of B'nai B'rith, and a former United States alternate delegate to the United Nations.

Mr. Klutznick is one of the creators and builders of Park Forest, Ill., now a community of some 35,000 inhabitants. More recently he has taken the lead in the proposed preplanned community to be built on the site of the Biblical city of Ashdod on the Mediterranean Sea. It is an ambitious plan, embracing not only a second seaport for Israel, but a city which is designed for an ultimate population of from 125,000 to 135,000 inhabitants. It is being planned for the foreseeable needs of the next 25 years in terms of sites and locations for residences, industry, commerce, parks, resort area, utilities of all kinds, markets, transportation, and so on.

I take pride in the fact that Mr. Klutznick and I were classmates at the Creighton University Law School from which both of us were graduated. For years both he and I engaged in the general practice of law in Omaha with our respective law firms.

The substance, the spirit, and the inspiring presentation of his speech made all of his numerous friends in the audience very happy at the proven achievements of Phil Klutznick as a student and advocate of freedom, humanitarianism, and democracy at its best.

Mr. President, I ask unanimous consent that there be printed in the RECORD the text of Mr. Klutznick's address.

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

ADDRESS BY PHILIP M. KLUTZNICK, PRESIDENT, B'NAI B'RITH, ISRAEL 10TH ANNIVERSARY CELEBRATION, OMAHA, NEBR., APRIL 27, 1958

We are here to mark the 10th year of the founding of a democracy. We are here as Americans—some of us Jews, some of other religious persuasions—to recognize and help celebrate the drama and the destiny of the State of Israel, a land 7,000 miles away. Yet, a land very close to us in many ways.

We share an exalted moment consecrated to the triumph of a people's redemption. We do so in a spirit untrammeled by any false dichotomy, and united by a passion for justice and ethics in human behavior.

We are assembled for a special purpose—and yet, perhaps, not as special as ap-

pears at first glance. For the significance of our celebration tonight is more than the birthday of Israel's independence. Its meaning is rooted in the universality of certain historic truths.

One of the great fallacies in a discussion of Israel is to regard her as a case of special pleading. That this concept has gained currency is understandable. Surely the catastrophe which overtook the Jewish community of Europe—the slaughter of 6 million—was a crime almost beyond human comprehension.

The idea that for this reason alone, Israel must be protected and nourished is a self-conscious and defensive attitude, and a conclusion restrictively narrow. The case for Israel is not unique. It cannot be and it must not be separated from the struggle of democratic forces everywhere to make real the freedom which men seek. This is its true place in the perspective of the mid-20th century. It occurs to me that this indivisible fraternity of freedom places in bold relief the very goal which Americans and certainly American Jewry have set for themselves and have pursued these many years. Our deep affection for our own Nation is enhanced by our understanding and devotion to our Jewish heritage—a heritage which holds high the inviolability of man's right to be free, and in that freedom to chart his destiny.

It is in this spirit that we gather to celebrate Israel's 10th birthday. It is good that we do so in Omaha. I have a wanderer's gratitude for the boon of revisiting surroundings and recapturing friendships of my earlier years. There is vivid in my memory the vigorous days of three decades ago when rebirth for Israel was a challenging prospect illuminated only by hope and faith, and when many of us in Omaha labored for its fulfillment. Set athwart the bountiful plains of the Midwest, Omaha stands as product and symbol of a venturesome and explorative America in the early decades of our own nationhood. This is a community rooted in the pioneer's search for the elemental truths of dignity and freedom, and in his love for God's good soil. It is both understandable and wholesome that this tradition of the American Midwest finds its close kinship with the dedicated people of Israel.

Israel is the creature of human tenacity. The agonies and ordeals that have beset her small band of unconquerable people on their march to nationhood have few parallels in contemporary history. Israel was born in strife and bloodshed. Since her momentous independence day, her history has been a story of crisis heaped upon crisis. Her existence has been challenged by armed belligerency, her survival by the crushing vise of economic boycott. The remarkable strength of her human resources has been constantly diverted from the economic and social growth she so desperately needs in order to bolster her security. To add to these oppressive complications, the fate of Israel has been stirred since her birth in a caldron of bubbling international politics. She has indeed tasted the toil and trouble of this bitter brew.

Because of all this there are some who say: What hope for Israel? What chance is there for a people who are often called upon to toil with rifles slung across their shoulders? Whose tiny domain is ringed by enemies sworn to destroy them? What future is there for a speck of a nation forced to spend much more than it earns—a nation sustaining itself by gifts and loans?

These are men of little faith. They confuse the facts when they use slide rules and mathematics to measure human values. In the turbulence of recent years there were moments when, in the quiet of my own reflections, I conjured the vision of an Israel once here, gone again. This is intolerable and unthinkable. It would spread an indelible blot on the Free World and make wretched the honor of our generation. To Jewry throughout the world it would be a horrifying experience which, piled upon the tortures of recent generations, would threaten to destroy the very heart of a people.

I am under no illusions. On her 10th anniversary the path of Israel's future is pitted with troubles. The anxieties of a divided world are visited upon her. But I state this simple conviction: In spite of toil and trouble Israel is here to stay.

She will persist in her imperishable destiny as a lusty, thriving member in the family of free nations. She will persist because free people, as we Americans, cannot tolerate the destruction of a democratic people seeking for themselves what we sought and found for ourselves.

If I speak out of hope and sentiment, and a cherished notion that the Biblical prophecy of my people was fulfilled that glorious day 10 years ago, I am nonetheless supported, not by sentiment, but by history.

A few generations ago another nation was founded as an experiment in democracy. She was born in calumny and disrepute. For years her survival was in doubt. There were critics then, too. They spoke disapprovingly of the fact that she was poverty stricken, supporting herself by loans from foreign nations. They said that this new country—the United States of America—could not endure.

The political parallels between the first decade of our Nation and that of Israel tell me that the doubters who question Israel's future share the same blind spot which distorted the view of their forebears during our Revolutionary era. They fail to grasp the quality of the pioneering spirit which erupts to give birth to a democratic way of life. They do not perceive the quality of Israel's people, whose high spirit of adventure, rooted in concepts of human freedom, are this century's counterpart of the pioneers who pushed the frontiers of our own Nation westward.

There is a parallel of purpose—and of faith, toil and blood—that characterizes Israel's creation and that of our own land. There is, in both human dramas, the similarity of men driven by insecurity and persecution, and yet attracted by the frontiers of a new civilization. In each case men uprooted themselves from all parts of the world to realize an ideal. In each case there were pioneers who conquered and reclaimed God's earth from primeval devastation or human neglect. In each case they liberated themselves by bitter struggle from the shackles of colonialism. In each case they established a government which ruled by the consent of the governed, and they defended it against adversary and peril until it achieved its place of recognition in the international family of nations.

This reality stirs the American mind to our historical traditions. For it seems to me that each succeeding generation of Americans has had its rendezvous with the history that created us. We remember too, that the founders of our Nation might have failed in their creation of the American dream had they been forced to stand alone in defense of their convictions. The sanctified idealism that provoked the rebellious courage of Bunker Hill and Valley Forge might easily have foundered on a sea of unrealized hopes save for the timely aid of warmhearted and freedom-minded friends, most notably the people of France.

This history has been a motivating force for succeeding generations of Americans. Our international relations have been characterized by our desire to help others secure for themselves the blessings of freedom that are now ours. In the Monroe Doctrine, which strengthened the struggle for freedom of Spain's American colonies, in our military campaigns to secure for Cuba her right to be free and independent, in the open door policy to liberate China from economic exploitation, in Woodrow Wilson's 14 points, in our willingness to hasten self-government for the Philippines, in our Marshall plan and in our foreign aid and point 4 programs to bolster the economies of free nations, and latterly, in the Truman and Eisenhower doctrines, in all of these we find the thread of remembrance that has given us our character as a Nation and a people.

This, in my judgment, explains why, against the dictates of military wisdom and in the face of adverse political pressure, our country could not help but be midwife at the birth of the State of Israel.

I venture to guess that a generation from now, an historian, examining the political cross-currents that led to the creation of Israeli statehood and the achievements of her first decade, will conclude that the friendship of the American people was the indispensable and most abundant source of Israel's strength outside her borders. If our historian is perceptive, he will also find the reason why. There is a simple answer—an answer that has been with us longer than our Republic. It is the spirit that was cradled in our formative days of the 1760's and 1770's. It is the credo which, through all these years, has molded our national character. That spirit has so colored American life and American thought that we would have had to turn on our history, and deny our character as a Nation, to have invoked a negative unconcern against another people seeking no more for themselves than the freedom and security we have for ourselves. It could not have been otherwise—and America still be America.

I am somewhat confounded by those who denounce Israel's right to exist by interpreting her statehood as a kind of treacherous achievement of power politics at the expense of other Middle Eastern groups. These critics bring to mind the story of the man who was newly naturalized as an American citizen. When he had completed his oath, the officiating judge asked him: "Have you any comment?"

"Indeed I have, your honor," the new citizen replied. "This is a great country—except there are too many aliens in it."

Is Israel's independence an act alien to modern Middle East history? Did she insert herself as a volatile force in an area of political stability? Her borders embrace 8,045 square miles; her population is nearly 2 million—about one-half have arrived since 1948 as immigrants from Europe and North Africa and as evictees from Arab lands.

Jordan has three-fourths the population of Israel, but she has four times the land area to accommodate them. The Hashemite Kingdom of Jordan became an independent monarchy in 1946—some 2 years before Israel's independence.

Jordan's future may be related to her federation with Iraq. You can fit all of Israel into the land area of Iraq 20 times over. The population ratio, by comparison is 3½ to 1. Iraq was a British mandate until 1932.

Lebanon is half the size of Israel; her population is a half-million smaller. Lebanon was a French mandate carved out of Syria in 1920. This was a case of partition created largely by religious differences. Lebanon became an independent republic in 1944—only 4 years before Israel.

Saudi Arabia has 4 times more inhabitants than Israel—but her land area is 110 times larger. She was founded as a monarchy in—and here we go 'way back—1926.

The United Arab Republic is 10 years younger than Israel. Since her character is still largely undefined, let us consider the statistics of her partner states. Syria is nine times the size of Israel; her population is only twice as large. Syria was set up as a French mandate after World War I—even as

Palestine was ruled by the British. Syria was proclaimed independent in 1943, which made her 5 years older than Israel as a politically independent nation.

Egypt was the oldest in independence among the major Arab nations. Her population is 12 times greater than Israel's, her land area 48 times greater. When Israel was established 10 years ago, Egypt had been a constitutional monarchy 26 years old. When Egypt became a republic—Israel was already 3 years old.

When one speaks of land areas there is always an apologist to say, "But so much of Arab land is desert." No less true of Israel and she seeks and succeeds in its reclamation.

It is not merely Israel who is the Johnny-come-lately, but the whole Middle East is a Johnny-come-lately in terms of political independence. If we are to consider matters realistically, Johnny really hasn't arrived yet. For the Middle East cannot be truly independent as a political force until it establishes itself as an economic force. To quote Dr. Max Lerner: "Independence is liberty—plus groceries."

The misfortune of the past 10 years is that it has produced both a tragedy and a paradox in the Middle East. The tragedy lies in the pattern of intransigent behavior which has made of modern Israel, not the catalyst for a productive, viable Middle East that her capabilities suggest, but the rallying point for a stubborn Arab hostility. This nurtured hostility is so pervading in character that it has sucked dry the high promise of industrialization, increased education and sanitation and similar dimensions of progress for all the peoples of the Middle East. The effect has been to produce a vacuum—which an alert and predatory Soviet Union has tried desperately, and somewhat successfully, to fill.

The paradox is that the free West, and not the least our own Government, on the one hand is aware of Israel's vibrant qualities and, on the other, is not unmindful of Soviet aspirations to thwart them. Yet we too often seem to occupy ourselves with a diplomacy of doubt—inconsistent with our own purposes.

I have had enough of a taste of Government service to recognize the luxury of critical appraisal when it is uncomplicated by any commitments of responsibility. It is much less taxing, believe me, for private citizens such as you and I to define the issues and suggest what should, and shou'd not, be done. The functions of the President and Secretary of State make their roles exceedingly more difficult. We express hope; they must formulate decisions which are necessarily far-reaching in their significance and serve to make history. Sympathetically recognizing this, I am nonetheless persuaded that the decade of turbulent events in the Middle East, and their accumulated indecisiveness, suggest there is still very much need for the free West—and, again, not the least our own Government—to formulate a manageable and marketable diplomacy that will more clearly distinguish friend from assailant, that will help cope with tensions by rooting out their cause, and that will serve best our collective self-interests.

The swift pace of changing events forbids us to be dogmatic about policies; we must be dogmatic about principles. If there is need for fluidity in our negotiations, there is a corresponding need for firmness in our objectives. And finally, there is no intrinsic evil in buying expediency—provided we do not shortchange ourselves out of long-range goals or barter away our former courage by failing for example to affirm for the United States the doctrine of free navigation for the ships of all flags through the Straits of Tiran and the Gulf of Aqaba. There was morality and vigor in Mr. Dulles' action. Our Government sustained the doctrine with resolute firmness. This forthrightness in adherence to honorable international tenet has already demonstrated the effectiveness of living by moral principle.

I would urge that the same quality of initiative and decision be observed by our Government with respect to the pernicious and impudent boycott which the Arab League states have instituted, not against Israel which is reprehensible in itself but against American citizens and business firms—and, in one particularly obscene instance, against American servicemen—on specious religious grounds. Here is an act of intimidation against the people of the United States that would collapse under the weight of its dreary insolence if the Government of the United States, responsive to our national dignity and to the need for protecting the equal rights of all American citizens, would substitute a resolute constancy for capitulation in keeping with the resolution of the United States Senate.

Should we hesitate to speak loudly for American dignity out of fear that Israel, a companion to Western aspirations of peace and of freedom for the world might gain some benefit thereby, to the annoyance of her enemies? Where is the morality in that? Our own history has proved that considerations of morality and ethics are not unwholesome to political behavior. Unfortunately in international diplomacy as elsewhere in life there are slaves to false expediency who act as if the spiritual values must be ignored because they somehow complicate matters. The wonderful thing about morality, as someone has said, is that it is a true thing—as sure as mathematics.

A rather successful diplomat named Disraeli once explained his simple formula for diplomacy. He said, "The secret of success is constancy to purpose." I'm inclined to believe that Israel's ability to survive is a practical expression of this principle. Certainly there has been "constancy to purpose" in Israel's efforts to negotiate a peace settlement with the Arab States. I am encouraged—and not all surprised—by Mr. Ben-Gurion's recent declaration of willingness to journey to Cairo and hash out problems with President Nasser, if such an invitation is made to him in good conscience. Meanwhile, there has also been a "constancy of purpose" in the efforts of Arab leaders to thwart any possibilities of peace negotiations in order to feast on the fruits of appeasement which we, the free West, appear to offer them by our own lack of constancy and the purposelessness it creates.

In view of past performances—the character of their inconsistencies and the conflict in their achievements—the time has come, it seems to me, to shore up our tactics of diplomacy. We cannot deny to ourselves that the State of Israel is a product of our own making, that the legality of her nationhood springs from the resolves of the international community as they were balloted in the General Assembly of the United Nations more than 10 years ago. If we mean it when we say that the survival of Israel is an integral part of American foreign policy, let us back up our words and do openly, and with full heart, those things which will help Israel not only to survive, but to become viable and truly independent.

This does not mean that we should do less for those Arab States which are prepared to accept our concepts of peace, justice and mutual understanding. Nor does this mean that I blindly believe it an easy course to pursue. It does mean that in our diplomacy we should cease trying to be something we are not. America believes in fair play, justice and peace at all times not just when it is convenient.

The Middle East needs Israel. By Middle East standards—in fact, by any standards—Israel is a miracle of industrialization and agrarian ingenuity, of sanitation, of education, of modernization that can match the needs and complexities of the 20th century. Her prospects are for greater growth within her own present borders. Thus, Israel must serve her usefulness to the Middle East as the fulcrum for that tremendous push toward economic expansion that awaits this long-neglected area.

This is not a one-way street. Conversely, Israel needs prosperous neighbors. It is true that Israel is a westernized nation which has cast her lot with the anti-Soviet bloc. But it is basic that she cannot separate herself from her environment, that her own political and economic growth are inextricably bound with the growth of her neighbors.

Must this hope for a productive Middle East be denied because of hostility between Arab and Jew? I honestly think not. Friendship between Arab and Jew is not only desirable; it is both logical and historic. Arab and Jew are Semites, a fact that is of great social and political significance in the Middle East. There is an older and more honorable history of friendship and mutual benefit from collaboration than the contemporary history of dispute and separatism.

If firmer steps are not taken, in and out of the United Nations, to halt the economic boycott and acts of belligerency directed against Israel, and to strengthen the genuine forces of democracy and Western freedom in the Middle East to insulate that vital area from further Soviet trespasses, then the tensions of the past decade will persist—and the dilemma of the Middle East with them.

We have plenty of time to negotiate. But we have no time to try to carry water on both shoulders.

In our first decade as an experiment in democracy the United States was confronted with a vital question. The issue was not what her duty was to the rest of the world but whether the rest of the world would let her live. The same burning question now confronts Israel at the completion of her first decade. It is a challenge to our own Nation which for historic and natural reasons found aid, sympathy and strength among freedom lovers abroad in our own struggle for liberation. Israel asks no more.

Perhaps these have been much too solemn words to usher in a birthday. But we must be realists in this solemn era of history. We celebrate the 10th anniversary of modern Israel with a recognition of the past, its agonies and its glories; with a review of the present, its travails and its challenges; and with high promise for the future, a promise born of hope and conviction that, having survived the intolerable demands of the past, Israel's succeding birthdays will come in brighter days of less tension and turmoil.

Here, in this secure and friendly community of Omaha, a monument to the progress of pioneers, we are inspired to send to our friends of freedom 7,000 miles away a message of solidarity. We utter our belief in the inevitability of a better world imbued with the principles of peace and brotherhood, in which the joys of liberty, tranquility and human dignity will be shared by all.

Blessed was the day 10 years ago.

Blessed be the morrow that it may bring complete fulfillment of the promise of that day.

VICTOR COHN, WINNER OF ALBERT LASKER MEDICAL JOURNALISM AWARD

Mr. THYE. Mr. President, Mr. Victor Cohn, science writer for the Minneapolis Tribune, recently was named a winner of the Albert Lasker Medical Journalism award for outstanding reporting on medical research and public health during 1957. Mr. Cohn earned this distinction for his series of articles on the need for a children's mental illness treatment center in Minnesota.

This award is being presented to Mr. Cohn at a luncheon in New York today. I ask unanimous consent, Mr. President, that a Minneapolis Tribune article announcing this awards luncheon be printed in the RECORD at this point in my remarks, together with telegrams which I have sent to Mr. Cohn and the other Lasker award winners.

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

[From the Minneapolis Morning Tribune of April 28, 1958]

TRIBUNE'S COHN WINS MEDICAL WRITING AWARD

Victor Cohn, Minneapolis Tribune science writer, Sunday was named winner of an Albert Lasker Medical Journalism award for outstanding reporting on medical research and public health during 1957.

Cohn won for his series on the need for a children's mental illness treatment center in Minnesota, published from January to April 1957 in the Tribune.

Mrs. Franklin D. Roosevelt will present his award at a luncheon Thursday in Ambassador Hotel, New York.

Other winners are Earl Ubell, science editor of the New York Herald Tribune, for his Will You Have a Heart Attack? series, and Lois Mattox Miller and James Monahan, roving and senior editors of the Reader's Digest, for their articles on filter-tip cigarettes.

Cohn and Ubell, cowinners in the newspaper division, will share $2,500. A similar prize will be awarded the magazine winners.

Cohn was cited for "creative and inspiring reporting on the gaps in Minnesota's mental hospital system and how these should be filled * * * and for his accomplished reporting of all facets of the fight against major killing, crippling diseases through the pages of a pre-eminent midwestern newspaper."

A Tribune writer since 1941 (with an interruption for military service), Cohn won the Westinghouse award for distinguished science writing in 1951 and Sigma Delta Chi reporting awards in 1951 and 1955.

He is the author of a book, 1999: Our Hopeful Future.

MAY 1, 1958.

Mrs. MARY LASKER,
Care of Albert & Mary Lasker Foundation Awards Luncheon, Ambassador Hotel, New York, N. Y.:

I extend my greetings and congratulations to you, the Lasker Foundation, and all participants in today's luncheon. Your unselfish gifts of time, money, and effort are widely known and greatly appreciated by all of our citizens who have an interest in medical and scientific research. You are creating a heritage which will be reflected in terms of improved health, curtailment and elimination of disease, and a happier life for all. My kindest regards and best wishes.

EDWARD J. THYE,
United States Senator.

MAY 1, 1958.

VICTOR COHN,
Care of Albert & Mary Lasker Foundation Awards Luncheon, Ambassador Hotel, New York, N. Y.:

Please accept my sincere congratulations on your award from the Lasker Foundation for outstanding reporting on medical research and public health. You have performed a great service to the public and in particular to those of us who are constantly at work in an attempt to conquer disease and affliction in whatever form it may take. My kindest personal regards.

EDWARD J. THYE,
United States Senator.

MAY 1, 1958.

EARL UBELL,
Care of Albert & Mary Lasker Foundation Awards Luncheon, Ambassador Hotel, New York, N. Y.:

Congratulations on your Lasker Foundation award. Your work is much appreciated by those of us who are concerned with disease and affliction and who are making every attempt to improve the health of our citizens. My kindest regards.

EDWARD J. THYE,
United States Senator.

LOIS MATTOX MILLER and JAMES MONAHAN,
Care of Albert & Mary Lasker Foundation Awards Luncheon, Ambassador Hotel, New York, N. Y.:

Please accept my congratulations as recipients of the Lasker Award. Your articles on filter-tip cigarettes are famous and have done much to spur research into the effects of smoking and its relationship to disease. My kindest regards.

EDWARD J. THYE,
United States Senator.

DEATH OF JUDGE EDWARD FOOTE WAITE

Mr. THYE. Mr. President, the people of the State of Minnesota are proud of their State's juvenile court system, which was founded in the early years of this century. The man who devoted his time to the establishment of this system was Judge Edward Foote Waite, whose life work and recent death were the subject of an article and an editorial which recently appeared in the Minneapolis Star. In tribute to the contributions made by Judge Waite to the youth of our State and Nation, I ask unanimous consent, Mr. President, that the article and editorial be printed in the RECORD as part of my remarks.

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

[From the Minneapolis Star of April 28, 1958]

RETIRED JUDGE ACTIVE TO END—WAITE, 98, DIES, BUT NOT HIS WORK

(By Al Woodruff)

There was no end of an era with the death of Judge Edward Foote Waite Sunday.

Rather, the Minnesota juvenile court system has been marked permanently and indelibly by the man who founded it nearly a half-century ago.

Death came quietly at 4:30 p. m. Sunday for the 98-year-old judge who had remained active in civic affairs from his retirement in 1941 until shortly before he suffered a stroke March 26.

Even as late as early March he was a familiar figure as he quick-stepped his way around the city hall and courthouse or perched on a stool in the drugstore catercorner from the municipal building to drink coffee and chat with civic leaders.

It was back in 1911 when Judge Waite was first appointed to the district court bench in Hennepin County. He had been a municipal judge since 1904.

Three days of each working week, Judge Waite devoted to juvenile court hearings. In 1921 he began a 10-year stint on the district bench full time. In 1931 he returned full time to the juvenile court bench.

Minneapolis municipal and Hennepin County district judges will be honorary pallbearers at the services, 3 p. m., Wednesday at Plymouth Congregational Church. District court will close for the services.

Burial will be in Lakewood Cemetery. Friends may call at Werness Brothers Chapel after 6 p. m., today. Memorials are preferred to the Elliot Park Neighborhood House and the United Negro College Fund.

Judge Waite's legal career began at night law school at Columbia University (now George Washington University) Washington. He had graduated from Colgate College in 1880 prior to his legal training. While attending school Waite supported his invalid mother.

It was in 1888 that Waite came west to Minneapolis as an investigator for the Federal Pension Office dealing with claims for Civil War pensions. He was, successively, Minneapolis chief of police, municipal and district judge and Assistant United States District Attorney.

Judge Waite's juvenile court philosophy is still in force today. As he put it, "It is not merely a judicial machine, but a peculiar institution which must have a great deal of public confidence, since most of its work must be done in quiet."

But Judge Waite, likewise, was no wrist-slapper. When the need for severity was apparent, he acted promptly and decisively.

His work was not limited to the bench. A prolific writer, he rewrote the Minneapolis Children's Code and developed a model law on juvenile court that has been adopted in many States.

Since his retirement, Judge Waite had devoted much time to the question of racial relations and prejudices. He summed up much of his attitude with the statement that the fundamental crying need is for people to put out of their minds prejudices growing out of such accidents as race, religion and creed.

His civic activities and community group memberships were nearly as long as his legal career. He had served as president of the Working Boys Band, as a member of the executive committee of the National Conference of Charities and Corrections, the Elliot Park Neighborhood House board of directors, and was past president of the Minnesota Conference on Social Work.

He was a member of Khurhum Lodge, No. 112, A. F. & A. M., and Scottish Rite.

He had worked actively for the Campfire Girls, Big Sisters, the Urban League, National Conference of Christians and Jews and the local State and national bar associations, and the Community Chest.

Waite Park Elementary school is named for him.

His religious work likewise was as arduous as his judicial career. He attended Plymouth Congregational church for 69 years and had held nearly every major position of responsibility in the congregation.

He is survived by a niece, Maria Montana, singer and music teacher with whom he shared his home at 2009 Queen Avenue S., another niece, Mrs. Grace Wynn, Oakland, Calif., and two nephews, W. J. B. Waite of Oakland, and J. K. Waite, Seattle, Wash.

Mrs. Waite died in 1935. They had one son who died at an early age.

[From the Minneapolis Morning Tribune of April 29, 1958]

JUDGE EDWARD F. WAITE

In his later years, Judge Edward F. Waite sometimes offered a wry explanation of the deep regard in which the public held him. "If you stay around long enough," he would say, "people begin to think you are important."

But Judge Waite was much too modest to perceive that people respected him, and loved him, because of his qualities of greatness. When he died Sunday at the age of 98, it was not his advanced years that marked him as a distinguished citizen; it was the distinguished public service with which he filled those years.

Perhaps he will be best remembered for his pioneering contributions to the juvenile court system in Minnesota. Because of his

work in this field, he became known throughout the Nation. But in the Minneapolis community we shall remember him, too, as a staunch and courageous champion of human rights. To this role he brought much more than a keen legal mind; beyond that there was a profound concern for human values.

Judge Waite could not tolerate injustice; a denial of civil rights aroused his fighting instincts; the problems of minority groups he made his own. Thus he imparted strength and steadiness to the mayor's council on human relations in its early years. His opinions on all matters relating to civil rights were eagerly sought. The chain of events initiated by the United States Supreme Court's school segregation decision in 1954 fascinated him. Well along in the nineties at the time of that decision, he found it a fresh challenge to his incredibly active mind.

Judge Waite's modesty was real, not feigned. Of the many tributes paid him, he once remarked: "They won't hurt me if I don't inhale them." He was not one to be pampered or to ask for special consideration. Even after he had passed 90, he would rather walk a dozen blocks than "impose" upon a friend for a ride. He deferred graciously to others, but he asked no deference for himself.

The spirit of independence was deeply ingrained in him. His almost puckish sense of humor was revealed often. Reversing the usual procedure, for years he made it a practice to send out cards to close friends on his own birthday. In these cards he testified to the satisfaction that came with long life and staunch friendships. And with lighthearted verses, he ticked off the passing years.

Judge Waite's life was as useful as it was long. Within him there was a spark of kindly concern for his fellow man which burned until the very end. Few Minnesotans have played as well as he the role of distinguished citizen, few have earned as much genuine affection. Countless Minnesotans will think of him often with tenderness and admiration. He will be greatly missed.

THE PROBLEM OF THE "FLY-OVER"

Mr. SYMINGTON. Mr. President, whatever else may be said about the world at this time, we are living in the air age.

Growing congestion in the lower atmosphere may be one of the factors causing more and more people to think in terms of outer space.

Regardless of developments incident to the latter, there is no question of the increasing problems and importance of safety precautions and controls in connection with the flights of both commercial and military aircraft.

With characteristic clarity, the junior Senator from Minnesota [Mr. HUMPHREY] has written an article entitled "The Problem of the 'Fly-Over.'" It appears in the May issue of the magazine Flying.

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

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

THE PROBLEM OF THE FLY-OVER

(By Hon. HUBERT H. HUMPHREY, United States Senator from Minnesota)

On the morning of Memorial Day, last year, thousands of our Minneapolis citizens watched from Sunset Memorial Park Cemetery as four jets in perfect formation roared overhead in a salute to our war dead. The crowd thrilled to the skill of the pilots and the beauty of the sleek planes flashing by.

Then, seconds later—disaster, as the formation began to roll to the left. A valiant pilot died, 9 civilians were injured, 4 homes set aflame, and 2 of the jet planes were destroyed. An enemy bomb might not have wrought so much havoc, unless it were atomic.

The long-distance phone lines from Minneapolis to my office were busy the rest of that day and on subsequent days. I took what action was possible—called upon the Defense Department to forbid low level flights over congested areas; did my best to comfort and aid my constituents in their fear and distress, and resolved to seek, as one individual might, some effective answer to prevention of repetition of such tragedies.

The problem, as I have since pondered it and sought related opinion of those who have more expert aviation knowledge than myself, appears to be amenable to solution, provided public understanding can be achieved.

The first step is to explain to all well-meaning and patriotic organizations and individuals that requests to the military for fly-by's at public events well may set the stage for trouble. Inevitably the request calls for flight over some spot where people are congregated and at an altitude which provides a closeup demonstration of the performance of air crews and planes. Such requests are perfectly understandable and almost always motivated by the highest patriotic and civic spirit. But I do not believe they would be made so frequently, if the makers understood all that might be involved.

In discussing the whole subject with pilots, I find the following to be the case. If the military unit commander refuses outright to order a formation to participate in a local civic or national patriotic celebration, he is on the spot from a public relations standpoint. This is a very real problem for him and his outfit, since he is charged with responsibility for making his personnel a welcome and cooperating element of the community. He cannot explain to an entire populace, with any hope of conviction, that even the greatest of precautions may prove unavailing if his jets are at an altitude or in alinement which tolerates no hope of escape from disaster, should some mechanical failure or human error ensue. Numerous pilots placed in such untoward situations have sacrificed themselves in attempting to spare people on the ground but a proud airman cannot cite his own danger as an excuse for not flying in celebrations or over congested areas at low level. So a commander well may be in a dilemma when a request for a fly-by hits his desk—especially since he usually is in complete sympathy with the people and the motives behind the request.

As far as the air crews who do the flying are concerned—they undertake any mission upon which they are ordered; and maneuver as instructed. Theirs not to reason why. Theirs only to put on a demonstration which most adequately illustrates the capability of the planes and themselves.

From a public viewpoint, it is certainly praiseworthy to seek knowledge and understanding of the nature and significance of airpower. Nor is this easy of achievement. Demonstrations have played a great part in the educational process. I think it would be merely an easy but certainly an unconscionable way out to ban all demonstrations. Not only our national security but our trade and commerce is largely committed to the air age. It is not a thing to be avoided. We can't move away from the air age. We have to learn to control it and live with its problems as well as utilize its advantages. I have noted example after example where communities originally located airports far from their boundaries with the idea of avoiding noise or overhead traffic—and immediately expanded toward the airport as if drawn by some irresistible magnet. Whether in individual living or in national affairs, we can run only so far from our problems and then we must turn and face them. In the matter of aerial demonstrations, I suggest we turn and face the problem now, before our hands are forced by further tragedies.

First, let us do all in our power to expand public understanding of the proportions of the problems involved in requests for military air demonstration, either local or national.

Second, let the military take utmost precautions to confine demonstrations to areas where traffic both aloft and on the surface can be assuredly controlled.

These two general principles involve many details as to acceptable altitudes, precision flight experience of participants, location of watching audiences in relation to the flight track of demonstrating aircraft, and kindred considerations. My studies of the subject lead me to believe that, if it is given the expert attention it deserves in the Defense Department and the understanding it requires from a public standpoint, the possibility of tragedy can be eliminated and the educational value preserved and enhanced.

Every accident suffered leaves a trail of personal anguish, above and beyond the actual loss of life itself, and, in the last analysis, is a loss to all the people and to the land itself.

As is natural, we who hold political position are frequently asked to use our good offices in support of requests for aerial demonstrations. Usually we, like the unit air commander, are in hearty sympathy with the motives behind the requests; and certainly we want to serve our constituents to the best of our ability. After all, they elect us and won't continue to do so if we do not serve them. But I doubt that they would want us to serve blindly or aid in laying the groundwork of tragedy in our own home communities. So perhaps we too, like the defense officials and the organizations which request aerial demonstrations, must consider more carefully all consequences before we place the weight of our offices behind such projects.

And thus, in the cooperation and thoughtfulness of all hands, we shall find the right answer to this problem of the when, where, and how of the aerial demonstration.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, now that morning business has been concluded, 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. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

Under the order previously entered, the Senate will now proceed to the call of the bills and other measures on the calendar to which there is no objection, beginning with Calendar No. 1431—Senate bill 666—which will be stated.

BILL PASSED OVER

The bill (S. 666) to remove wheat for seeding purposes which has been treated with poisonous substances from the "unfit for human consumption" category for the purposes of section 22 of the Agricultural Adjustment Act of 1933, was announced as first in order.

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

Mr. TALMADGE. Mr. President, I ask that the bill go over as not being proper calendar business.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

ALY WASSIL

The bill (S. 1507) for the relief of Aly Wassil was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Aly Wassil shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

SABINA SKALAR

The bill (S. 2564) for the relief of Sabina Skalar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sabina Skalar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the appropriate number from the appropriate quota for the first year that such quota is available.

NICHOLAS CHRISTOS SOULIS

The bill (S. 2638) for the relief of Nicholas Christos Soulis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Nicholas Christos Soulis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LETTERIA MORGANTI

The bill (S. 2794) for the relief of Letteria Morganti was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Letteria Morganti, the fiance of John Charles Morganti, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Letteria Morganti is coming to the United States with a bona fide intention of being married to the said John Charles Morganti and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Letteria Morganti, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Letteria Morganti, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Letteria Morganti as of the date of the payment by her of the required visa fee.

KARL WEINHEIMER

The bill (S. 2841) for the relief of Karl Weinheimer was considered ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Karl Weinheimer may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

JEAN KOUYOUMDJIAN

The Senate proceeded to consider the bill (S. 2665) for the relief of Jean Kouyoumdjian, which had been reported from the Committee on the Judiciary with amendments, in line 3, after the word "of", to strike out "paragraphs (9) and" and insert "paragraph"; and in line 5, after the word "be", to insert "issued a visa and be"; so as to make the bill read:

Be it enacted, etc., That notwithstanding the provisions of paragraph (19) of section 212 (a) of the Immigration and Nationality Act, Jean Kouyoumdjian may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM F. PELTIER

The bill (S. 2146) for the relief of William F. Peltier was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the act of October 20, 1951 (65 Stat. 574), authorizing payments to certain disabled veterans for the purchase of automobiles, William F. Peltier, a totally disabled veteran of World War II who lost a hand as the result of a service-incurred injury, shall be deemed to have filed his application for the benefits of such act prior to October 20, 1956.

HENRYK BIGAJER AND MARIA BIGAJER

The bill (H. R. 7057) for the relief of Henryk Bigajer and Maria Bigajer was considered, ordered to a third reading, read the third time, and passed.

HARRY J. MADENBERG

The bill (H. R. 7508) for the relief of Harry J. Madenberg was considered, ordered to a third reading, read the third time, and passed.

ARTHUR LEROY BROWN

The Senate proceeded to consider the bill (S. 165) for the relief of Arthur LeRoy Brown, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the word "of", where it appears the first time, to strike out "$10,000" and insert "$5,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur LeRoy Brown of Purvis, Miss., the sum of $5,000. The payment of such sum shall be in full satisfaction of his claim against the United States (1) for compensation for personal injuries and property damage sustained by him, and (2) for reimbursement of hospital, medical, and other expenses incurred by him, as a result of an accident which occurred near Camp Shelby, Miss., on February 26, 1942, between a United States Army vehicle and a vehicle owned and operated by the said Arthur LeRoy Brown: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAUL THURY

The Senate proceeded to consider the bill (S. 400) for the relief of Paul Thury, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "Act", to strike out "in excess of 10 per centum thereof", so as to make the bill read:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to

pay, out of any money in the Treasury not otherwise appropriated, to Paul Thury, of Parkston, S. Dak., the sum of $200. The payment of such sum shall be in full satisfaction of his claim against the United States for compensation for losses sustained by him on his corn crop for 1955, such loss having resulted from an error, by a representative of the Department of Agriculture, in the measurement of the corn acreage which was allotted the said Paul Thury pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2617) to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, as amended, was announced as next in order.

Mr. TALMADGE. By request, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (H. R. 4640) to amend the Civil Service Retirement Act with respect to payments from voluntary contributions accounts, was announced as next in order.

Mr. TALMADGE. Mr. President, over, as not proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3195) to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign governments, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

TAN TAT GEEN—CONCURRENT RESOLUTION RECOMMITTED

The concurrent resolution (S. Con. Res. 84) withdrawing suspension of deportation in the case of Tan Tat Geen was announced as next in order.

Mr. HRUSKA. Over, Mr. President.

Mr. CLARK. Mr. President, on April 21, 1958, Senate Concurrent Resolution 84 was reported favorably by the Committee on the Judiciary and was placed on the Senate Calendar. Subsequent to that action the Immigration and Naturalization Service addressed a letter to the Vice President asking that the recision of the deportation previously ordered in a previous case be withdrawn.

I ask unanimous consent that Senate Concurrent Resolution 84 be recommitted to the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RELIEF OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 83) for the relief of certain aliens was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244 (a) (5) of the Immigration and Nationality Act (66 Stat. 214; 8 U. S. C. 1254 (c)):

A-10150440, Herrmann, William Ernst.
A-1607807, Latva, Karl Assari.
A-2752014, Nagae, Toshiyoshi.
A-2183058, Ritchie, Anna.
A-2429881, Rotzer, John.
A-2476554, Akelaitis, Anthony Peter.
A-5591361, Brisbeno-Cerano, Pablo.
A-2154168, Gerard, Thursa Bashey.
A-4296775, Philippou, Michael.
A-5077628, Abrams, William.
A-1884341, Billeck, Mike.
A-1223150, Franzone, Peter.
A-8765622, Ramos-Alonzo, Valentin.
A-4753944, Souza, Manuel Francis.
A-1024497, Strk, Ilija.
A-4317593, Vir, David.
A-8844394, Waulke, Samuel S.
A-5940048, Wienski (Wiensky), Nicholas.
A-5858232, Contreras-Munoz, Jose.
A-5969807, Cehringer, Henry Charles.
A-5472840, Derymonjian, Oskan.
A-4285329, Heeney, William Michael Francis.
A-4765082, Lledo, Jaime Cano.
A-5987889, Pietzak, Joseph Adam.
A-5093624, Anthonis, Frank.
A-3090457, Butler, Anna Lucretia.
A-4335159, Gugenhan, Frederick.
A-4011582, Luper, Max.
A-3007376, Orosco, Nabor.
A-1199762, Thompson, Arthur Fisher.
A-4792609, Tima, Emery James.
A-5418531, Kuch, Bronislaw.
A-2746556, Nunez-Arreguin, Francisco.
A-4539823, Sailer, Johann N.
A-1852300, Valdastri, Joseph.
A-10139136, Weiner, Benjamin.
A-2807195, Burnett, John Lionel.
A-1229447, Echevarria, Felipe.
A-5048277, Geller, Samuel.
A-5052632, Israel (Izrael), Joseph.
A-5511254, Soliano (Sallano), Salvatore.
A-5592838, Sonneborn, Herbert Joseph.
A-1895860, Tellez-Lara, Salvador.
A-5967610, Toy, Nee.
A-4656191, Wantroba (Watroba), Thomas.
A-4717588, Zukowski, Antonina.
A-4282074, Krawczuk, Peter.
A-2471862, Miszer, Ignatz.
A-8925175, Rich, Martha Lucille.
A-4926883, Leonelli, Eldo.
A-10255683, Ross, Maurice.
A-1899483, Bravo, Lucio.
A-3073370, Consiglio, Anthony.
A-4495275, Evans, Julia.
A-6151475, Lowenthal, Philip Herman.
A-2053517, Aalto, George.
A-8890731, Constante-Fregoso, Rogilio.
A-10458255, Espinosa-Delgado, Miguel.
A-3818164, Jugloff, Theodore Louis.
A-1453355, Naftaniel, Nick.
A-10155976, Sederes, James George.
A-3339304, Brini, Pasquale Luigi.
A-2129962, Flores, Lino B.
A-2157328, Suarez, Ysidro, Jr.
A-4760319, Ho, Chu Hum.
A-6038920, Liedtke, Fred.
A-2481240, Puretz, Leo.
A-3411085, Tornello, Michael.
A-6487465, Valenti, Rocco.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The joint resolution (H. J. Res. 528) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens was considered, ordered to a third reading, read the third time, and passed.

EERO JUNO VALKONEN

The bill (S. 292) for the relief of Eero Juno Valkonen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Eero Juno Valkonen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

CAROLINA M. GOMES

The bill (S. 1782) for the relief of Carolina M. Gomes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Carolina M. Gomes, who lost United States citizenship under the provisions of section 404 (b) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Carolina M. Gomes shall have the same citizenship status as that which existed immediately prior to its loss.

PEDER STRAND

The bill (S. 1975) for the relief of Peder Strand was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Peder Strand shall be held to meet the requirements for physical presence set forth in section 316 (a) (1) of that act and may be permitted to file his petition for naturalization in accordance with the requirements of section 334 of that act: *Provided*, That such petition is filed not later than 1 year following the date of the enactment of this act.

MRS. HILDEGARD PORKERT

The bill (S. 2497) for the relief of Mrs. Hildegard Porkert was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mrs. Hildegard Porkert shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LEOBARDO CASTANEDA VARGAS

The bill (S. 2997) for the relief of Leobardo Castaneda Vargas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Leobardo Castaneda Vargas. From and after the date of enactment of this act, the said Leobardo Castaneda Vargas shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

APOLONIA QUILES QUETGLAS

The bill (H. R. 2935) for the relief of Apolonia Quiles Quetglas was considered, ordered to a third reading, read the third time, and passed.

MARIA DITTENBERGER

The bill (H. R. 8239) for the relief of Maria Dittenberger was considered, ordered to a third reading, read the third time, and passed.

MICHAEL ROMANOFF

The bill (H. R. 8348) for the relief of Michael Romanoff was considered, ordered to a third reading, read the third time, and passed.

FRED G. CLARK

The Senate proceeded to consider the bill (S. 1248) for the relief of Fred G. Clark, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the year "1948", to strike out "upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available" and insert "and to have met the physical presence and continuous residence requirements of section 316 of that act, notwithstanding his temporary periods of absence from the United States in the employment of the United States Armed Forces: *Provided*, That he file a petition for naturalization not later than 1 year following the date of the enactment of this act," so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Fred G. Clark shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 10, 1948, and to have met the physical presence and continuous residence requirements of section 316 of that act, notwithstanding his temporary periods of absence from the United States in the employment of the United States Armed Forces: *Provided*, That he file a petition for naturalization not later than 1 year following the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH H. CHOY

The Senate proceeded to consider the bill (S. 2940) for the relief of Joseph H. Choy, which had been reported from the Committee on the Judiciary with an amendment, in line 6, after the word "April", to strike out "10" and insert "5"; so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Joseph H. Choy shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 5, 1941, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATINA LECKAS AND ARGERY LECKAS

The Senate proceeded to consider the bill (S. 3007) for the relief of Katina Leckas and Argery Leckas, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 1, after the words "United States", to insert a colon and "*Provided*, That no natural parent, by virtue of such parentage, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Katina Leckas shall be held and considered to be the natural-born minor alien child of John Leckas, a citizen of the United States.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Argery Leckas, shall be held and considered to be the natural-born alien child of John Lekas a citizen of the United States: *Provided*, That no natural parent, by virtue of such parentage, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 527) to facilitate the admission into the United States of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, after the enacting clause, to strike out "That, for the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, the minor child, Chan Yak Shing, shall be held and considered to be the natural-born alien child of Peter Chin, also known as Chan Jung Dot, a lawfully resident alien of the United States"; at the beginning of line 8, to strike out "Sec. 2. For" and insert "That, for"; on page 2, at the beginning of line 3, to change the section number from "3" to "2"; at the beginning of line 8, to change the section number from "4" to "3"; at the beginning of line 13, to change the section number from "5" to "4"; after line 17, to strike out:

SEC. 6. For the purposes of sections 101 (a) 27 (A) and 205 of the Immigration and Nationality Act, Kim shun Fong shall be held and considered to be the natural-born alien minor child of Thomas L. Fong, a citizen of the United States.

And, on page 3, at the beginning of line 1, to change the section number from "7" to "5".

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the bill (S. 952) for the relief of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the name "Lazaris", to insert "and", and in the same line, after the name "Kiritsiz", to strike out "and Harilaos F. Ikonomou", so as to make the bill read:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Konstantin M. Moutsos (also known as Milton K. Moutsos), Vasilios Jetos, Loucas Zuppas, George Nerantzis, Dimitrios Lazaris, and Kimon Kiritsiz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LASZLO KALMAR

The Senate proceeded to consider the bill (S. 2340) for the relief of Laszlo Kalmar, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "Act", to insert "be issued a visa and", and, at the beginning of line 10, to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Laszlo Kalmar may, if he is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney

General, shall be given by or on behalf of the said Laszlo Kalmar in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER LISZCZYNSKI

The Senate proceeded to consider the bill (S. 2950) for the relief of Peter Liszczynski, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "the", to strike out "provision of section" and insert "provisions of sections"; in line 4, after the numeral "(1)", to insert "and 212 (a) (7)"; at the beginning of line 11, to strike out "this exemption" and insert "these exemptions", and, in the same line, after the word "to", to strike out "a ground" and insert "grounds"; so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 212 (a) (1) and 212 (a) (7) of the Immigration and Nationality Act, Peter Liszczynski, may be issued a visa and admitted to the United States if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HERTA WILMERSDOERFER

The Senate proceeded to consider the bill (S. 3019) for the relief of Herta Wilmersdoerfer, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 8, after the word "Act", to insert a colon and "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act:", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraphs (1) and (4) of section 212 (a) of the Immigration and Nationality Act, Herta Wilmersdoerfer may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *Provided further*, That this act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2861) to extend for an additional 4-year period the provisions of the National Wool Act of 1954, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

FREE IMPORTATION OF CERTAIN ARTICLES FROM FOREIGN COUNTRIES

The bill (H. R. 9655) to permit articles imported from foreign countries for the purpose of exhibition at the Oregon State Centennial Exposition and International Trade Fair to be held at Portland, Oreg., to be admitted without payment of tariff and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, the bill (H. R. 9655) which has just passed the Senate, was introduced on the House side by Oregon's very capable and effective Congresswoman, EDITH GREEN. As soon as this bill becomes law, it will be of tremendous help to the State of Oregon in connection with the Oregon State Centennial Exposition and International Trade Fair to be held in Portland in 1959.

This bill will permit exhibit articles imported from foreign countries to be admitted without the payment of tariff. I congratulate Congresswoman GREEN and express appreciation to the members of the Senate Finance Committee for the speed with which this bill was handled.

While I am on the subject, I wish to take this opportunity to applaud the efforts of Governor Robert Holmes, the officials of the Oregon State Centennial Exposition and Trade Fair, and the people of Oregon for their endeavors to bring to the exposition the products and tangible evidence of achievements of people from all parts of the world and from all areas of our Nation. This exchange of knowledge will cover a great many areas of human endeavor and is bound to bring lasting benefits to the State of Oregon and our Nation.

In these times of crisis and seemingly all-pervading atmosphere of distrust, perhaps the people of Oregon can in some measure open the door to mutual trust among people throughout the world. Perhaps that mutual understanding and confidence which, apparently, cannot be established through diplomatic channels, can be accomplished through the atmosphere of common understanding that will be created as a result of the Oregon Exposition.

The action of the Senate Finance Committee and of the United States Senate on H. R. 9655 will contribute much to the success of the Oregon Centennial Exposition and International Trade Fair.

BILLS PASSED OVER

The bill (S. 1356) to amend the antitrust laws by vesting in the Federal Trade Commission jurisdiction to prevent monopolistic practices and other unlawful restraints in commerce by certain persons engaged in commerce in meat and meat products, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, as not proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3632) to amend Public Law 85–162 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. CLARK. Over.

The PRESIDING OFFICER. The bill will be passed over.

ACCEPTANCE OF STATUE OF CHARLES MARION RUSSELL TO BE PLACED IN STATUARY HALL

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 80) accepting the statue of Charles Marion Russell, presented by the State of Montana, to be placed in Statuary Hall.

Mr. MURRAY. Mr. President, in connection with the Charles M. Russell resolution which is now being considered, I am happy to state that in October the State of Montana will be represented in Statuary Hall by a statue of Charles M. Russell, Montana's great cowboy artist. Also during October a fine collection of Charlie Russell's original paintings and illustrations will be displayed in the National Museum of Fine Arts.

I am pleased to note a growing appreciation for Charlie Russell as a man and as an artist, who accurately pictured an exciting era in American history.

The current issue of True magazine carries an excellent article about him, along with reproductions of some of his pictures. I should like to point out that in addition to the wonderful museum of Russell art in Helena, referred to in the article, there is also a museum in Great Falls with a fine collection of his work.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article from True magazine, by Huntington Smith, entitled "Oilpaint and Warpaint."

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

OILPAINT AND WARPAINT

(By Huntington Smith)

Long after Charlie Russell achieved fame as one of the greatest painters of the Old West, he still wrote letters to friends he had known while riding the range. In one of these letters he said: "If the buffalo would come back tomorrow, I wouldn't be slow shedding to a breech clout, and it's a cinch you wouldn't get homesick in a skin lodge."

Russell's West had long since vanished when he wrote those lines, but he lived in it still. In 1880, just before his 16th birthday, he left a comfortable home in St. Louis headed for Montana. He never returned except as a visitor. He painted the West from the inside, and he loved everything he painted.

On the roundups he carried a box of water colors in his bedroll. He sketched and painted on box lids, tobacco tins, blue-lined tablet paper and anything else that came to

hand. He gave his pictures away or traded them for drinks. Today a Russell painting brings as much as $20,000. He always kept a ball of beeswax in his pocket, out of which he modeled enchantingly life-like little figures of horsemen and animals, then crushed them back into the ball again so he could make another. He never gave a hoot for money or success.

Despite the reckless scattering of his early work there are some 2,500 of his paintings in existence, plus 70 bronze subjects, any number of pen-and-ink drawings, letters, and a few small precious clay figures which survived his prodigal unconcern. Two museums, in Helena, Mont., and in Claremont, Okla., now hold many of his best works and a third large collection is owned by the Carter foundation in Fort Worth, Tex.

In 1864, when Russell was born, St. Louis was still haunted by memories of the fur trade. Plainsmen in buckskin still got drunk in the bars; soldiers were coming and going to the Indian wars; great steamboats tied up at its docks and it was the greatest mule market in the world. Charlie had a healthy taste for so-called low company, and he hung around the waterfront and the mule barns, drawing everything he saw. His father tried to interest him in the family business of brick manufacturing, but it was no use; the boy was hell-bent to go west.

His parents were kindly people who were at wits end over the behavior of their son. He hated school and wouldn't study. He played hookey and ran away from home. He was sent to a military school in New Jersey, where he did little except march off demerits. Back home next year, aged 14, he was entered in an art class in hopes that would keep him happy, but he walked out after 3 days because the instructor, dissatisfied with his drawing of a plaster foot, hadn't yet told him what was wrong with it.

"Besides, I wanted to draw something alive," Charlie said. That class was almost the sum total of his formal art schooling.

Once he saved up $64 out of his allowance and odd-job money, hoping to accumulate enough for a start west. But his mother found the cache in a bureau drawer and put it in the bank for him. This dirty trick was the last straw. There were more storms and scenes, until the exhausted elder Russells gave in. They arranged for him to make a trip to Montana with a friend of his father's.

Montana was on the upbeat in 1880. The cowmen had run the Indians off; the nesters hadn't yet run the cowmen off; there was a stage station called Ubet, and another town called Beef Straight. Creeks were named Dead Man and Whoop-up—and lived up to their names. But Charlie managed to gain a reputation for being ornery even in this wide, free and uproarious land. His father's friend was a sheepman. Promptly manifesting the instincts of a true cowboy, Charlie hated sheep and let most of them get away.

Before long, he struck out on his own with two old work horses—riding one and packing his bed on the other. He found haven in the mountain cabin of Jake Hoover, whose deep outdoor knowledge and sensitive understanding were just what the rebellious boy needed. Hunting and riding traplines with Jake, he learned enough about the anatomy and habits of wild creatures to last him a lifetime of painting.

"Jake was a skin hunter but he wasn't wasteful; he sold all the meat he couldn't use to ranchers," said Russell, who never could bear squandering the lives of animals.

In the spring of 1881, the foreman of the Judith roundup needed a night horse wrangler, and "Kid" Russell was hired to nighthawk the cavvy of 400 horses needed to mount 75 hard-riding men. One of the cowmen with the roundup asked about the new hand and was told it was that kid who drew pictures so real.

"Well, if it's that Buckskin Kid I'm betting we'll be afoot in the morning," grumbled the cowman. But they weren't afoot, and Russell rode for the outfit for 11 years.

Though celebrated as the cowboy artist, Russell himself never claimed to be either an artist or a cowboy. In art he called himself an illustrator. On the range he was a night wrangler, watching over the horses in the spring, the beef herd in the fall.

"I am not what the people think a cowboy should be. I was neither a good roper nor rider," he said modestly. But to be placed in charge of a beef herd at night, when a stampede could cost the owners tens of thousands of dollars in lost weight, was the peak of responsibility.

In the eighties the Plains Indians were no longer on the warpath but they were far from tame. They roved the country in hunting parties, occasionally throwing a scare into some rancher; they camped on the edges of towns when a Fourth of July celebration was going on. Russell and his scalawag friend, Teddy Blue, never passed up a chance to visit them. There were attractions in the Indian camps.

"We were starving for the sight of a woman," Blue wrote after passing the safe age of 70. "Some of these young squaws were awful good looking, with their fringed dresses of soft deer or antelope skin that hung just below the knees—that was all they wore, just the dress—and their beaded leggings and wide beaded belts. Oh boy, but they looked good to us."

In the fall of 1888, Russell took it into his head to visit the Blood Indians, relatives of the Blackfoot Tribe, in Canada. He stayed 6 months, living as one of them. While with the Bloods, Russell acquired his Indian name, Ah-Wah-Cous, meaning antelope. Little else has been revealed. Most white men who lived any length of time with the Indians were sufficiently Indianized themselves to be uncommunicative after their return to civilization. Charlie Russell transmuted some of what he knew into his paintings, but he kept the rest to himself.

He painted Indians as he painted cowboys, with detailed knowledge and complete accuracy. Once someone called him for a supposed error; an Indian belonging to a certain tribe had been pictured wearing the beadwork characteristic of another tribe.

"Well he couldn't help it, because that was the tribe his wife belonged to," was Russell's rejoinder.

Another time a cattleman friend was visiting him in his studio while he worked. Without looking around Russell said, "Tell me a brand that would be on a horse coming from Mexico." The cattleman, who knew Mexico, described one. Russell painted it. He never pictured a brand on an animal that wasn't real. Some critics questioned whether such exactitude had much to do with art, but today his work is doubly valued because it is a gold mine of authenticity for historians, writers, and anyone else seeking to recreate the bygone West.

In 1889 some of the outfits Russell worked for moved their herds north of the Missouri to Milk River. He went with them, but 1892 was his last year of regular range work. The country was changing and so was he. He painted and drifted and drank, some sort of a ferment working in him. Cowpunching being a seasonal occupation in the main, most of the boys were out of a job during the cold months. One winter Russell was holed up with a broken-down prizefighter, a laid-off roundup cook, a slightly unlucky gambler, and other desperadoes in a shack which they christened the Red Onion. Next winter he threw in with a similar combine which a local editor dubbed the Hungry Seven. Charlie painted his arm off to feed and likker them.

Despite all these monkeyshines he was becoming known. One of the best of his early oils had been reproduced in Harpers' Weekly, and a few of his sketches had been published. But he and money just couldn't seem to get along. When cash customers were found who were willing to pay him $5 or $10 for a picture he referred to them as suckers, not so much in a spirit of ingratitude as of apology. The saloon men in Great Falls were among his earliest admirers and promoters. One time one of them sang his praises to a wool buyer from Boston who ordered two pictures. When asked how much he wanted, Russell told the man he wanted $50. Thinking Russell meant $50 apiece, the man handed over a check for $100. Russell took the check, but he told friends that it ate at his conscience for years afterwards.

In 1895, when Russell was 31, he met and married a girl named Nancy Cooper, whom he met at a supper one night at a saddlemaker's in Cascade, Mont. His proposal was typical Russell.

"Nancy," he said, "don't you want to throw in with me? I think I can scrape up enough grub to feed us both for a while." The girl, mistaking the proposal for a proposition, stalked away from the puzzled cowboy. It wasn't for quite a while that Russell learned what the matter was, and when he found out he walked straight up to the girl and said, "Hell, no. I want you to marry me." She did; and, as Will Rogers remarked long after, the last Russell painting had been traded over a bar.

"Mame," as he always called her, had courage and commonsense and a fierce belief in her husband's greatness; and she set about to get what his pictures were worth. Early in their life together they had an appointment with Montana's millionaire mining magnate, Senator Clark. Nancy resolved to ask $350 from such a prospect. "You won't get it," Charlie scoffed—but she did.

Toward the end of his career he was paid $30,000 for a mural in the home of an oil man. When the check came he squinted unbelievingly and asked his wife to read the figures to him.

"Why Mame, that's dead men's prices," was his awed comment.

Some of his old pals never were reconciled to "that damn woman." Among them was old John Mathewson, the freighter, whose huge, horsedrawn wagon convoys that supplied northern Montana in Territorial days live on in Russell's great painting, The Jerkline.

"John was dirty and so hairy that his tangle of whiskers hid most of his face except his eyes. He knew all about horses and mules and freight wagons, but nothing about the inside of a house," said Russell's ranching partner, Con Price. One night when Nancy was away, John came to visit the artist in the comfortable, unpretentious home in Great Falls.

"This is a hell of a wickiup for you to be living in," he said reproachfully. He was thrown for a loss by the bathroom. When Charlie offered to show him how its equipment worked, Mathewson refused, cursing freely, and made for the back yard.

In 1903 the Russells decided it was time to storm New York. They had a good deal of trouble getting together a portfolio of water colors to show to editors and publishers, because Charlie kept giving them away. But in time they arrived in Manhattan, and took a room at a small hotel called the Park View, which, as Charlie said, "didn't have no view of no park." He hung his oils in a little basement studio, while Nancy trudged around with the portfolio. The trip was no great success financially, but Charles Marion Russell was on his way.

As critics now see it, he reached his peak in the years 1905 to 1915, painting 65 major canvases in that golden decade, and branching out into bronzes besides. The little ball

of beeswax was paying off. The climax was 1911, when 25 pictures were shown to New York in a one-man exhibition. This brought worldwide recognition and a series of one-man shows, including one in London in 1914. As he blossomed into a reluctant social lion he learned to submit to formal evening parties, even formal evening attire. But through all the wining and dining he clung to his personal symbols: cowboy boots and a French halfbreed sash.

Russell was far from the simple child of nature the legend pictures him. It took an old, blunt-spoken cowman, Con Price, to put his finger on that. "Charlie was a great artist and left a very loving memory behind him, but I often wonder if any of us knew what was down inside the man. As only one among thousands that knew and loved him, I feel I knew very little about his nature. His pictures and work only tell a very small part about him."

Russell liked nearly everybody, but he could take ferocious dislikes on occasion. Whereas most men of the West were matter-of-fact about horses, treating them as something to be used, he loved his horses and kept them to the end of their days. He was so sensitive to the sufferings of animals that he never went hunting for pleasure, because it was no pleasure to him. Yet he accepted and understood the Indians, who were sometimes merciless.

New York City to him was always "the big camp"—too big, and it had "too many tall tepees." Revisiting Chicago as a famous artist in 1916, he recalled how lonesome he had been on his first trip 32 years earlier as a cowboy armed with a punch pole, riding on top of a cattle car above a load of steers.

"The whole world has changed since then but I have not," he wrote. "I'm no more at home in a big city than I was then, and I'm still lonesome."

He hated automobiles, and always referred to them as "skunk wagons," derisive Indian name for those early gas buggies. He had no use for so-called progress or for modern inventions.

"He called the automatic rifle 'a God damned diarrhea gun'—and I wonder how he'd have spelled it," chortles his latest biographer, J. Frank Dobie. He would sometimes explode into sentiments like:

"To hell with the booster,
The world is no longer free.
The worst old-timer I ever saw
Looks damn good to me."

Charlie Russell died in 1926 at the age of 62. His funeral was horse drawn. No one dares think what might have happened if he had been carried to his last resting place in a gasoline-powered vehicle.

He painted the West in glowing sunrise colors, which grew brighter as he grew older and as his mastery grew. Once he exclaimed to an interviewer: "Say, did you ever go out in the hills in Montana or New Mexico or Colorado in Indian summer? If you can see color you know there are not fine enough colors in the tubes to exaggerate them."

One of his great late pictures is called The Romance Makers. It shows a party of mountain men—the buckskin-wearing first comers of the West—riding out over a virgin prairie. The mountain men were not always pretty people, as no man knew better than Russell: they could scalp an enemy or relish a feast of raw buffalo entrails with as much gusto as an Indian. But the painting shows only the freedom of life and the freshness of morning.

Russell himself was a romance maker, one of the greatest who ever lived.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 80) was agreed to, 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.

PLACEMENT OF STATUE OF CHARLES MARION RUSSELL

The concurrent resolution (S. Con. Res. 81) to place temporarily in the rotunda of the Capitol a statue of Charles Marion Russell, and to hold ceremonies on said occasion was considered and agreed to, 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.

PRINTING OF PROCEEDINGS IN CONNECTION WITH ACCEPTANCE OF STATUE OF CHARLES MARION RUSSELL

The concurrent resolution (S. Con. Res. 82) to print the proceedings in connection with the acceptance of the statue of Charles Marion Russell, late of Montana, was considered, and agreed to, 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.

PRINTING OF REVISED EDITION OF THE ELECTION LAW GUIDEBOOK

The resolution (S. Res. 296) authorizing the printing of a revised edition of the Election Law Guidebook was considered and agreed to, as follows:

Resolved, That a revised edition of Senate Document Numbered 116 of the Eighty-fourth Congress, entitled "Election Law Guidebook", be printed as a Senate document.

ONE HUNDRED AND FIRST AIRBORNE DIVISION ASSOCIATION MEMORIAL

The joint resolution (H. J. Res. 451) authorizing the 101st Airborne Division Association to erect a memorial in the District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 1387 ENTITLED "ADMINISTERED PRICES—STEEL"

The Senate proceeded to consider the resolution (S. Res. 285) to print for the use of the Committee on the Judiciary additional copies of Senate Report No. 1387 entitled "Administered Prices—Steel," which had been reported from the Committee on Rules and Administration, with an amendment, in line 2, after the word "Judiciary," to strike out "four thousand" and insert "three thousand three hundred," so as to make the resolution read:

Resolved, That there be printed for the use of the Committee on the Judiciary 3,300 additional copies of Senate Report No. 1387, 85th Congress, 2d session, entitled "Administered Prices—Steel."

The amendment was agreed to.

The resolution, as amended, was agreed to.

RESOLUTIONS AND BILL PASSED OVER

The resolution (S. Res. 287) authorizing a study of the textile industry of the United States was announced as next in order.

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6908) to authorize modification and extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans and for other purposes, was announced as next in order.

Mr. CLARK. Over, as not being proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 62) to request the President to use his best efforts to bring about a meeting of representative citizens from all the North Atlantic Treaty Organization nations to examine ways to promote greater cooperation among those nations, was announced as next in order.

Mr. TALMADGE. Over, as not proper calendar business.

POSTHUMOUS AWARDS OF CONGRESSIONAL MEDALS OF HONOR

The Senate proceeded to consider the bill (S. 1225) to authorize the award posthumously of Congressional Medals of Honor to Chaplain George L. Fox, Chaplain Alexander D. Goode, Chaplain Clark V. Poling, and Chaplain John P. Washington, which had been reported from the Committee on Armed Services,

with an amendment to strike out all after the enacting clause and insert:

That the President is authorized to award posthumously appropriate medals and certificates to Chaplain George L. Fox, of Cambridge, Vt.; Chaplain Alexander D. Goode, of Washington, D. C.; Chaplain Clark V. Poling, of Schenectady, N. Y.; and Chaplain John P. Washington, of Arlington, N. J., in recognition of the extraordinary heroism displayed by them when they sacrificed their lives in the sinking of the troop transport *Dorchester* in the North Atlantic in 1943 by giving up their life preservers to other men aboard such transport.

SEC. 2. The medals and certificates authorized by this act shall be in such form and of such design as shall be prescribed by the President, and shall be awarded to such representatives of the aforementioned chaplains as the President may designate.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the award posthumously of appropriate medals to Chaplain George L. Fox, Chaplain Alexander D. Goode, Chaplain Clark V. Poling, and Chaplain John P. Washington."

Mr. JAVITS subsequently said: Mr. President, I notice from reading the report on this bill, which is a magnificent tribute to 4 very brave men whose memory will live for as long as our country endures, namely, the 4 chaplains who went down with the *Dorchester* in one of the most heroic acts of all time in American history, that the chaplains are not identified by faith.

By the strange stroke of providence when they made the supreme sacrifice their faith illustrated to a remarkable degree what we call brotherhood in this country, in behalf of which many organizations, including the National Conference of Christians and Jews, the National Catholic Welfare Conference, and other church organizations and worldwide services, and a host of other organizations, are spending so much energy and money to convey the message to the American people.

I believe the RECORD should show that these chaplains represented three great faiths. Two were Protestant, one Catholic, and one Jewish.

To honor this concept of common sacrifice in a cause common to all men of all faiths, the highest decoration in our country's list of decorations is being awarded posthumously. It is fitting that the RECORD should show that they represented three great faiths in our country, in order that their consecration may stand not only as a contribution to the country, but to the brotherhood of all mankind, regardless of faith.

LAURANCE F. SAFFORD

The Senate proceeded to consider the bill (S. 1524) for the relief of Laurance F. Safford, which had been reported from the Committee on the Judiciary, with an amendment on page 1, at the beginning of line 6, strike out "$150,000" and insert "$100,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay to Laurance F. Safford, out of any money in the Treasury not otherwise appropriated, the sum of $100,000, in full satisfaction of all claims against the United States in connection with cryptographic systems and apparatus invented and developed by him while serving on active duty in the United States Navy which have been held in secrecy status by the United States Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCORPORATION OF CONGRESSIONAL MEDAL OF HONOR SOCIETY OF THE UNITED STATES

The Senate proceeded to consider the bill (S. 1857) to authorize the incorporation of the Congressional Medal of Honor Society of the United States of America, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That the following-named persons: Maj. Gen. David M. Shoup, United States Marine Corps, Virginia; Joel T. Boone, Washington, D. C.; Samuel I. Parker, New Jersey; Nicholas Oresko, New Jersey; Luther Skaggs, Maryland; Rufus G. Herring, North Carolina; Nathan Gordon, Arkansas; Joseph J. McCarthy, Illinois; Pierpont M. Hamilton, California; Daniel W. Lee, Alabama; Walter D. Ehlers, California; David E. Hayden, California; William R. Huber, California; Robert S. Kennemore, California; Jackson C. Pharris, California; William J. Crawford, Colorado; Hugh C. Frazer, Washington, D. C.; Robert E. Galer, Washington, D. C.; Edouard V. M. Izac, Washington, D. C.; Leon W. Johnson, Washington, D. C.; Keith L. Ware, Washington, D. C.; John C. Latham, Connecticut; Homer L. Wise, Connecticut; Charles P. Murray, Georgia; Robert E. Gerstung, Illinois; Jake Allex Mandusich, Illinois; John L. Barkley, Kansas; Charles E. Kelly, Kentucky; John D. Bulkeley, Maryland; Justice M. Chambers, Maryland; Lawson P. Ramage, Washington, D. C.; Charles A. MacGillivary, Massachusetts; Everett P. Pope, Massachusetts; Russell E. Dunham, Missouri; Arthur J. Forrest, Missouri; M. Waldo Hatler, Missouri; Carl L. Sitter, North Carolina; Max Thompson, North Carolina; Francis X. Burke, New Jersey; Thomas J. Hudner, New Jersey; Samuel M. Sampler, New Jersey; Charles Henry Willey, New Hampshire; Frank L. Anders, North Dakota; Ernest Childers, Oklahoma; John R. Crews, Oklahoma; Jack C. Montgomery, Oklahoma; Robert D. Maxwell, Oregon; Gino J. Merli, Pennsylvania; Oscar Schmidt, Pennsylvania; Thomas Eadie, Rhode Island; Charles H. Coolidge, Tennessee; Carlton W. Barrett, Virginia; Raymond G. Davis, Virginia; Paul F. Foster, Virginia; James R. Hendrix, Virginia; John Mihalowski, Virginia; Louis H. Wilson, Virginia; Orville E. Bloch, Washington; Robert E. Bonney, Washington; Einar H. Ingman, Wisconsin; Herschel W. Williams, West Virginia; and their successors are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be by the name of the Congressional Medal of Honor Society of the United States of America (hereafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption, amendment, and revision of a constitution and bylaws not inconsistent with the provisions of this chapter and the doing of such other acts as may be necessary for such purpose.

OBJECTS AND PURPOSES OF THE CORPORATION

SEC. 3. The objects and purposes of the corporation are as follows:

(1) To form a bond of friendship and comradeship among all holders of the Congressional Medal of Honor.

(2) To protect, uphold, and preserve the dignity and honor of the medal at all times and on all occasions.

(3) To protect the name of the medal, and individual holders of the medal from exploitation.

(4) To provide appropriate aid to all persons to whom the medal has been awarded, their widows or their children.

(5) To serve our country in peace as we did in war.

(6) To inspire and stimulate our youth to become worthy citizens of our country.

(7) To foster and perpetuate Americanism.

POWERS OF THE CORPORATION

SEC. 4. The corporation shall have power—

(1) to sue and be sued, complain and defend in any court of competent jurisdiction;

(2) to adopt, alter, and use a corporate seal;

(3) to choose officers, managers, and agents as the business of the corporation may require;

(4) to charge and collect membership dues;

(5) to adopt, amend, apply, and alter a constitution and bylaws not inconsistent with the laws of the United States of America or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take and hold by lease, gift, purchase, grant, devise, bequest, or otherwise any property real, personal, or mixed, necessary or convenient for attaining the objects of the corporation, subject, however, to applicable provisions of law of any State, (a) governing the amount or kind of real and personal property which may be held by, or (b) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State;

(8) to transfer, lease, or convey real or personal property;

(9) to borrow money for the purposes of the corporation and issue bonds or other evidences of indebtedness therefor and secure the same by mortgage or pledge subject to applicable Federal or State laws; and

(10) to do any and all acts necessary and proper to carry out the purposes of the corporation.

PRINCIPAL OFFICE; TERRITORIAL SCOPE OF ACTIVITIES; RESIDENT AGENT

SEC. 5. (a) The principal office of the corporation shall be located in Washington, D. C., or in such other place as may later be determined by the board of directors but the activities of the corporation shall not be

confined to that place and may be conducted throughout the various Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service and process for the corporation; and notice to or service upon such agent or mailed to the business address of such agent shall be deemed as service to or notice on the corporation.

MEMBERSHIP RIGHTS

SEC. 6. (a) Any person who has been awarded the Medal of Honor is eligible for membership in the society.

(b) Honorary memberships shall not be granted.

(c) Each member of the corporation shall have the right to one vote either in person or by proxy on each matter submitted to a vote at all meetings of the members of the corporation.

GOVERNING BODY; COMPOSITION; TENURE

SEC. 7. (a) The governing body of the corporation is its board of directors which during the year 1958 will comprise the following: President, David M. Shoup; executive vice president, Joel T. Boone; secretary-treasurer, Samuel I. Parker; first regional vice president, Nicholas Oresko; second regional vice president, Luther Skaggs; third regional vice president, Rufus G. Herring; fourth regional vice president, Nathan Gordon; fifth regional vice president, Joseph J. McCarthy; sixth regional vice president, Pierpont M. Hamilton; who currently hold such offices in the Congressional Medal of Honor Society of the United States of America.

(b) Thereafter the board of directors of the corporation shall consist of such number (not less than nine), shall be elected in such manner (including the filling of vacancies) and shall serve their terms as may be prescribed in the bylaws of the corporation.

(c) The board of directors may exercise, or provide for the exercise of, the powers herein granted to the corporation, and each member of the board shall have one vote upon all matters determined, except that if the offices of secretary and treasurer are combined and are held by one person, he shall have only one vote as a member of the board of directors. The board shall meet at least annually. The president of the corporation shall act as chairman of the board.

OFFICERS; POWERS; ELECTION; TENURE

SEC. 8. (a) The officers of the corporation shall consist of a president, executive vice president, secretary, treasurer, and six regional vice presidents as may be provided in the bylaws. The office of secretary may be combined with the office of treasurer and the combined offices may be held by one person.

(b) The officers shall have such powers consistent with this charter, as may be determined by the bylaws.

(c) The officers of the corporation shall be elected in such manner and have such terms and with such duties as may be prescribed in the bylaws of the corporation.

DISTRIBUTION OF INCOME OR ASSETS TO MEMBERS; LOANS

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation, nor shall any member or private individual be liable for the obligations of the corporation. Nothing in this section, however, shall be construed to prevent—

(1) the payment of bona fide expenses of officers of the corporation in amounts approved by the board of directors; or

(2) the payment of appropriate aid to persons to whom the Medal of Honor has been awarded, their widows or their children pursuant to the objects of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any officer or director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation and any officer who participates in the making of such loan shall be jointly and severally liable to the corporation for the amount of such loan until the payment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its officers and directors as such shall not contribute to or participate in, directly or indirectly, local or national political activity or in any manner attempt to influence legislation.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR ISSUANCE OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or declare or pay dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account. It shall also keep minutes of the proceedings of its membership and of the board of directors or committees having authority under the board of directors. It shall also keep at its principal office a record giving the names and addresses of its members, directors, and officers. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO CONGRESS

SEC. 14. (a) The financial transactions of the corporation shall be audited annually by an independent certified accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities; (2) capital and surplus or deficit; (3) surplus or deficit analyses; (4) income and expenses; and (5) sources and application of funds. The report shall not be printed as a public document.

USE OF ASSETS UPON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon final dissolution or liquidation of the corporation and after discharge or satisfaction of all outstanding obligations and liabilities the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the bylaws of the corporation and all Federal and State laws applicable thereto.

TRANSFER OF ASSETS FROM PRIOR CORPORATION

SEC. 16. The corporation may acquire the assets of the Congressional Medal of Honor Society of the United States, Inc., a body corporate organized under the laws of the State of New York, upon discharge or satisfactorily providing for the payment and discharge of all of the liabilities of such State corporation and upon complying with all the laws of the State of New York applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this act is expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to incorporate the Congressional Medal of Honor Society of the United States of America."

TAKA MOTOKI

The bill (S. 2984) for the relief of Taka Motoki was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Taka Motoki, the fiance of Clyde K. Crisler, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Taka Motoki is coming to the United States with a bona fide intention of being married to the said Clyde K. Crisler and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Taka Motoki, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Taka Motoki, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Taka Motoki as of the date of the payment by her of the required visa fee.

WAIVER OF CERTAIN PROVISIONS OF THE NATURALIZATION ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 553) to waive certain provisions of section 212 (a) of the Immigration and Naturalization Act on behalf of certain aliens, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, after line 10, to strike out:

SEC. 2. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Nachum Pfeifenmacher may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That unless the beneficiary is entitled to care under the Dependents' Medical Care Act, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

And, in lieu thereof, to insert:

SEC. 2. Notwithstanding the provision of section 212 (a) (6) of the Immigration and

Nationality Act, Nachum Pfeifenmacher and Sheu Shei Lan may be issued visas and be admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That, unless the beneficiaries are entitled to care under the Dependents' Medical Care Act, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited in each case as prescribed by section 213 of the Immigration and Nationality Act.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

FREE IMPORTATION OF ARTICLES FOR EXHIBITION PURPOSES

The joint resolution (H. J. Res. 556) to permit articles imported from foreign countries for the purpose of exhibition at the California International Trade Fair and Industrial Exposition, Los Angeles, Calif., be admitted without payment of tariff, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

EXEMPTION FROM DUTY OF CERTAIN PISTOLS AND REVOLVERS

The bill (H. R. 1126) to amend the Tariff Act of 1930, to exempt from duty pistols and revolvers not using fixed ammunition was considered, ordered to a third reading, read the third time, and passed.

RATE OF DUTY ON HARPSICHORDS AND CLAVICHORDS

The bill (H. R. 5208) to amend paragraph 1541 of the Tariff Act of 1930, as amended, to provide that the rate of duty in effect with respect to harpsichords and clavichords shall be the same as the rate in effect with respect to pianos was considered, ordered to a third reading, read the third time, and passed.

FREE IMPORTATION OF RELIGIOUS VESTMENTS AND REGALIA

The bill (H. R. 7516) to amend the Tariff Act of 1930 so as to permit the importation free of duty of religious vestments and regalia presented without charge to a church or to certain religious, educational, or charitable organizations was considered, ordered to a third reading, read the third time, and passed.

TEMPORARY SUSPENSION OF DUTY ON CERTAIN ALUMINA AND BAUXITE

The bill (H. R. 9917) to continue the temporary suspension of duty on certain alumina and bauxite was considered, ordered to a third reading, read the third time, and passed.

FREE IMPORTATION UNDER BOND FOR EXPORTATION OF ARTICLES TO BE REPAIRED

The bill (H. R. 9923) to amend the Tariff Act of 1930 to permit temporary free importation under bond for exportation of articles to be repaired, altered, or otherwise processed under certain conditions, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

FREE IMPORTATION OF GUAR SEED

The bill (H. R. 1011) to make permanent the existing privilege of free importation of guar seed was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF DUTIES ON CERTAIN LATHES

The bill (H. R. 10792) to continue for 2 years the existing suspension of duties on certain lathes used for shoe last roughing or for shoe last finishing was considered, ordered to a third reading, read the third time, and passed.

FREE IMPORTATION OF PERSONAL AND HOUSEHOLD EFFECTS

The bill (H. R. 11407) to extend for 2 years the existing provisions of law relating to the free importation of personal and household effects brought into the United States under Government orders was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 358) to increase the monthly rate of pensions payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

Mr. CLARK. Over.

Mr. FREAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania withhold his objection?

Mr. CLARK. I am glad to do so.

Mr. FREAR. I did not understand who objected.

Mr. CLARK. It was the feeling of the calendar committee that inasmuch as the bill calls for an appropriation of $12 million, it should not be handled on the call of the calendar, but should be taken up on motion at the proper time.

Mr. FREAR. Does the Senator from Pennsylvania think it will cost any less at that time than it would now?

Mr. CLARK. I anticipate that at that time other Senators who do not happen to be in the Chamber at the moment, and whose judgment may not agree with that of the calendar committee, will have an opportunity to be heard.

The PRESIDING OFFICER. Is the objection renewed?

Mr. CLARK. Objection is renewed.

The PRESIDING OFFICER. The bill will be passed over.

Mr. FREAR subsequently said: Mr. President, did the Chair announce that the bill would be passed over, or passed to the foot of the calendar?

The PRESIDING OFFICER. As the Chair understood the request, it was that the bill be passed over, as not being proper business to transact on the call of the calendar.

Mr. CLARK. Mr. President, it is my understanding that the bill was passed over, and not passed to the foot of the calendar.

I invite the attention of my friend from Delaware to the fact that the majority leader stated earlier in the day that he hoped to be able to take the bill up on motion before the conclusion of today's business.

Mr. FREAR. Can the Senator from Pennsylvania give any assurance that that will be done?

Mr. CLARK. All I can do is to relay to my friend from Delaware the statement of the majority leader. I have implicit faith in the majority leader.

Mr. FREAR. If I did not have, I would be denying something that I would not be willing to deny.

SUSPENSION OF IMPORT DUTIES ON CERTAIN COARSE WOOL

The Senate proceeded to consider the bill (H. R. 2151) to suspend for 3 years the import duties on certain coarse wool, which had been reported from the Committee on Finance, with amendments, on page 2, line 5, after the word "the", to strike out "three year"; in line 7, after the word "act", to insert "and ending at the close of June 30, 1960"; and, after line 8, to insert:

SEC. 3. Section 101 (c) of the Customs Simplification Act of 1954 (Public Law 768, 83d Cong.) is amended by striking out "March 1, 1958" and inserting in lieu thereof "January 1, 1969."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to provide for the temporary suspension of the import duties on certain coarse wool, and to provide additional time for the Tariff Commission to review the customs tariff schedules."

FREE IMPORTATION OF AMORPHOUS GRAPHITE—BILLS PASSED OVER

The bill (H. R. 2783) to amend the Tariff Act of 1930, to provide for the free importation of amorphous graphite was announced as next in order.

Mr. CLARK. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. FREAR subsequently said: Mr. President, returning for a moment to Calendar No. 1518, House bill 2783, which was passed over on objection by the Senator from Pennsylvania, I ask unanimous consent that instead of the bill being passed over, it be passed to the foot of the calendar.

Mr. CLARK. Mr. President, the bill was passed over at the request of another Senator. I shall be glad to advise

my friend from Delaware, off the floor, who that Senator is.

Mr. FREAR. The Senator from Delaware knows who that Senator is. The Senator from Delaware is trying to secure his presence in the Chamber. I do not believe that he would have any objection, because the bill has been amended.

Mr. CLARK. I am happy to amend my request and ask that the bill be placed at the foot of the Calendar, in order that we may indulge our friend from Delaware.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

ALLEVIATION OF UNEMPLOYMENT CONDITIONS—BILL PASSED OVER

The bill (S. 3683) to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas was announced as next in order.

Mr. TALMADGE. Over, as not being proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

Mr. CLARK. Mr. President, I wish to state for the RECORD that I am happy to note that this bill, in which the distinguished present occupant of the chair [Mr. PAYNE] played a major part, will be taken up on motion in the near future for careful consideration by the Senate. I hope it will be taken up next week.

I agree with my friend from Georgia that this is not calendar business, but I did not want my silence to be taken as an indication of any lack of enthusiasm for the bill, an enthusiasm which I know the present occupant of the chair shares.

CONCESSIONAIRE LEASES

The bill (S. 3371) to amend the act of August 25, 1916, to increase the period for which concessionaire leases may be granted under that act from 20 to 30 years was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to establish a National Park Service, and for other purposes," approved August 25, 1916, as amended (16 U. S. C. 3), is amended by striking out "20 years" and inserting in lieu thereof "30 years."

GRANTING OF PUBLIC LANDS TO A STATE

The bill (H. R. 5149) to provide that whenever public lands have been heretofore granted to a State for the purpose of erecting certain public buildings at the capital of such State, such purpose shall be deemed to include construction, reconstruction, repair, renovation, and other permanent improvements of such public buildings, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS IN SHILOH NATIONAL MILITARY PARK, TENN.

The bill (H. R. 4115) to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, I wish to speak briefly on House bill 4115, which was reported by my colleague, the Senator from Oregon [Mr. NEUBERGER], on behalf of the Committee on Interior and Insular Affairs. The bill seeks to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes.

I have checked the bill very carefully. The Federal Government will undoubtedly receive benefits far in excess of the value of the land. At the present time, highways are running through the national park and creating traffic hazards and danger to the safety of the people traveling through the park.

The bill calls for the transfer of land to the State on the edge of the park, which the State will use for highway purposes or, with regard to such land as may not be covered by the highway, for recreational purposes, thereby serving the interests of the Federal Government in relationship to the Federal park.

Mr. President, I am satisfied that the taxpayers of the country will get good value for the property concerned, and the bill therefore does not violate the Morse formula.

CONSUMMATION OF DESIRABLE LAND EXCHANGES

The bill (H. R. 2170) to authorize the Secretary of the Interior to consummate desirable land exchanges was considered, ordered to a third reading, read the third time, and passed.

ACQUISITION OF CERTAIN LANDS TO THE FORT FREDERICA NATIONAL MONUMENT

The Senate proceeded to consider the bill (S. 1818) to direct the Secretary of the Interior to acquire certain lands as an addition to the Fort Frederica National Monument, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 6, after "(49 Stat. 1373)", to insert "as amended"; on page 2, line 5, after the word "Monument", to insert "or interest in land"; and in line 7, after the word "lands", to insert "or interest in lands"; so as to make the bill read:

Be it enacted, etc., That the first section of the act entitled "An act to provide for the establishment of the Fort Frederica National Monument, at St. Simon Island, Ga., and for other purposes," approved May 26, 1936 (49 Stat. 1373), as amended, is amended by striking out "100 acres" and inserting in lieu thereof "250 acres."

SEC. 2. The Secretary of the Interior is authorized and directed to acquire by purchase, condemnation, or otherwise, subject to the acreage limitation contained in the aforementioned act, the site known as the Bloody Marsh Battle memorial monument located on St. Simon Island, Ga., together with such additional land, including the marshland across the river to the west of Fort Frederica National Monument, or interest in land, as in the judgment of the Secretary of the Interior might be desirable for the protection of such national monument. Such lands or interest in lands, acquired by the Secretary pursuant to this act shall be made a part of the Fort Frederica National Monument.

SEC. 3. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts, not to exceed $20,000, as may be necessary to carry out the provisions of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTION OF CONTRACTS WITH INDIAN TRIBES

The bill (S. 2592) to amend the law relating to the execution of contracts with Indian tribes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2103 of the Revised Statutes (25 U. S. C. 81), is amended (i) by deleting from the paragraph numbered "Second" the words "be executed before a judge of a court of record, and", and (ii) by deleting all of the paragraph numbered "Sixth."

TRANSFER OF CERTAIN PROPERTY AND FUNCTIONS TO THE SECRETARY OF THE INTERIOR

The bill (S. 2594) to transfer certain property and functions of the Housing and Home Finance Administration to the Secretary of the Interior, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That all right, title, and interest, including contractual rights and reversionary interests, held by the Federal Government in and with respect to project ALAS–50080 heretofore administered by the Housing and Home Finance Administrator, are hereby transferred to the Secretary of the Interior. All of the powers, duties, and responsibilities of the Housing and Home Finance Administrator under the purchase and sale contract executed on October 1, 1946, by the United States, represented by the Acting Commissioner of the Federal Public Housing Authority, and by the Hoonah Indian Association, and transferred to the Housing and Home Finance Administrator by Reorganization Plan Numbered 3 of 1947 (61 Stat. 954), are hereby transferred to the Secretary of the Interior. There is also hereby transferred out of the fund entitled "Office of the Administrator revolving fund (liquidating programs)" established in the Office of the Administrator, Housing and Home Finance Agency, under title II of the Independent Offices Appropriation Act, 1955 (68 Stat. 272, 295), as amended, an amount equal to gross receipts from the project transferred by this section.

SEC. 2. For the purpose of liquidating such project the Secretary of the Interior is authorized, within the limits of funds available under section 3 of this act:

(a) To make any surveys of the land on which the project is located that may be needed to vest titles in the individual purchasers of housing units, or to bring the housing project within the Hoonah townsite.

(b) To finance transfers to the individual purchasers of housing units of any interests in the lands on which the housing units are located that may be vested in others.

(c) To refund to individual Indians any payments made by them for housing accommodations which they did not receive.

(d) To pay to individual Indians the fair value, as determined by the Secretary of the Interior, of any land which they conveyed to the Hoonah Indian Association for the use of the project in return for housing accommodations which they did not receive.

(e) To make any repairs or improvements to individual housing units that may be needed to permit the disposition of such units to individual Indians.

(f) To acquire by purchase or eminent domain any lands or interests in lands that are needed for streets and alleys within the project, and to dedicate such lands for public use; and to acquire by eminent domain any interests in land the acquisition of which is authorized to be financed under subsection (b) of this section, and to convey such interests to the purchaser of the individual housing units involved.

(g) To allocate equally to the individual housing units the $240,000 purchase price which the Hoonah Indian Association agreed to pay to the United States, to credit against the allocated purchase price for each unit all payments on principal heretofore made with respect to such unit, and to cancel any portion of the remainder of the debt on any unit that exceeds the value of the unit (as determined by the Secretary) decreased by the sum of all payments on principal heretofore made with respect to such unit.

(h) To release from the mortgage securing the debt of the Hoonah Indian Association any individual housing unit upon payment of the uncanceled portion of the debt allocated to it.

SEC. 3. All funds transferred to the Secretary of the Interior pursuant to section 1 of this act and all funds hereafter collected from the project transferred by section 1 shall be established in a revolving fund in the Department of the Interior and may be used to carry out the purposes of this act, including administrative expenses.

CONVEYANCE OF CERTAIN LAND TO THE LUMMI INDIAN TRIBE—BILL PASSED OVER

The bill (H. R. 7681) to authorize the Secretary of the Interior to convey certain land with improvements located thereon to the Lummi Indian Tribe for the use and benefit of the Lummi Tribe was announced as next in order.

The PRESIDING OFFICER. The Senator from Oregon has entered an objection to the bill. It will be passed over.

Mr. MORSE. Mr. President, House bill 7681 authorizes the Secretary of the Interior to convey certain land with improvements located thereon to the Lummi Indian Tribe for the use and benefit of the Lummi Tribe.

I am not clear about the bill at this time, Mr. President, and I shall ask that it go over to the next call of the calendar.

Probably the bill is all right, but there is a question which concerns me. The property is worth several thousand dollars. It was purchased by the Federal Government in 1941 for $300, and the Federal Government has spent several thousand dollars for building improvements. This property was used as an Indian school by the Indian tribe concerned. The school has been disbanded, and the Indian children are now taken by bus to a consolidated school nearby.

I have no objection, Mr. President, to the property being conveyed to the Indians for recreational purposes, because of the Federal interest which is concerned, but there is nothing in the bill to protect the taxpayers from having the tribe sell the property the next day for a service station location or for any other commercial use. I point out that we cannot start a procedure whereby the Senate will transfer Federal property to Indian tribes to be used by the Indian tribes for non-Indian purposes.

If an amendment could be accepted which would make clear, as the Secretary of the Interior states in his letter, that the purpose of the transfer is to have the property used for recreational purposes by the Indians, and that if, as, and when the Indians cease to use the property for that purpose it will revert to the Federal Government, I would have no objection. What I am objecting to is what I think is a lack of clarity in the bill at the present time, and a lack of protection of the taxpayers against a transfer of property to an Indian tribe which would give the Indian tribe complete authority to proceed to sell it the next day for commercial purposes.

This is a small matter, but such action would constitute a precedent if the bill were to pass in its present form. Therefore, until I can agree upon a suitable amendment with the Senator from Washington [Mr. JACKSON], who is not in the Chamber, I shall object to the bill until the next calendar call.

The PRESIDING OFFICER. The bill will be passed over.

Without objection, the comments of the Senator from Oregon pertaining to Calendar 1522, House bill 4115, and Calendar 1530, House bill 8958, will be inserted in the RECORD at the proper place in the RECORD, prior to final action on the measures, and the objection of the Senator from Oregon to Calendar 1527, House bill 7681, will be noted when the bill is called.

PREPARATION OF ROLL OF PERSONS WHOSE ANCESTORS WERE MEMBERS OF OTOE AND MISSOURIA TRIBE OF INDIANS

The bill (S. 3138) to authorize the preparation of a roll of persons of Indian blood whose ancestors were members of the Otoe and Missouria Tribe of Indians and to provide for a per capita distribution of funds arising from a judgment in favor of such Indians was announced as next in order.

The PRESIDING OFFICER The Chair is advised that there is an identical bill, H. R. 8524, before the Committee on Interior and Insular Affairs.

Without objection, the Committee on Interior and Insular Affairs is discharged from the further consideration of the bill, and the Chair lays before the Senate the House bill, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 8524) to authorize the preparation of a roll of persons of Indian blood whose ancestors were members of the Otoe and Missouria Tribe of Indians and to provide for a per capita distribution of funds arising from a judgment in favor of such Indians.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the House bill. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H. R. 8524) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3138 is indefinitely postponed.

CLEARANCE OF TITLE TO CERTAIN INDIAN LAND

The bill (H. R. 5624) to clear the title to certain Indian land was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN INDIAN LAND TO THE DIOCESE OF SUPERIOR, WIS.

The bill (H. R. 8958) authorizing the Secretary of the Interior to convey certain Indian land to the diocese of Superior, Superior, Wis., for church purposes and to the town of Flambeau, Wis., for cemetery purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, I should like to make a brief statement with reference to House bill 8958, authorizing the Secretary of the Interior to convey certain Indian land to the diocese of Superior, Superior, Wis., for church purposes and to the town of Flambeau, Wis., for cemetery purposes.

We are dealing with Indian tribal land in this case. It is the wish of the tribe that their land be disposed of in this manner. In my judgment, their wish carries out Federal Indian policy. They need this legislative sanction.

In my judgment, Mr. President, there is no violation of the Morse formula in such a transfer. The RECORD, therefore, should show I have no objection to the passage of the bill.

DESIGNATION OF BENEFICIARY OF EQUITABLE TITLE TO LAND ADDED TO ROCKY BOY'S INDIAN RESERVATION, MONT.

The bill (S. 2530) to designate the beneficiary of the equitable title to land purchased by the United States and added to the Rocky Boy's Indian Reservation, Mont., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the land acquired by the United States pursuant to section 5 of the Act of June 18, 1934 (48 Stat. 984), title to which was conveyed to the United States of America in trust for the Chippewa, Cree, and other Indians of Montana, and thereafter added to the Rocky Boy's Indian Reservation, Mont., by proclamation signed

by the Assistant Secretary of the Interior on November 26, 1947, is hereby designated for the exclusive use of the members of the Chippewa Cree Tribe of the Rocky Boy's Reservation, Mont.

RESTORATION TO TRIBAL OWNERSHIP OF CERTAIN CEDED LANDS ON INDIAN RESERVATIONS

The Senate proceeded to consider the bill (H. R. 8544) to provide for the restoration to tribal ownership of all vacant and undisposed-of ceded lands on certain Indian reservations, and for other purposes, which had been reported from the Commitee on Interior and Insular Affairs with an amendment on page 1, after line 6, under the subhead "Reservation and State—Approximate Acreage", in the third line, to strike out

Crow, Montana..... 5,480.95

and insert

Crow, Montana..... 10,260.95

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ACCELERATED RECLAMATION CONSTRUCTION PROGRAM

The resolution (S. Res. 299) for an accelerated reclamation construction program was announced as next in order.

Mr. HRUSKA. Over.

Mr. TALMADGE. Over, as not proper calendar material.

The PRESIDING OFFICER. The resolution will be passed over.

AMENDMENT OF SECTION 2 OF RULE XXII OF THE STANDING RULES OF THE SENATE

The resolution (S. Res. 17) to amend section 2 of rule XXII of the Standing Rules of the Senate was announced as next in order.

Mr. TALMADGE. Over, Mr. President, as not proper calendar business.

The PRESIDING OFFICER. Objection is heard. The resolution will go over.

FREE IMPORTATION OF AMORPHOUS GRAPHITE

The PRESIDING OFFICER. The Senate will now return to the consideration of the bill (H. R. 2783) to amend the Tariff Act 1930, to provide for the free importation of amorphous graphite. The bill was previously placed at the foot of the calendar.

Mr. FREAR. Mr. President, I have been unable to contact the Senator who had objected to the consideration of the bill. Therefore, I shall adhere to his request that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

That completes the call of the calendar.

Mr. JAVITS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield to me so that I may suggest the absence of a quorum?

Mr. JAVITS. I yield for that purpose.

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

The PRESIDING OFFICER (Mr. CHURCH in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

INCREASE IN PENSIONS PAYABLE TO WIDOWS AND FORMER WIDOWS OF DECEASED VETERANS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1516, H. R. 358.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill, H. R. 358, to increase the monthly rate of pensions payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

That the Veterans' Benefits Act of 1957 (Public Law 85-56) is amended:

(1) In section 431, strike out the figure "52.50" and insert the figure "$65."

(2) In subsection 432 (a), strike out the figure "$54.18" and insert the figure "$65", and strike out the figure "$67.73" and insert the figure "$75."

(3) Section 432 is amended by adding at the end thereof the following new subsection:

"(e) For the purpose of this section, and section 433, the term 'veterans' includes a person who served in the military or naval forces of the Confederate States of America during the Civil War, and the term 'active, military or naval service' includes active service in such forces."

(4) In section 433, strike out the figure "$48.77" and insert the figure "$73.13."

(5) In subsection 434 (a), strike out the figure "$54.18" and insert the figure "$65", and strike out the figure "$67.73" and insert the figure "$75."

(6) In section 435, strike out the figure "$48.77" and insert the figure "$73.13."

(7) In subsection 436 (a), strike out the figure "$54.18" and insert the figure "$65", and strike out the figure "$67.73" and insert the figure "$75."

(8) In section 437, strike out the figure "$62.31" and insert the figure "$73.13."

SEC. 2. This act shall be effective from the first day of the second calendar month following its enactment.

Mr. JOHNSON of Texas. Mr. President, the Committee on Finance, to whom was referred the bill—H. R. 358—to increase the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, has considered the same and reported it favorably with amendments.

The bill, as passed by the House, proposed to increase the two rates of pension payable to widows of Spanish-American War and pay a single rate of $75 per month, with proportionate increases for children.

The bill, as reported, will apply only to the widows of advanced ages. It will increase the Spanish War, Civil War, and Indian war widows' pension rate of $54.18 to $65 per month in case the widow is 70 years of age or over. If the widow was the wife of the veteran during the period of his service, the rate of $67.73 per month will be increased to $75 per month. Under this bill the pension rates will continue to be uniform for these groups. The bill includes proportionate increases for children. The average age of the widow married to the veteran during the period of his service is 80 years. The Mexican War widows' rates of pension of $52.50 per month were increased to $65 per month. There are four widows on the roll.

The bill, as amended, provides for a pension to the widows of veterans who served in the military or naval forces of the Confederate States of America during the Civil War at the same rates as are provided for widows of the Union forces. It is estimated that 2,600,000 Union veterans and 600,000 Confederate veterans served during the Civil War. Today there are approximately 4,000 widows of Union veterans on the pension rolls. It is estimated that if 1,000 widows of Confederate veterans could possibly qualify for benefits the cost would be approximately $750,000.

It is my understanding that the Senator from Louisiana [Mr. LONG] is the author of the amendment providing for pensions for the approximately 1,000 widows of Confederate veterans.

The bill was unanimously reported by the Committee on Finance. There is much interest in it, and I hope the Senate will act on it unanimously.

At the suggestion of the Senator from Delaware [Mr. FREAR], I should like to add that there are approximately 84,000 Spanish War widows on the roll and about 4,000 of those widows were the wives of veterans during their periods of service. There are approximately 2,500 children on the roll. There are 4,000 Civil War widows on the roll today and 646 children drawing pension. As to the Indian war widows, there are 1,000 widows and 15 children on the roll. The bill includes the widows of veterans who served in the military or naval forces of the Confederate States of America during the Civil War under the same terms and conditions and at the same rates as provided for widows of veterans of the Union forces.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to increase the monthly rates of pension payable to widows and former widows of deceased veterans of the Spanish-American War, Civil War, Indian war, and Mexican War, and provide pensions to widows of veterans who served in the military or naval forces of the Confederate States of America during the Civil War."

Mr. SMATHERS. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

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 wish to express my deep appreciation to the Senator from New York for his courtesy.

STUDY OF TEXTILE INDUSTRY

Mr. CLARK. Mr. President, now that the hour of 2 o'clock has arrived, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1497, Senate Resolution 287, so as to make the resolution the unfinished business. The resolution authorizes a study of the textile industry of the United States.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 287) authorizing a study of the textile industry of the United States, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, and subsequently had been reported from the Committee on Rules with an additional amendment.

JURISDICTION OF THE SUPREME COURT

Mr. JAVITS. Mr. President, on behalf of the Senator from Pennsylvania [Mr. CLARK], the Senator from Missouri [Mr. HENNINGS], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. NEUBERGER], the Senator from Wisconsin [Mr. PROXMIRE], and myself, I send to the desk a joint resolution proposing an amendment to the Constitution of the United States relating to the jurisdiction of the Supreme Court. I ask that the joint resolution be appropriately referred.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 169) to propose an amendment to the Constitution of the United States relating to the jurisdiction of the Supreme Court, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JAVITS. Mr. President, I ask unanimous consent that the joint resolution lie on the desk until the close of business on May 5, in order to give Senators an opportunity to cosponsor it, if they so desire.

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

Mr. JAVITS. Mr. President, the Judiciary Committee has just reported what I consider to be a bill to curb the Supreme Court. The bill is a combination of a bill introduced by the junior Senator from Indiana [Mr. JENNER], S. 2646, and amendments to his bill submitted by the Senator from Maryland [Mr. BUTLER].

The bill is momentous in its implications; it is analogous to the Court-packing bill of 1937 and can be considered a raiding bill on the Supreme Court's jurisdiction.

Both the Senator from Indiana and the Senator from Maryland have addressed themselves to the provisions of their respective measures, and the Senator from Missouri [Mr. HENNINGS] has issued statements on the bill. They have had wide publicity, and, as a lawyer, I believe this is the time, in a considered and deliberate way, that this measure, which has been ordered reported by the Committee on the Judiciary, thereby giving it the likelihood of coming before the Senate and being debated, be made the subject of information and elucidation to the country; and that opposition to it, which I express, may also have the same discussion and consideration which the proponents of the measure have had so far.

If the bill shall be enacted, it will constitute a grave threat to the independence of the judiciary, particularly in fields of individual civil rights—a threat at least as grave as the Court-packing plan of 1937, which was so justly under fire at that time.

The bill, as ordered reported by the Committee on the Judiciary, will have the following results: Section 1 would remove the power of the Supreme Court to review cases from the States involving the admission of attorneys to the bar. It would do so notwithstanding the fact that constitutional rights of individuals may have been jeopardized. The implications of this provision strike at the heart of the constitutional balance of power.

Section 2 of the bill would amend section 102 of the Revised Statutes dealing with contempt of Congress. It relates to questions which witnesses are asked but fail or refuse to answer, when the questions are pertinent. While the bill leaves jurisdiction in the Supreme Court to review such cases, it removes the power of the court itself to determine an essential element of the crime of contempt by establishing a conclusive legislative presumption of pertinence, thereby raising serious constitutional problems. As the Senator from Missouri [Mr. HENNINGS] has pointed out, the procedure provided for reviewing pertinency within the Congressional committee itself which has asked the questions is of little protection in view of the safeguards intended by the Constitution.

Section 3 of the bill incorporates the language of S. 654, dealing with the enforcement of State statutes concerning subversive activities. This relates to the so-called Nelson case. What it does, in essence, is to allow the States to enact laws without running afoul of the prohibition against acting in a sphere reserved to the United States, through Congress; to enact laws dealing with a subversion against State governments, or the threat to overthrow them by force, as well as against the Federal Government, which was the kind of law passed in Pennsylvania, but which the Supreme Court struck down in the Nelson case.

The provision contained in the bill ordered reported by the Committee on the Judiciary is much narrower than the previous proposal of the Senator from Maryland [Mr. BUTLER]. Indeed, I have been and remain quite convinced, as a sponsor of the measure introduced by the Senator from New Hampshire [Mr. BRIDGES], which was in effect adopted as the committee substitute, that it should receive Congressional consideration; but I have serious doubt about incorporating this measure in a bill whose main and apparent purpose is an indictment of the Supreme Court on other grounds—that is, to deal with the constitutionality of statutes.

I wish to make that very clear, because we should not be blinded by the fact that one provision in the bill can obscure the vast, fundamental implications of the bill itself, which I consider to be most serious to the national interest and to the structure of government under the Constitution.

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

Mr. JAVITS. I yield.

Mr. CLARK. It is my understanding that the section of the bill to which the Senator now refers deals with the Nelson case and the rights of the States to enforce statutes which make subversion a State offense. This section merely states that it is the policy of Congress to permit such legislation which the Supreme Court in the Nelson case held to be unenforcible because Congress had intended to occupy the field. Is that correct?

Mr. JAVITS. That is exactly correct. I may say to my colleague, first expressing to him my deep appreciation for his studied attention to the subject which we are discussing today, that the Supreme Court there was not dealing with what is contained in the other provisions of the bill before us, to wit, constitutionality or unconstitutionality under the Constitution of the United States, but rather it was dealing with established law and with the States occupying the area which the Federal Government also occupies.

Bear in mind that the Federal Government, through Congress, could allow the States to act fully within the Constitution, and therefore, in a sense, the Court was inviting Congress to do so, if it chose to act. Therefore, by this section of the bill, Congress is accepting the invitation.

Mr. CLARK. That, I think, the Senator believes might be arguable. But there is no reason why Congress should not deal with it; and if the Supreme Court misinterpreted the intent of Congress in the Nelson case, then it is the intention to make that clear.

Mr. JAVITS. I do not believe that in the Nelson case the Supreme Court misinterpreted the sense of Congress. The Supreme Court had a right to say that Congress could provide otherwise; and the area covered by the Congressional mandate in the Smith Act being apparently inclusive, it could be assumed that Congress intended it to be so. If Congress had a contrary intention, it would have expressed it.

So rather than misinterpret—although I am not quarreling with the words; I think this is a very important question of substance—the Supreme Court pointed to the limitations, and what it did was to invite Congress, if Congress chose, to take some action.

Mr. CLARK. I quite agree with the Senator. I merely raised the question to emphasize his point that the question of State statutes against subversion has no place in the bill. As the Senator from New York has so well said, it amounts to a curbing of the Supreme Court in a way which I believe to be most unwise, if not, indeed, unconstitutional.

Mr. JAVITS. I thank the Senator. That is exactly the position which I shall endeavor to set forth in some detail. My colleague has stated it magnificently within the principle involved.

We have now covered section 2 of the bill, which deals with procedures in so-called contempt of Congress cases where there is involved the pertinency of a question asked of a witness by a Congressional committee.

Section 3 of the bill, which deals with the Nelson case, my colleague and I have discussed.

Section 4 of the bill is illustrative of the entire approach of the bill to the Supreme Court. What it does—and this is really quite extraordinary in legislation—is actually to cite by title two Supreme Court cases, and to say that Congress finds that the distinction made by these cases in a particular field of law is a distinction which Congress finds highly undesirable, which it did not intend, and therefore that Congress, according to the measure, specifically revises the applicable statutes, and in so doing, in my opinion, cuts into constitutional protections which have been asserted by the Supreme Court, time and time again, in freedom of speech cases.

It seems to me that if anything shows what we are really dealing with, it is section 4. It reads in part:

SEC. 4. (a) The Congress finds that the distinction made by the Supreme Court of the United States in Yates against United States, Schneiderman against United States, and so forth, between advocacy of the forcible overthrow of the Government as an incitement to action and advocacy of such overthrow as mere abstract doctrine is, as Mr. Justice Harlan characterized it, "subtle and difficult to grasp"; that the construction put upon section 2385 of title 18 of the United States Code by the Supreme Court is one never intended by the Congress; that such construction is impractical of application, and infuses into this criminal statute a degree of uncertainty and unclarity which is highly undesirable; and that legislative action to clarify and make certain the intent of this criminal statute is therefore required.

Then it proceeds to make statutory changes. It certainly seems to me that when cases are specifically mentioned, and even the name of a dissenting judge is cited, one who expressed what the drafters of the measure now wish to express in legislation, we cannot more directly serve notice on the Supreme Court that it change its decisions. It is that fundamental point of the bill which I shall discuss in some detail in these remarks.

The implications seem to me to be clear. I think the time to stop this dangerous trend is now. Criticism is healthy, but much of it in the bill is based upon a misconception of the nature of the Constitution of the United States and the function which the Court performs in interpreting it.

One ground of complaint against the Court appears to be that in deciding constitutional questions it refuses to be bound solely by precedents which some have felt are in accord with their own political philosophy. I think this is really the basis of some of the pros and the antis in connection with this particular bill, which I might point out could easily become one of the great battlegrounds of this Congress, and, indeed, of history.

The fundamental question, I believe, is: Should legal philosophy be compatible with changes in the social development of the country; or must legal philosophy follow what we lawyers call stare decisis, following precedent after precedent, and making—if anything—only the most minuscule deviations from the established precedents?

Strangely enough, even the advocates of that position in connection with this proposed piece of legislation and similar ones, both in their statements to the Congress and also in their statements to the country, do not follow it, for in connection with the case of *Brown* v. *Board of Education* (347 U. S. 483 (1954))—the school segregation case—many Members of the Senate, some of whom have voted for the bill in committee, so far as we are informed, complain because the Court's decision in that case did not follow the precedent established in *Plessy* v. *Ferguson* (163 U. S. 537 (1896)). Yet the Yates and Schneiderman cases are complained of in the bill, and the bill attacks the precedents established by them, because it is said they follow the "clear and present danger test" first developed in *Schenck* v. *U. S.* (249 U. S. 47), decided 40 years ago.

In short, the bill means that the Supreme Court is to be told that it will follow the fundamental philosophy of those who wish the bill passed, and perhaps even the fundamental philosophy of a majority of the Senate, if it should meet with the favor of a majority of the Senate, or else ways and means will be found to bring the Court to the position where it will do so, to wit, by depriving it of its appellate jurisdiction in respect to constitutional matters; and in order to make sure that the Court has no misunderstanding whatever, a section of the bill actually does deprive the Court of its right to review the questions of admission to the bar, to practice law, in the case of lawyers in the various States.

So the Supreme Court will be left in no doubt by the more artful provisions of the bill which purport to change the law, and will be given clear notice of the naked proposition that the Congress can deprive it of such jurisdiction if it wishes to do so, and that the Congress is actually doing that in respect to one legal area.

Mr. President, three of the proposals set forth in the bill go directly to informing the Supreme Court what is and what is not constitutional, rather than to have the Supreme Court tell Congress. Although this does not amount to court packing, it is court raiding, if the Supreme Court should accept it, which I doubt very much. It would make the Court subservient to the Congress, and would destroy the Court's essential function under the Constitution.

Mr. President, what I am now about to say is even more germane to the issue. If, on the other hand, the Court does not accept, but holds major parts of this bill, if enacted into law, also to be unconstitutional—which in my opinion is far more likely; in other words, if the Court will have the spirit to stand up for its rights under the Constitution—then there may be an aggravated pitched battle with the Congress, and the stage will be set for the next step, namely, an effort to deprive the Court of additional appellate jurisdiction, which the Congress has the power under the Constitution to do, just as Congress had the power, in 1937, to add justices, and thereby to pack the Court. In other words, an effort then would be made to show that the Congress has the power, both under the express words of the Constitution itself and also under a decision rendered by the Supreme Court immediately after the Civil War, to deprive the Court of the power to determine whether a law passed by the Congress is constitutional. For this reason, I regard the effect of Senator BUTLER's version of Senator JENNER's bill to be no less pointed in the same direction, to wit, that of taking away the appellate jurisdiction of the Supreme Court to decide upon the constitutionality of State or Federal laws or actions.

Mr. President, I know that a great many persons are dissatisfied with one decision or another of the Supreme Court, mainly with one decision or another in the field of subversive activities. I am very well aware also of the fact that it may be that if all those who disagree with specific individual decisions rendered by the Court in that field in the past few years were to join together, they might constitute a majority of the people of the country. But, as is so often true in American public life, I entertain the gravest doubts that the same group of people would wish to see the Supreme Court made subservient to the Congress in terms of its ultimate function in the American form of government. To make it subservient to the people is one thing; but to make it subservient to the Congress is to make it subservient to a coordinate branch of the Government,

whereas under the Constitution the Court is supposed to operate independently of that branch, and, under the Constitution, the Court is supposed to be the final arbiter.

In that respect, I think the people will want the Supreme Court to remain unimpaired and to take actions compatible with the Constitution and with the conditions existing in the country, as regards public opinion and influence. That is very important, because I conceive it to be my duty as a lawyer—regardless of whether I am a Senator—to draw the attention of the people of the country particularly to this situation, for if we lawyers do not do so—if we do not do so because it is unpopular in some quarters—then, in my opinion, we shall have abandoned one of the finest traditions of our profession, which is to make sure that the weak, the oppressed, the unpopular, those whom the public may wish to run out of town on a rail, enjoy the same fundamental human rights and constitutional rights which we expect to have conferred upon every citizen. We have learned the hard way that only in that way can the individual be protected; and that goes for every individual, including those who now may be highly dissatisfied with many of the Court's decisions.

Mr. President, I have already pointed out that only one part of the bill—that in reference to the Nelson case—deals with a subject which is in the traditional pattern of the coordinate powers as between the Supreme Court and the Congress, thus giving us guidance as to which way to go; and then we shall determine—if we adopt the particular section in regard to the Nelson case—that is the way we shall go.

But the other three parts of the bill do no such thing. On the contrary, two of them endeavor to force the Court to accept legislation which it has already clearly indicated to be unconstitutional. In one case—a case involving admission to the bar—the Court, in *Schware* v. *Board of Bar Examiners* (353 U. S. 232 (1957)), said very clearly that it is unconstitutional "even in applying permissible standards" for officers of the State to exclude an applicant where there is "no basis for their finding that he fails to meet these standards, or when their action is invidiously discriminatory." The question of violation of due process was directly decided by the Court, which held there was a violation of due process under the 14th amendment, and that the Supreme Court could give relief.

In the case of *Konigsberg* v. *State Bar of California* (353 U. S. 252 (1957)), the Court reversed a California judgment on the ground that the refusal to admit a bar applicant was "a denial of due process and equal protection of the laws because it was both arbitrary and discriminatory."

Mr. President, in view of that language it seems clear that by taking away the Court's appellate jurisdiction in respect of these bar admission cases, Congress would surely be raiding the Court, contrary to all historical precedents, except those in the much-condemned Reconstruction period which followed immediately the Civil War, when jurisdiction was taken away from the Court in the case of a particular matter to which I shall refer in a moment.

In that section of the bill seeking to deal with the Court's construction of the Smith Act and the application under it permitting convictions, the bill would seek to direct the Court to find constitutional what it has already held to be unconstitutional as to the individual; for the bill directs that there may be a conviction on the ground of abstract advocacy of the overthrow of the Government by force even without incitement to action.

The Court has already said, in construing the original law relating to incitement, that there had to be an advocacy to incite to action rather than assertion of abstract doctrine. The Court said, in construing the Smith Act:

> We should not assume that Congress chose to disregard constitutional danger zones so clearly marked.

It seems to me what the Court is trying to make us understand very clearly is that if we should attempt to pass a law which would punish as a crime advocacy of an abstract doctrine, the Court would have to hold it unconstitutional under the first amendment.

The bill reported by the committee has the intention of doing exactly that; but even its own language may not accomplish it. I shall explain the reason for saying that, because it is serious in itself. What it is doing is inviting a struggle between the Supreme Court and the Congress on this fundamental issue.

This is what the bill says, in endeavoring to change the law:

> Without regard to the immediate probable effect of such action, whoever knowingly or willfully advocates, abets, advises, or teaches the duty, necessity, desirability, or propriety of overthrowing or destroying the Government of the United States or the government of any State, Territory, District, or possession thereof, or the government of any political subdivision therein, by force or violence, or by the assassination of any officer of any such government; or.

Question: Does that do what the sponsors of the bill want? The answer is "No"; to the contrary, all the Court would have to say would be that it changes nothing, or if it does change something, then it is unconstitutional.

I shall state my reason for saying that. The bill proposes a change to reach beyond the immediate probable effect of such action; but the Court has already said it is not necessary that there be incitement to immediate action in the advocacy of overthrow of government by force. So long as there is incitement to action, whether immediate or in the future, then the Court has held that the Smith Act applies. So if all this provision of the bill does is say that the Court shall disregard the question of immediacy, it means nothing. The Court can say, "We have already disregarded immediacy."

On the other hand, if the Court should go along with the intention of the provision, and say that advocacy as a mere abstract doctrine can be prohibited by Congress, the Court must strike it down because it has already said that criminal sanction of advocacy as an abstract doctrine cannot stand up under the Constitution.

All we are inviting the Court to do is say that this change is unconstitutional. What we are doing is ourselves engaging in an effort to involve the Supreme Court in such a conflict so that the only other recourse would be to deny the Supreme Court appellate jurisdiction in constitutional-law cases.

In the section of the bill dealing with the question of pertinency under the Watkins decision, there too the Court is being asked to accept what may well be an unconstitutional application of the law to the individual on an "or else" basis, the quotation "or else" being, "We will take away your appellate jurisdiction in these constitutional law cases," for the Court has already said pertinency is essential to due process under the 14th amendment. A witness who is under compulsory subpena is entitled to due process. This is what the Court said:

> The first amendment may be invoked against infringement of the protected freedoms by law or by lawmaking—such an investigation into individual affairs is invalid if unrelated to any legislative purpose. That is beyond the powers conferred upon the Congress in the Constitution.

What the bill provides is that if the question of pertinency is raised, the decision by the committee as against a witness shall be conclusive. It seems to me the Supreme Court is making crystal clear that if an act is unconstitutional, no committee can absolve the unconstitutionality, or wash it away, by itself finding otherwise.

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

Mr. JAVITS. I yield.

Mr. MORSE. I congratulate the Senator on the speech he is making today, because I think it is long overdue. Senators should, on the floor of the Senate, especially those of us who are lawyers, come to the defense of our constitutional system, which includes the citadel of constitutional liberties, located just a stone's throw away from where the Senator from New York and I are speaking at the present time—the United States Supreme Court.

I have not completed my study yet of the action taken by the Judiciary Committee of the Senate, as carried in the press the last couple of days, but it has gotten me completely lost by the action it has taken. I think it is rather unfortunate if we have reached such a position in America that we are trying to turn the Senate of the United States into a super-Supreme Court simply because someone may not like the results and effects of protecting the constitutional rights of free men and women by that branch of our Goverment which is responsible for protecting those rights, namely, the United States Supreme Court.

Here is one Senator who is not going to panic on this issue. I am going to take a long look at any proposal coming

before the Senate or the House of Representatives that seeks, in effect, to reverse the United States Supreme Court.

I am glad to interrupt the Senator from New York at this point to issue this warning to the American people: You had better be on guard, because we are going through another one of those relapses in American history which are almost cyclical. If one will trace the record of so-called periodic criticisms of the Supreme Court, he will find they seem to occur in cycles. But I am still going to stand, I may say, with the great Chief Justice from the State of Virginia, John Marshall, in the celebrated Marbury against Madison case, in which I think he enunciated an unanswerable conclusion and a sound statement of constitutional power; namely, it is for the Court, and not for the Senate or the House of Representatives, to determine the constitutional rights of the American people.

Let me say to my colleagues in the Senate, and to those who are seeking legislation which would have the effect of reversing the Supreme Court of the United States, the burden of proof is going to be upon them, so far as the senior Senator from Oregon is concerned, to show that we have a Supreme Court that, in effect, is transgressing on the great constitutional guaranties of a free people.

I congratulate the Senator from New York, because, from my interpretation of his speech, and I hope I am not reading into it something that is not there, he and I share the point of view that the legislative branch of the Government ought to recognize, under the Constitution, the limits of the legislative functions of the Congress of the United States, and that the inherent power to protect the constitutional rights of the American people vests in the Justices who occupy that temple across the street.

If the proponents of these attacks on the United States Supreme Court want really to face up to the issue which they raise, let them propose a series of constitutional amendments in accordance with the amending processes of the Constitution, to see how far they will get with the American people. I do not intend to remain silent in the Senate when I observe tactics which, in my opinion, amount to attempts to amend the Constitution by indirection, by focusing attention on some particular decision and seeking to enact legislation which would overrule the decision. I say that, whether it be the Mallory case or any other case.

I think the decision of the United States Supreme Court in the Mallory case was right, because basic in the Mallory case is not a question of the Federal rules at all. Behind the Mallory case is the question, as I said on the floor of the Senate some weeks ago, of due process. As one who can always be counted upon to support efficient police administration, let me point out to the American people that one of the aspects of the struggle for freedom has been the struggle against police tyranny. The unanswerable fact is that if we do not keep the police working within the framework of protective guaranties, we shall have police tyranny.

I am one person who does not propose to vote for legislation which would give the police, under the so-called concept of reasonableness, the power arbitrarily to determine what they think is reasonable in detaining people after arrest and denying to them certain precious guaranties and safeguards; namely, the immediate notification to which they are entitled that they have a right to be represented by counsel and, second, the immediate notification that anything said can be used against them later in the trial which may ensue.

In fact, I happen to believe, Mr. President, that when the hand of the law is placed upon an American, be he guilty or innocent, and that hand carries the concept, "You are detained under arrest," immediately there ought to flow to the benefit of the arrested person, guilty or innocent, the basic protections of due process which, in my judgment, are the backdrop of the Mallory decision.

I think much confusion has been stirred up not only by Members of Congress but by editors who have not analyzed the Mallory case and what is behind it. I think much confusion has been stirred up because the person in question was a rapist. But he was also a person of very low mentality. If there is anything those of us who have worked in the field of criminal-law administration know, it is that persons of very low mentality are the very ones who need to be protected, because they are highly emotional. The records are replete with proof that many confessions obtained from such persons are confessions not of acts committed but confessions made out of fear and emotional disturbance.

Thank God we have a United States Supreme Court which ruled in the Mallory case that the police cannot arrest a person and hold him for hours without giving him such basic protections and then subsequently have a conviction stand. I pay tribute to the United States Supreme Court for the decision in the Mallory case.

Mr. JAVITS. Mr. President, I wish to express my gratitude to the senior Senator from Oregon, as well as to his colleague, the junior Senator from Oregon [Mr. NEUBERGER], who has joined me on the bill, to the Senator from Pennsylvania [Mr. CLARK], to the Senator from Missouri [Mr. HENNINGS], to the Senator from North Dakota [Mr. LANGER], and to the Senator from Wisconsin [Mr. PROXMIRE].

I think perhaps that is the best way of answering the first question which was asked of me. I have spent some time on this matter. I worked on it while the committee was in the process of its deliberations. I have come up with a legal analysis and a set of conclusions which go exactly along the lines the Senator from Oregon first spoke of; that is, we must practice what we preach and we must be our brother's keeper in that respect.

We do not expect the Supreme Court to invade our prerogatives. We should examine searchingly into whether we are invading the prerogatives of the Supreme Court, and thereby the fundamental structure of government and the fundamental safeguards of our people.

I have analyzed this matter, I think to my satisfaction, so I know where I stand and why I am arguing so strongly against the bill.

I am willing to accept the view of the Senator from Oregon, that we are asked to make the Congress a super Supreme Court. That is the argument.

The Senator from Oregon is a very gifted lawyer. We all know that. So is the Senator from Pennsylvania. So are others of my colleagues. Perhaps by having worked on this matter, so that I was ready to speak the day after the committee acted, I may represent a little spark of action and then pass the baton to all my colleagues who can undoubtedly do the job infinitely better. This is a responsibility of every one of us—of every lawyer and of every man who feels deeply on this subject.

I hope it will not be felt for a moment that I have marshaled all the arguments or done all the legal research. Perhaps I have not touched on the fundamental, basic core of the situation. I invite—indeed, I urge my colleagues, distinguished Senators such as the Senator from Oregon and the Senator from Pennsylvania—to consider this matter, as I have tried to consider it, and to proceed further, certainly with all of my aid and applause and the free gift of everything I have done. Whether I say it on the floor or have it considered in my office, in an effort to build the argument, I freely offer it all.

I think we are faced with a fundamentally critical situation in which we may do real harm to the American system. Wittingly, or unwittingly, we may do real harm. This question as to the Supreme Court has been in the offing for a long time. It has been brewing for the past few years. Now I think it has come to full flower, and I think it is time to deal with it in a major way.

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

Mr. JAVITS. I yield.

Mr. CLARK. I want to thank my friend, the Senator from New York, for the kind words he has said about me. I wish to commend the Senator for the splendid speech he is presently making and for the amount of research it is obvious to me, as a lawyer, he has engaged in before presenting his views.

I have not had an opportunity to make a similar study, but I intend to do so. Judging from what the Senator from New York has said so far, it would seem to me to be pretty clear that the legislation reported by the Committee on the Judiciary does two things which to me, at least, seem to be quite unwise and also unnecessary.

First, the legislation pushes forward an unfortunate totalitarian tendency in this country, which tendency to me, at least, seems to brush aside the Bill of Rights and the fundamental liberties on which this country was founded, when unpopular decisions are at issue. Secondly, it makes a futile effort to usurp constitutional privileges which are not inherent in the legislative body at all,

which are a priceless heritage of the American people as embodied in the Bill of Rights, the first 10 amendments to the Constitution of the United States. That effort will inevitably fail in the courts if it does not fail in the Congress. I hope that we shall be able to have a full and free debate on the issue before action is taken.

I am happy to see that my friend, the Senator from New York, has initiated the debate. I am glad the Senator has come up with a constitutional amendment, which I am happy to cosponsor, which will protect the fundamental and underlying jurisdiction of the Supreme Court of the United States by giving it constitutional sanction, whereas it heretofore has had only legislative sanction. I hope the amendment will get very careful consideration and that in the end the Senate of the United States, acting by a majority, will conclude that the point of view which protects our essential liberties is a far wiser and sounder point of view than that which attempts in the passion of the moment to overrule unpopular decisions.

I suggest, Mr. President, that the distinguished Senator from Oregon, the distinguished Senator from New York, and my friend, the Senator from Wisconsin, who are present in the Chamber, are the real conservatives in this fight, and that those who attempt to set aside basic constitutional principles of human liberty are the radicals.

Mr. JAVITS. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator from New York yield to me in order that I may make a comment to my friend from Pennsylvania?

Mr. JAVITS. I yield.

Mr. MORSE. Let me say to my friend from Pennsylvania that we liberals call ourselves constitutional liberals That is the highest type of conservatism. It is sound conservatism. I now wish to welcome some of my political conservative friends. "Come on in; the water is fine." We will welcome them on this great issue, because they should be standing with the constitutional liberals in protection of the jurisdiction of the United States Supreme Court.

Mr. JAVITS. I thank the Senator.

In view of the Senator's most interesting remarks, I ask unanimous consent that the joint resolution which I have introduced lie on the table until the close of business today, in order to enable additional Senators to become cosponsors.

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

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

Mr. JAVITS. I yield.

Mr. CLARK. I ask the Senator if he will not amend his request and ask that the joint resolution lie on the table until the close of business on Monday. I hope that many Senators who are not present today, and who will read this colloquy in the RECORD tomorrow or Monday, will be sufficiently interested to join in sponsoring the joint resolution.

Mr. JAVITS. Mr. President, I amend my request accordingly.

The PRESIDING OFFICER. Without objection, it is so ordered. The joint resolution will lie on the table until the close of business on Monday.

Mr. JAVITS. Mr. President, I should like to state now for the RECORD that should the present Judiciary Committee bill be brought up for action on the floor of the Senate, I would propose my joint resolution to amend the Constitution as a substitute for it. I point out that the language I have submitted has undergone the most careful legal analysis. About 10 years ago it was passed upon by the American Bar Association, the Association of the Bar of the City of New York, and other bar associations of New York, and was adopted by them. It was permitted to lie on the table, as it were, all this time, because apparently there was no pressing reason why it should be brought up. But I believe that now we are faced with the clear alternative, either of regularizing and establishing beyond question, and without being subject to action by the Congress, the right of the Supreme Court, or proceeding with some such legislation as is here proposed by the Judiciary Committee.

Under our American system, for 170 years, with very few exceptions, there has been no serious challenge to the right or the wisdom of the Supreme Court being the final interpreter of the Constitution and the rights and powers it sets forth The struggle for judicial supremacy in this limited field of constitutional interpretation was fought and won, it was hoped for all time, by the decision in *Marbury* v. *Madison* (1 Cranch 137 (1803)).

In that case John Marshall said:

> The Constitution is either a superior, paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and like other acts, is alterable when the legislature shall please to alter it.
>
> If the former part of the alternative be true, then a legislative act contrary to the Constitution is not law: if the latter part be true, the written constitutions are absurd attempts, on the part of the people, to limit a power, in its own nature illimitable.
>
> Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the Nation, and consequently the theory of every such government must be, that an act of the legislature, repugnant to the Constitution, is void (p. 177).

It is nothing new that the Supreme Court is attacked in this historic conception. It has been attacked before. The most recent example was the Court-packing plan of President Roosevelt; but even in that instance, although the number of justices was to be increased, there was no attempt to destroy the fundamental fabric of the Court's power to act.

It is true that shortly following the Civil War such a successful attack was made. It arose in a case entitled "Ex Parte McCardle, in 1867."

While an appeal was pending to the Court involving constitutional rights, Congress, apparently in fear of an adverse decision, withdrew the power of the Court to hear the case upon appeal. This withdrawal, accomplished over Presidential veto, represented the unilateral will of one branch of Government on a grave constitutional issue. The Court reluctantly conceded it has no power to review—*Ex parte McCardle* (6 Wall. 318 (1867); 7 Wall. 506 (1868)). That action is not a model which history holds up for emulation, and yet now we again see a strong effort being made to sow the seeds of destruction of the place which the judiciary holds in our delicate balance of powers.

It seems to me that action is the very action which should be called to our attention, because it is a warning as to how much power we have, and therefore a warning against our using it in a manner inimical to the best interests of the constitutional structure of government. As I have said, that action is not a model which history holds up for emulation, but it is a model which I think it is extremely important for us to recall today.

Although not completely mutually exclusive with the bill which was ordered reported from the Judiciary Committee, my joint resolution is in direct opposition to its spirit and in one area the resolution is in direct conflict with the specific provisions of the bill. As I have said, one of the most important provisions of the pending bill seeks to withdraw jurisdiction from the Supreme Court over appeals relating to the admission of members of a State bar. This is aimed apparently at two cases *Schware* v. *Board of Bar Examiners* (353 U. S. 232 1957)) and *Konigsberg* v. *State Bar of California* (353 U. S. 252 (1957)). Both of these cases concern constitutional rights under the 14th amendment. The 14th amendment, which is so heavily involved in this discussion, by its very nature is a limitation on State action. The due process and equal protection clauses are intended to be a moderator, a governor on State action. The logic of this removal of jurisdiction provision and the assertion of unrestricted State powers in the field of admissions to the bar would seem to lead inevitably to withdrawal of appellate jurisdiction in all cases relating to State laws or actions or licenses or privileges granted by States involving the Constitution. Indeed, that was the very intendment of the legal arguments made on the floor of the Senate last year as they involved the school integration decision of the Supreme Court.

I would assume that faced with this issue no one would concur in so wide an assault on so precious a constitutional right. Yet, why should prospective lawyers be the only persons deprived of the protection of the 14th amendment and the due process clause it contains? The answer is—and it is the principal imperfection of the Judiciary Committee bill—is its foot-in-the-door potential.

Once we start on this road, everyone who has a complaint will seek to gather together a Congressional majority and seek to enforce the complaint by taking away the appellate jurisdiction of the Supreme Court in all constitutional law cases, and making the Congress, and the Congress alone, as is the custom in countries without a written constitution, the sole and only arbiter of the limit of its powers.

My amendment would prevent the withdrawal of such jurisdiction where constitutional rights are involved, as they were in both the Schware and Konigsberg cases.

With respect to the provisions amending specific statutes, there can be of course no quarrel in theory—legislative power belongs to the Congress and must be exercised with the best light available in the public interest.

That, indeed, is true of the particular provision of the bill relating to the Nelson case.

But each of these subjects involves many questions which deserve careful and separate treatment. By lumping the other provisions together and dictating to the Court what it shall and shall not find constitutional, the bill is, in effect, a motion of censure of the Supreme Court and must be so interpreted in the context of its development and the debate which has already been occasioned. The one thing which these amendments have in common is they deal with decisions of the Supreme Court with which some Members disagree, and one case with which they disagree so violently that they seek to prevent the Supreme Court from considering even constitutional questions in that entire field of law—that of bar admission.

I think the bill of Senator JENNER and its amendments should fail on their merits, but I also think that we should not lose sight of what is really at stake. Basically, what is the intendment?

I impugn no one's motives. I credit the sincerity, patriotism, and solicitude for the public interest of the principal sponsors of the bill, and of every Member on the Judiciary Committee who voted for it as highly as I do my own. I say that advisedly, without question.

Basically the bill, even though not so intended, attacks the traditional function of the Supreme Court. By joining these provisions together the sponsors are handing down a bill of particulars of an indictment of the Court. The ramifications cut so deep that I believe the issue must be sharply drawn, and in its resolution we must try to put an end to the danger for all time. That is why I submitted a proposed constitutional amendment in the joint resolution introduced by me. We must try to put an end to the danger for all time.

If today we violate the traditions of our history and Government in one class of cases, who shall say that tomorrow we shall not take away other or all constitutional cases from the Supreme Court.

The American people have a great deal of thinking to do. They must decide, and we must decide, whether we prefer to leave the final decision on the construction of the Constitution in the Congress, in the President, or in the Supreme Court.

I remember, when I served in the other body, that some of the ultraconservative Members would spring to arms as quickly as would the most advanced liberals, whether the issue was popular or unpopular, if it involved the fundamentals of the Constitution of the United States. They knew what they were doing. The Constitution is as dear and important and vital to them as it is to the most progressive liberal in the United States. Therefore, Mr. President, there is no division between liberals and conservatives, and no divisions between parties. The Court has been attacked and defended by people of all shades of opinion at one time or another, sometimes because of its conservatism and sometimes because of its liberalism.

Mr. President, the greatest traditionalism and the greatest conservatism indicate that we should keep what we have, what we have found to be good, and that we should follow the established practice of 155 years, and leave the Court where it is. That is my conviction, and that is the fundamental purpose for which the members of the bar, as a body, must fight.

The Court has served us well as the defender of the individual against unlawful government authority. Let us not impair its usefulness in an hour when it may be more vital than ever.

Mr. President, this is Law Day. It happens that the bill was ordered reported by the committee the day before Law Day. It seems to me that this day emphasizes and underlines that we want a government of laws, not a government of men. Contrary to the impression of many who are not students of government, our kind of republic, based upon fundamental democratic principles, requires great discipline. It is discipline we are talking about today. For example, theoretically Congress could sit on its hands and not appropriate a penny, and the whole Government would go out of business. Theoretically, the President could sit on his hands and not enforce any laws, and the whole Government would go out of business. There is no power on earth that can make us act or make him act.

It is this internal discipline which makes the whole machine work. So I ask: Do we want to break down all that self-discipline because some of us— perhaps including myself—are dissatisfied with some Supreme Court decisions? Is it not our highest duty in the exercise of self-discipline, in this real work of our Government, to stand by these fundamental institutions?

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by me which represents my legal analysis of the need for my resolution.

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

STATEMENT

Concededly, the Constitution does not expressly state that the Supreme Court shall be vested with the power to declare legislative action unconstitutional. As one learned lawyer has put it:

"Clearly, there is no express statement giving the Court appellate jurisdiction on all questions concerning constitutionality of legislation and thus giving the power to declare acts of Congress void. But it is generally admitted that this jurisdiction and power are to be implied. Otherwise Congress would have acquired the same arbitrary power that Parliament had, and the consistency of its legislation with the provisions of the Constitution would have been purely a matter of the conscience and commonsense of Congress. Very clearly, the Constitutional Convention did not intend any such situation as that." (Tweed: Provisions of the Constitution concerning the Supreme Court of the United States, 31 Boston ULR (1951), at pp. 7–8.)

Even the late Mr. Justice Jackson, who defended the Court-packing plan before he was appointed to the Supreme Court, admitted that it was probable that many, and certain that some, members of the Constitutional Convention appreciated that the judiciary clause would spell out a power in the Supreme Court to pass on the constitutionality of Federal legislation (The Struggle for Judicial Supremacy, 1941, p. 4). He also admitted that most lawyers believed that the implication was clear; others, that it was at the very best ambiguous; and that

"In any case political evolution has supplied the omission, and the course of history has established that power in the Supreme Court" (id., p. 5).

In the 1937 report of the Judiciary Committee of the Senate rejecting the Court-packing plan (Rept. No. 711, 75th Cong., 1st sess.) the power is more clearly stated. In its report the committee said (at pp. 17, 18):

"The assertion has been indiscriminately made that the Court has arrogated to itself the right to declare acts of Congress invalid. The contention will not stand against investigation or reason.

"Article III of the Federal Constitution provides that the judicial power 'shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made under their authority.'

"The words 'under this Constitution' were inserted on the floor of the Constitutional Convention in circumstances that leave no doubt of their meaning. It is true that the Convention had refused to give the Supreme Court the power to sit as a council of revision over the acts of Congress or the power to veto such acts. That action, however, was merely the refusal to give the Court any legislative power. It was a decision wholly in harmony with the purpose of keeping the judiciary independent. But, while carefully refraining from giving the Court power to share in making laws, the Convention did give it judicial power to construe the Constitution in litigated cases. * * * In other words, the framers of the Constitution were not satisfied to give the Court power to pass only on cases arising under the laws but insisted on making it quite clear that the power extends to cases arising 'under the Constitution.' Moreover, article VI of the Constitution, clause 2, provides:

" 'This Constitution and the laws of the United States which shall be made in pursuance thereof * * * shall be the supreme law of the land. * * * '

"Language was never more clear. No doubt can remain. The pretended law which is not 'in pursuance' of the Constitution is no law at all."

The role which the Supreme Court has rightfully played in our scheme of government has been that of interpreter of our Constitution. In the carrying out of that appropriate function it is essential that the Court be free and independent. This, too, was recognized at an early stage. In The Federalist (vol. 2, p. 100, No. 78) it was said:

"The complete independence of the courts of justice is peculiarly essential in a limited Constitution. By 'a limited Constitution' I understand one which contains certain specified exceptions to the legislative authority, such, for instance, as that it shall pass no bills of attainder, no ex post facto laws, and the like. Limitations of this kind can be preserved in practically no other way than through the medium of courts of justice, whose duty it must be to declare all acts contrary to the manifest tenor of the

Constitution void. Without this, all the reservations of particular rights or privileges would amount to nothing."

More recently the matter has been put as follows by one of the outstanding jurists of our time, Judge Learned Hand. He said (The Contribution of an Independent Judiciary to Civilization, Jurisprudence in Action, 1953, at p. 230):

"A constitution is primarily an instrument to distribute political power; and so far as it is, it is hard to escape the necessity of some tribunal with authority to declare when the prescribed distribution has been disturbed. Otherwise those who hold the purse will be likely in the end to dominate and absorb everything else, except as astute executives may from time to time check them by capturing and holding popular favor. Obviously the independence of such a tribunal must be secure * * * and yet, granted the necessity of some such authority, probably independent judges were the most likely to do the job well."

I do not mean that the Supreme Court should be sacrosanct—should be above criticism. It never has been and never will be. It was particularly subject to attack during the administration of Jefferson, Jackson, Lincoln, and Franklin D. Roosevelt. It will continue to be subject to criticism, and I do not quarrel with that condition.

Professor, now dean, of the Harvard Law School, Erwin N. Griswold, has aptly stated the issue now before us (Reorganization of the Federal Judiciary, hearings of the Committee on the Judiciary, 75th Cong., 1st sess., 1937, at p. 64):

"The present controversy will have served a real purpose if it leads the public to understand that the function of the Justices in many cases is not merely to read and apply the plain meaning of clear language, but is rather to define the scope of constitutional standards by the exercise of judgment and discretion.

"It should not be otherwise. It is essential that judges exercise judgment and discretion. That is what judges are for. It would have been very unfortunate if the Constitution had been rigid and specific in all terms."

And one of our greatest Chief Justices, Charles Evans Hughes, has said (Pusey, Charles Evans Hughes, p. 692):

"The supreme exercise of the judicial power of the United States is in maintaining the constitutional balance between State and Nation and in enforcing the principles of liberty which the Constitution safeguards against arbitrary power. This is an extraordinary demand upon judicial intelligence, but it is an integral part of our system, and the duty imposed upon our judges cannot be escaped. We cannot perform this duty in a narrow, technical spirit. Our dual system requires recognition of appropriate State power as well as Federal power. It demands freedom for State authority to meet local needs. It demands opportunities for experimentation and progress. We must ever keep before our minds the illuminating phrase of Marshall, 'that it is a constitution we are expounding.' That Constitution was made, as Justice Mathews observed, 'for an undefined and expanding future, and for a people gathered and to be gathered from many nations and many tongues.' We should be faithless to our supreme obligation if we interpreted the great generalities of the Constitution so as to forbid flexibility in making adaptations to meet new conditions, and to prevent the correction of new abuses incident to the complexity of our life, or so as to crystallize our notions of policy, our personal views of economics, and our theories of moral or social improvement. We should be equally faithless to our duty if we failed to remember that it is an American Constitution we are expounding. It is permeated with American ideals, infused with an American conception of liberty.

"We cannot take the great phrases of the Constitution and disregard their historic background and fundamental purposes. These purposes were so expressed as to permit a broad range for new methods and achievements, but they were expressed in limitations. These limitations were imposed so as to safeguard rights believed to be fundamental. * * * The extent of these fundamental rights is a subject of perennial debate. But that they exist is a postulate of our system that cannot be ignored. They are limitations, as I have said, in the interest of liberty, requiring a measure of freedom of opportunity which even a legislature must respect."

No one can seriously disagree but that it is the appropriate function of the Supreme Court of the United States to interpret the provisions of our Constitution in the light of changing time and conditions. Many of those who now criticize decisions of the Court do so in large part because the Court is devoting more and more attention to the field of civil liberties. Twenty years ago the hue and cry raised at that institution was based upon its failure to expand the rights of the people through social legislation. Yet at that time the value of the Court's contribution to the rights of the individual to liberty were recognized. The Judiciary Committee of the Senate in its report, to which I have previously referred, said (at pp. 19–20):

"These leaders (Patrick Henry and James Madison) who were most deeply imbued with the duty of safeguarding human rights and who were most concerned to preserve the liberty lately won, never wavered in their belief that an independent judiciary and a Constitution defining with clarity the rights of the people, were the only safeguards of the citizen. Familiar with English history and the long struggle for human liberty, they held it to be an axiom of free government that there could be no security for the people against the encroachment of political power save a written Constitution and an uncontrolled judiciary.

"This has now been demonstrated by 150 years of progressive American history. As a people, Americans love liberty. It may be with truth and pride also said that we have a sensitive regard for human rights. Notwithstanding these facts, during 150 years the citizen over and over again has been compelled to contend for the plain rights guaranteed in the Constitution. Free speech, a free press, the right of assemblage, the right of a trial by jury, freedom from arbitrary arrest, religious freedom—these are among the great underlying principles upon which our democracy rests. But for all these, there have been occasions when the citizen has had to appeal to the courts for protection as against those who would take them away. And the only place the citizen has been able to go in any of these instances, for protection against the abridgement of his rights, has been to an independent and uncontrolled and incorruptible judiciary. Our law reports are filled with decisions scattered throughout these long years, reassuring the citizen of his constitutional rights, restraining States, restraining the Congress, restraining the Executive, restraining majorities, and preserving the noblest in rights of individuals."

That was the view of able predecessors in the Senate 20 years ago. I submit that their judgment is as valid today as it was then; and that recognition of this viewpoint will come to those who seriously consider recent decisions of the Court in the light of the times in which we are living.

Let us take one example of the current criticism leveled at the Court—its decision in *United States* v. *Watkins* (354 U. S. 178 (1957)). In that case the Court reversed a conviction for contempt of Congress of a witness who had refused to testify in response to questions which he thought were intended to expose others to public obloquy because of their past beliefs, expressions and associations and which he thought did not lie within the proper scope of a Congressional investigating committee. The Court agreed with the witness. I do not read the decision as necessarily imposing serious limitations upon Congressional investigations. Rather, I read it as a reminder to the legislative branch to tighten up its investigative machinery, and to obey in its operation the time-honored rules to protect the individual against abuses of the power over him of the State. This is the import of the decision according to the following language from the opinion of the Chief Justice (at p. 215):

"We are mindful of the complexities of modern Government and the ample scope that must be left to the Congress as the sole constitutional depository of legislative power. Equally mindful are we of the indispensable function, in the exercise of that power, of Congressional investigations. The conclusions we have reached in this case will not prevent the Congress, through its committees, from obtaining any information it needs for the proper fulfillment of its role in our scheme of Government. The legislature is free to determine the kinds of data that should be collected. It is only those investigations that are conducted by use of compulsory process that give rise to a need to protect the rights of individuals against illegal encroachment. That protection can be readily achieved through procedures which prevent the separation of power from responsibility and which provide the constitutional requisites of fairness for witnesses. A measure of added care on the part of the House and the Senate in authorizing the use of compulsory process and by their committees in exercising that power would suffice."

The basic point seems to me to be not whether particular individuals agree or disagree with particular decisions of the Court, but whether there should continue to exist a "backstairs" method of influencing or avoiding decisions of the Court by depriving it of jurisdiction over cases in which some expect that future decisions will be "erroneous."

It is not for the Congress to arrogate to itself the function of interpreting the Constitution. To do so would be for the legislature to usurp the judicial function. This we want no more than we want the judiciary to usurp the legislative function.

But, even if my judgment should err in particular instances, it is to the people of the United States to whom both the judiciary and the legislature owe their fealty—and it is they, through the process of amending the Constitution, who, in the last analysis, should judge whether undesirable constitutional doctrine has been expounded. Only through that process, which though at times lengthy, yet by that very fact affording ample time for mature reflection on important issues, should the country make its will known on the supreme and underlying structure of government.

The constitutional amendment which I propose is included in that proposed 10 years ago with the backing of the American Bar Association, the Association of the Bar of the City of New York, and the New York County Lawyers Association. It was also endorsed by the late Owen J. Roberts, a former Justice of the Supreme Court of the United States (see Now Is the Time: Verifying the Supreme Court's Independence (35 ABAJ, 1 (1949))), despite the fact that he was generally against tinkering with the Constitution (id. at p. 4).

As I have pointed out, in 1937 the Committee on the Judiciary of the Senate reported adversely upon S. 1393 of the 75th Congress (known as the court-packing plan). The committee report concluded with the following language:

"It is a measure which should be so emphatically rejected that its parallel will never again be presented to the free representatives of the free people of America."

S. 1393 sought to reverse so-called reactionary decisions of the Supreme Court on constitutional issues of great magnitude and importance. Yet, a parallel to that bill is, in effect, being presented to the Senate now. It would finally deprive the Supreme Court of jurisdiction to review certain actions of the States in which constitutional rights of individuals had been asserted. Unlike the court-packing plan, this bill would have prevented a Supreme Court, thought by some to be too liberal, from upholding certain constitutional rights of individuals.

It comes from our Senate Judiciary Committee 20 years after the same Senate Judiciary Committee had taken the firm and definite stand that such types of bills should never again be presented to the free representatives of the free people of America.

The joint resolution which I sponsor is not new. Its identical provisions were included in a joint resolution introduced 5 years ago during the 83d Congress.

Let me point out what this joint resolution is not intended to and would not accomplish. It would in nowise alter the right of the Congress to legislate in areas over which it has legislative jurisdiction. Decisions of the Supreme Court interpreting tax legislation, labor legislation, railroad legislation, securities legislation, and legislation in the interest of national security—indeed any legislation—might still be changed by act of Congress. This power is an inherent legislative power which has always existed and been frequently exercised by the Congress. Its exercise will not be affected by my proposal.

It would in nowise impair the power of the Congress to adopt regulations of any activities falling within its constitutionally granted powers, and to determine and declare, where the Congress deems appropriate, that such regulations should or should not supersede State regulations of the same subject matter.

It would in nowise impair the power of the Congress to appropriately regulate the judicial machinery of the lower Federal courts. Article III, section 2, would still contain the words:

"In all other cases mentioned in the first paragraph of section 2 of article III of the Constitution, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make."

Nor would it interfere with the discretionary exercise of the jurisdiction of the Supreme Court through the route of certiorari.

Indeed it is my view that the joint resolution would in nowise impair any appropriate function of the Congress.

What does the proposal do? It seeks to transfer to the people the power of Congress to take away from the Supreme Court jurisdiction to decide any constitutional question. Although, not completely free from doubt Congress probably has that power. The Supreme Court, as the interpreter of our Constitution, has itself recognized the existence of this power. (See Constitution of the United States of America, 1952, S. Doc. No. 170, 82d Cong., 2d sess., at pp. 614–615.) But despite the existence of this Congressional power, the Congress has recognized the appropriateness of the exercise by the Supreme Court of the power to declare statutes unconstitutional. With one exception, the Congress has, since the first judiciary act, vested in the Supreme Court appellate jurisdiction in cases involving the application and interpretation of our Constitution.

That one exception involved the McCardle case mentioned in which there was drawn in question the validity of the Reconstruction Acts following the Civil War. A Mississippi editor, held for trial before a military commission, applied for a writ of habeas corpus in accordance with an act of Congress. It was denied by the circuit court and an appeal, under existing statutes, was taken to the Supreme Court of the United States. In anticipation that the Court would hold it to be beyond the power of Congress to set up military tribunals in the several States at that time, Congress hastily enacted, over Presidential veto, a statute depriving the Court of jurisdiction. The Supreme Court accordingly dismissed the appeal. Those who sympathized with the Court and its assumed attitude toward reconstruction felt bitter resentment, and criticism of the Congress was widespread. But a majority of the Congress had its way on a political issue. I venture to say that had Congress permitted the Court to exercise its previously established jurisdiction over the case, the Nation would have been no worse off. Indeed the wounds of the Civil War might have healed more quickly.

History teaches us that during the 170 years in which we have operated under our Constitution there has been no real need for the provisions of article III, section 2, which vest in the Congress the power to make exceptions to the appellate jurisdiction of the Supreme Court over constitutional issues.

On the contrary, I submit, history teaches us that such a provision is unwise and inconsistent with our constitutional theory of government.

Why was it included in the Constitution at all? The answer is shrouded in doubt. A distinguished member of the bar of the State which I have the honor to represent, Harrison Tweed, has summarized the situation in the following language (Tweed: Provisions of the Constitution Concerning the Supreme Court of the United States, 31 Boston ULR 1 (1951), at pp. 10–11):

"It is extraordinary how little attention has been paid to these words either before or when they were written into the Constitution or at any time since then. There have been suggestions that they were intended to give Congress a regulatory rather than a restrictive power. But there seems to be nothing in the records of the Convention or in the Federalist to fully sustain the suggestion. It is true that Hamilton suggested in one of the Federalist papers that they were inserted because of the fear that under the power to review judgments of State courts, 'both as to law and fact', the Supreme Court might encroach upon the treasured right to trial by jury. But toward the end of No. 81 he indicated that the provision was inserted as a sort of compromise in order to assure approval of the article concerning the judiciary."

Certainly this presents no reason carrying any weight for the preservation of the provision. And there are other weighty reasons for its elimination. Let me return to my prior statement that this constitutional amendment is consistent with our theory of constitutional government. I am referring to our tripartite division of powers among the legislative, executive, and judicial branches of our Government, and, in particular, to the function which the Supreme Court performs in that system.

Mr. MORSE. Mr. President, I ask that my name be added as a cosponsor of the Senator's joint resolution.

Mr. JAVITS. I thank the Senator from Oregon, and I make that request also.

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

THE EDUCATION OF YOUTH

Mr. MORSE. Mr. President, the problem of educating the youth of our country is one of the most serious confronting us today. The free nations of the world look to us for guidance in offsetting the activities of the totalitarian nations, and we must never overlook the fact that our efforts to guide the free nations can be no better than the degree to which our own people have trained their minds.

Since the advent of sputnik, we have had a tremendous ground swell of demand for expanded research and education in the field of science. This is all to the good, but we must not let it overshadow our research and studies that relate to man himself. That is why I feel that the program of the National Science Foundation is of utmost importance, particularly the often neglected aspect of the social sciences.

Therefore, Mr. President, I have written to the distinguished chairman of the Subcommittee on Independent Offices and General Government Matters, Senator MAGNUSON, giving him my views on the importance of obtaining adequate appropriations for the National Science Foundation.

I ask unanimous consent that my letter be inserted in the RECORD at this point in my remarks.

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

APRIL 29, 1958.

HON. WARREN G. MAGNUSON,
Chairman, Subcommittee on Independent Offices and General Government Matters, Committee on Appropriations, United States Senate, Washington, D.C.

DEAR MAGGIE: You will undoubtedly recall our discussions over the past several years regarding the importance of adequate support of research and training in the sciences, and particularly the sciences dealing with man and his social environment.

In this connection, I should like to endorse strongly the full budgetary request of the National Science Foundation for fiscal year 1959. The House action reduced the appropriation from $140 million to $115 million. In view of the critical situation we face in scientific research and development, I believe that restoration by your subcommittee of the full amount of $140 million is amply justified.

I was unhappy to learn that of the $40 million requested by the Foundation and approved by the House for support of basic research, only $850,000 is assigned for support of the social sciences. As I stated on the floor of the Senate on February 4, 1958, I am convinced that the social sciences could properly spend 2 or 3 times this amount.

You may remember that last year, in discussing the National Science Foundation's budget for 1958, you and I agreed that it would be appropriate and desirable for the Foundation to spend, out of the total $40 million then appropriated to it, $1 million for its developing program in the social sciences. In view of the much larger sums being made available to the Foundation this year, I trust that your subcommittee will urge the Foundation to allocate at least $1,500,000 for research in the social sciences and that your subcommittee will also urge the Foundation to broaden and strengthen its program of social science fellowships.

I shall not attempt to repeat here the numerous arguments in support of the social sciences which I have presented to the Senate on recent occasions. (See CONGRES-

SIONAL RECORD of June 3, June 12 and August 26, 1957 and February 4, 1958). Suffice it to say that, as the New York Times noted in an editorial last fall, the wider lesson of the sputniks involves not only education in the field of missiles or the natural sciences alone, but also our ability to examine ourselves and our institutions and to improve our knowledge and methodology in the sciences dealing with man's social behavior. It is obvious to all thinking men that greater knowledge about ourselves is as urgent as knowledge about outer space. Information about cosmic phenomena is valuable, indeed, but we cannot afford to neglect our study of human behavior. It would be true folly to master our knowledge of outer space and, at the same time, remain ignorant of the inner man.

Undoubtedly the National Science Foundation has made progress in the social sciences, but this is only a meager beginning. I believe the evidence is quite clear that the Foundation could profitably spend at least $1,500,000 for support of significant social science research and at least $500,000 more for support of graduate fellowships in the social sciences. For the record, I am appending herewith my exchange of correspondence last summer with Dr. Alan T. Waterman, Director of the National Science Foundation.

I am very proud to have been associated with you in your efforts to promote the progress of all the sciences, including the sciences of man, through support of the programs of the National Science Foundation. You were among the first to recommend that the Foundation include a division of the social sciences. I hope that it will not be too long before the National Science Board establishes such a division and gives to the social sciences the appropriate support and recognition they imperatively require in this time of crisis.

Would you kindly include this letter in the printed record of the hearings on independent offices appropriation bill for 1959.

With best personal regards.

Sincerely,

WAYNE MORSE.

A MAJOR WEAPON AGAINST RECESSION: EXTENSION OF THE MINIMUM WAGE LAW

Mr. MORSE. Mr. President, we are confronted by two inescapable facts: A major recession and unimaginative, weak leadership. Furthermore, the recession is directly related to the failure of leadership. Unable to anticipate problems, the administration can hardly be expected to cope with them once they have developed. Typically, it reacts instead of anticipates. And, worse, it reacts like a snail, slowly and without a sense of direction.

RECESSION AND GOVERNMENTAL RESPONSIBILITIES

Not only has the administration failed to produce new policies in the fight against depression, but it has failed to utilize and strengthen existing laws. The President's program is limited to a plea for salesmen to sell harder and for the consumers to buy what they cannot afford. To blame the salesmen and the consumers is to shirk his own responsibility. The source of our economic difficulties is in the misguided policies of the administration.

Now that we are in the midst of a recession the administration has a major responsibility to lead the economy out of recession. This responsibility was clearly enunciated in the Employment Act of 1946, of which I had the honor to be a cosponsor.

It provided—and I quote the statement for the benefit of the President:

> 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 * * * to promote maximum employment, production, and purchasing power.

That is the law on the books today.

EXTENSION OF THE MINIMUM WAGE

The way out of this recession is to build up the purchasing power of the consumer and to restore his confidence in the future. Confidence can only be accomplished through restoring purchasing power. This calls for firm actions, not pleas to buy, whether made by the President or a salesman.

A double-barreled attack with both tax cuts and public works is essential if the battle is to be won. But concentration upon these measures should not rule out the use of other means.

I have proposed that we extend the minimum wage to cover an additional 9.5 million men and women workers. Congress should reverse its practice of narrowing the scope of the Fair Labor Standards Act and should provide the protection that is the worker's right.

For 20 years it has been the policy of the Nation to guarantee a minimum hourly wage to as many workers as is practicable. Unfortunately, neither the President nor Congress has seen fit to honor the policy declaration of the Fair Labor Standards Act. While we had relative prosperity there seemed little need to extend the coverage of the act to the 20 million still unprotected workers. Now that we are in the midst of a serious recession I renew my plea of last year to extend the benefits of the law. I do so not simply as an antirecession measure, but as a matter of elemental justice.

MINIMUM WAGES AND THE RECESSION

Whenever we fail to guarantee a worker a minimum wage of even a dollar an hour, we risk the possibility of denying him the necessary purchasing power to satisfy his own needs and those of the economy. By providing employers the opportunity to pay substandard wages we encourage them to do so. By paying substandard wages we weaken the ability of the worker to buy his neighbor's goods and services. In turn, the neighbor is unable to buy and the vicious circle of depression begins. When we prevent one man from buying, we reduce the income of another and still another, until no one is able to buy.

No economy can prosper and grow with millions laboring at substandard wages; no democracy can long tolerate the degradation forced upon the individual by a wage insufficient for a living standard of health and decency.

It is true that many workers not covered by the minimum-wage law do, in fact, make more money than the legal minimum of $1 an hour. But once a recession gets under way great pressure is placed upon the employer to lower his wages. A shrinking market means layoffs or reduced wages for the employee. The more people who are covered by a minimum wage, the less is the temptation and the necessity of lower rates. The worker can continue to purchase and to stimulate the economy.

A SHOT IN THE ARM

An extension of the minimum-wage law coverage acts not only as a floor in maintaining demand, but it serves also to increase buying power. In a bill (S. 1267) which I sponsored last year, with the late Representative Augustine Kelley, more than 2½ million workers would receive increases in their wages. By simply requiring employers to pay the legal rate of a dollar an hour there would be hundreds of millions of dollars more with which to purchase the goods this country is so capable of producing. Could anything be more desirable when today the steel industry is producing at less than half of its capacity? Or when 8 percent of the work force is unemployed?

Unbelievable as it may seem, more than a million retail and service workers make less than a dollar an hour. More than 100,000 make even less than 75 cents an hour. If each of the 2½ million men and women with substandard incomes were to have their wages increased by just 10 cents an hour, they would have added $192 to their annual incomes. If each had 20 cents added, as indeed tens of thousands would, their yearly income would be boosted by $384. An increase of $192, or $384, is no mean amount to a man with a family who is laboring at less than a dollar an hour and is confronted by today's prices.

In terms of the national income, an increase of 10 cents an hour a worker would result in an additional $480 million a year to purchase the goods of depressed industries. An increase of 20 cents would mean $960 million a year. Out of that increase would come not merely a better life for the worker, but greater profits for the employer and the investor. Profits cannot be made without effective consumer buying power for goods and services.

But increases in wages have little effect upon the economy unless they are spent. We need have no fear that any increases in the wages of the exploited worker will be hoarded. Men and women who live on a subsistence level cannot afford to save. Every cent they make is spent just to keep going. A few hundred dollars more in the hands of these workers will be spent for the necessities.

THE EMPLOYER AND MINIMUM WAGES

I find it strange that some employers still regard the minimum wage as economically unsound. Their own experiences and those of the Nation ought to suggest otherwise. The adoption of the minimum wage in 1938 was a signal event, because it meant that we, as a Nation, were adding another cornerstone to the foundations of our economy. We were committing ourselves to the maintenance of a basic standard of living. Indirectly, we were developing and protecting the markets of the employer.

Today, with 55 percent of the workers covered by the Fair Labor Standards Act, it is imperative that we be fair to

the employers who are also covered by the law. The goods and services of the employer who must pay the legal minimum have to compete with those of the unscrupulous who pay substandard wages. The man who competes not by offering a better product but in exploiting workers is not a fair competitor. The employer who pays less than the legal amount is, in effect, being subsidized by his employees, his competitors, and the general public. Each of us may pay in a different way, but we all end by paying the exploiter. For the honest employer, it is through a loss in sales; for the employee, a standard of living below the standard of health and decency; and for society, the economic costs of low purchasing power and the social costs of degradation.

If the costs of the minimum wage are so great and so prohibitive as its opponents usually have argued, they must explain away a Department of Labor study in 1956 that no consistent price rises were found or could be attributed to a previous increase in the minimum wage.

For the sake of emphasis let me repeat that sentence because, to use a colloquialism, I think it knocks into a cocked hat the false argument of many of the opponents of the Fair Labor Standards Act. I say:

If the costs of the minimum wage are so great and so prohibitive as its opponents usually have argued, they must explain away a Department of Labor study in 1956 that no consistent price rises were found or could be attributed to a previous increase in the minimum wage.

The primary cost of extending the minimum wage to new groups is a reduction in the profits of the exploiter. Is that an unreasonable consequence?

PLIGHT OF THE UNPROTECTED WORKER

The imperative need of action in a recession is not the only reason for extending the minimum wage law. The fundamental reason for extended coverage is that millions of men and women need the protections of the law at all times. I cannot understand why we continue to discriminate among workers. The plight of millions who labor at substandard wages is a well-documented one in the hearings of the Committee on Labor and Public Welfare. I need only add here that workers who must work for low wages are forced to work overtime to compensate for the low wages. But few of those who must do this ever secure any time-and-a-half pay for their efforts. The bill I have proposed will, unlike that of the administration, make it possible for all those to be covered to enjoy also a 40-hour week and time-and-a-half benefits.

The policy of the country is clear on the matter of minimum wages. We are, in the words of the Fair Labor Standards Act, "to correct and as rapidly as practicable to eliminate * * * labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency and general well-being of the workers." These humanitarian ideals demand an emphasis upon inclusiveness, not exclusiveness. I doubt that any worker would wish to see his neighbors go unprotected. Why should we? It is against the self-interest of the worker and American standards of decency. The burden of proof ought to rest with those who would limit coverage, not those who favor its extension.

STATE LAWS AND COVERAGE

The real issue, today, is not whether to extend the law, for that has already been decided; rather, the issue is in finding the most practicable way.

Some have maintained that the chief responsibility is that of the States. But the States have not undertaken the job. One-half of the States do not provide wage protection for workers in the nonmanufacturing industries. Only 8 States and 3 Territories have minimum-wage laws which apply to both women and men. In 21 States the minimum-wage law applies only to women and minors, and in some States it applies only to women in specified industries. All in all, only 18 percent of the 20 million workers excluded from the Federal act are covered by the State laws.

The minimum-wage levels in the States that do have such laws are grossly inadequate. Alaska is the only jurisdiction which has standards which equal or surpass the Federal standards. Fewer than one-third of the States and Territories have wage provisions of 75 to 90 cents for retail, hotel, and restaurant workers. In 2 States, the minimum hourly rate is 25 cents, a wage so low as to be meaningless.

Mr. President, low-paid workers cannot expect protection from the State legislatures. The responsibility of the Federal Government is clear. But what can we expect from the administration?

ADMINISTRATION PROPOSALS

As usual, we find the President proclaiming pious intentions, while his underlings do what they please for special-interest groups. As a result, the obfuscation and feebleness of the President in this area, as in so many others, have little relationship to what the administration is doing. If the situation were not so critical, I might treat the administration with the satire it so richly deserves.

Although 20 million employees lack protection, the administration announced that its proposals would care for some 2½ million. And, then, as usual, it forgot to carry the fight. Or did it forget to? But, to compound its shortcomings, the administration then proposed to violate the letter and the spirit of the act, by failing to extend maximum hours and overtime pay to the additional workers who would be covered.

A 40-hour week and overtime pay are American institutions. How the administration can justify their limitation defies the imagination. It is asking nothing less than for already-deprived workers to labor overtime in order to make a go of it.

Is it not strange how the administration can be so imaginative, and even energetic, in devising means for resisting meaningful change and progress? We have a perfect illustration in its minimum-wage proposals. In order to restrict the coverage of the act, it has introduced a new criterion for determining eligibility. It has decided that the number of employees in a firm would be an appropriate test. Furthermore, it has been decided that a retail firm should have 100 employees, in order to be governed by the act. I suppose 100 was regarded as a nice round number. Whatever the explanation, the size of a firm has absolutely nothing to do with interstate commerce. Such a criterion is nothing less than absurd. It is nothing less than an effort to prevent further application of the law.

The bankruptcy of the administration's program is further demonstrated by the fact that of the 2½ million workers who might come under the act, only 400,000 would receive wage increases. If we judge the administration's proposal as being an antirecession measure, which of course the administration has never done, its proposal appears even more inane. If given a 10-cent-an-hour increase, these workers would add but $40 million to the annual national income, as contrasted to some $480 million under the Morse-Kelley bill.

CONGRESSIONAL LEADERSHIP

If we are to depend upon the States and the administration for constructive, persistent, and imaginative leadership in battling the recession, we shall need to wait a long time. It has not been provided. It is not being provided. And there is no good reason to expect that it will be provided.

The Congress will have to fill the void. But if it does, it must reverse certain attitudes and practices of this administration.

To continue to ignore some 20 million workers is manifestly illogical, unjust, and irresponsible. The time has come for forceful and responsible action on behalf of those who lack friends in the State legislatures, who lack friends in the administration, and who appear—up to now—even to lack friends in the Congress. The fact that clerks, salesmen, and other unprotected workers only lack political power is no reflection upon them, but is a reflection upon the politicians. Are we to continue to treat these men and women as servants who are to be remembered only when it is time to be served by them?

If anyone doubts the justice of extending the minimum wage, let him consider the recession. What justice has long demanded is now made necessary by this recession.

Mr. President, I wish to make very clear that I am urging Congressional action on a minimum-wage law over and above its service to the country by way of an antirecession effect. I am urging that amendments be made to the Fair Labor Standards Act because it is just and right that we be fair to the millions of workers who at present are not covered by that law. But today I am also urging that the administration take another look at this issue, to see whether it can now come along with a proposal to expand its Fair Labor Standards Act

proposal as an antirecession measure, as well.

Mr. President, it always makes me very happy when I can speak a word of commendation of the press; and it makes me particularly happy when I can speak a word of commendation of the editorial policy of the Washington Post.

Today, I am particularly pleased because of the appearance in today's issue of the Washington Post of an editorial entitled "Time for a Tax Cut." The editorial is one of the finest on the whole tax-cut issue that I have read thus far.

Mr. President, the brief speech I have made today on some of our recession problems included a reference to the tax-cut issue. Therefore, I ask unanimous consent that the editorial be printed in the RECORD immediately following my remarks.

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

[From the Washington Post of May 1, 1958]

TIME FOR A TAX CUT

The new employment figure ought to end the indecision about a tax cut. Although the total number of unemployed persons declined slightly in the month ending April 15, the increase in employment did not reflect more than the usual seasonal gain. The actual rate of unemployment—the ratio of the number of unemployed persons in the labor market to the number of jobs—rose from 7 to 7.5 percent. This country, and the Free World, simply cannot afford such continued attrition of the American productive economy.

Despite President Eisenhower's noncommittal comments at his news conference yesterday, we think the time for action has arrived. There are, to be sure, some favorable items which can be cited: Savings remain high, consumer spending had held up reasonably well, housing starts and machine tool orders have increased and certain specific sales campaigns have shown good results. But one overwhelming fact remains: The economy is not expanding; it is still contracting, and the erosion has not been halted.

It is of course possible that the economy is beginning to right itself, and that within a few months it would be back on the upgrade even without a new stimulant. But this possibility is "iffy," and even if the optimistic estimates should turn out to be well founded, the question is whether the Government of the United States can afford to wait. We think it cannot. The goods and services which are not now being produced are irretrievably lost. At a time when American industrial production fell 11 percent, Soviet industrial production during the first quarter of this year rose 11 percent. This is a sobering comparison for Americans, and it is even more sobering in the reaction on other Free World nations which are beginning to feel the pinch of the recession in the United States.

The present consideration, it seems to us, ought to be not whether the Government should act, but how. We favor an across-the-board cut in income taxes of limited duration, such as proposed by the Committee for Economic Development, as the sort of measure most likely to produce the needed stimulus quickly.

A tax cut would be preferable to a massive program of public works which could not take effect soon—although more governmental spending, not for leaf raking but for programs to meet essential national needs, is certainly desirable. A reduction of income taxes also would be preferable at this time, from the standpoint of effectiveness and fairness, to any general tinkering with excise taxes which might open the door to a host of special-treatment pleas. Moreover, an income-tax cut could be so applied as to minimize the danger of additional inflation by resuming current rates when other governmental spending programs began to take hold.

The precise amount, duration, and coverage of a tax cut are properly matters for discussion—though we hope not too lengthy discussion. The CED has suggested a 20-percent general reduction lasting until March 31, 1959, at a cost (beginning 5 weeks ago) of $7.5 billion. It might be feasible to curtail the period of the cut somewhat so as to make it coincide with the calendar year 1958. The objective, in any case, is to have a cut that is both great enough and of long enough duration to make a major impact on consumer spending and hence on business investment and expansion.

What is essential in any tax-cut program is to avoid letting it become an excuse for shirking other national and Free World responsibilities. This will be a great test of the maturity and vision of Congress. It is important to put more Americans to work, but this is only one of the requirements before the country. It is also important to have Americans decently schooled, to have cities renewed, to provide the highways and other facilities commensurate with the demands of a growing nation. And if these are important, it is no less important to look to the health of the Free World—to expand trade, to maintain alliances and to assist in the economic development of independent countries.

Thus a tax cut cannot be allowed to preclude the additional governmental expenditures needed to meet the domestic needs of a great nation. Nor can it be allowed to detract from the necessary improvement of defense or from the expansion of development programs abroad. Any tendency to take an either-or approach in Congress, to view a tax cut as a substitute for schools or to retreat into economic isolationism at the expense of the remainder of the Free World, must be resisted emphatically as the narrowest kind of folly.

The aim must be to do all of these things: To support a higher rate of governmental spending domestically, to maintain and expand programs abroad and to give the economy the stimulus it needs to resume its growth. Only with such a purpose can the country expect to meet its responsibilities and to provide the expanded bases of production and consumption necessary for the next decade. The United States can recover from the effects of a temporarily unbalanced budget. What it cannot recover from nearly so readily is a prolonged period of sluggishness and economic shrinkage, of failure to keep active the dynamism so essential to the success of the competition in which the Free World is engaged.

For these philosophical and practical reasons we hope that President Eisenhower and the administration will conclude that the time has come for action without further costly waiting; and if the administration delays we hope that the leaders in Congress will themselves press considered tax-cut legislation. A tax cut surely will not be a miracle cure for the recession, but it is medicine of the right sort, and the patient is ailing.

Mr. PROXMIRE subsequently said: Mr. President, I had intended to present this editorial for printing in the RECORD, and join the Senator from Oregon in commending it. It is the clearest and most persuasive argument for prompt economic action by the Federal Government that I have read in a long time.

The point which this editorial makes most convincingly is that the Government of the United States cannot afford to wait. As the Post says, "The goods and services which are not now being produced are irretrievably lost. At a time when American industrial production fell 11 percent, Soviet industrial production during the first quarter of this year rose 11 percent."

The editorial points out that a tax cut should be temporary. It should be terminated as soon as the economy begins to recover. It is the one economic measure which can be put into effect immediately and which can have a prompt and vigorous effect in starting us on the road to economic recovery, which is such a military, as well as a human, necessity, for America today.

Mr. DOUGLAS subsequently said:

Mr. President, I understand that earlier in the afternoon the Senator from Oregon inserted in the RECORD an editorial from the Washington Post of this morning entitled "Time for a Tax Cut." I understand also that comments were made on the editorial by the Senator from Oregon and by the Senator from Wisconsin [Mr. PROXMIRE].

The editorial is rather significant, because it represents a decided shift in the thinking of this national newspaper. Some 3 months ago, when I first proposed a tax cut, the Washington Post was very critical of my proposal, and in March, when I proposed, on the floor of the Senate, a $5 billion tax cut, the Washington Post was in opposition.

The Washington Post, like many other fine newspapers, has the capacity to learn from experience, and it has evidently learned, and has now adopted a policy which I believe to be wise. There are more and more converts joining the ranks every day, and we welcome them with open arms. We do not examine their credentials. We will not mention unduly their past record. The door is wide open, and we will be very glad to have them come in and join the swelling ranks.

I ask unanimous consent that there may be printed at the conclusion of my remarks an article published in the Chicago American of April 26, 1958, entitled "Norwestern University Professors Support Tax Cut."

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

[From the Chicago American of April 26, 1958]

NORTHWESTERN UNIVERSITY PROFESSORS SUPPORT TAX CUT

"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 great 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 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."

We endorse and support the above statement by 14 economists of Columbia University and the City College of New York, published April 14 in the New York Times.

In doing so we hope to make clear the substantial agreement among professional economists throughout the Nation that firm action is necessary to combat the current recession.

The way to increase output and reduce unemployment, as President Eisenhower has declared, is to bring about more buying. This cannot be done by exhortation. It can be done by reducing taxes so the purchasing power is increased. Further delay in appropriate governmental action is difficult to excuse.

Robert Eisner, F. M. Westfield, R. H. Strotz, C. M. Tiebout, Karl de Schweintz, Jr., R. C. Blitz, A. L. Marty, Kenyon E. Poole, R. W. Clower, H. F. Williamson, A. B. Mandelstamm; All Members of Department of Economics, Northwestern University.

Mr. MORSE. Mr. President, I wish to comment on what my good friend the Senator from Illinois has just said. He referred to the fact that the editorial published in the Washington Post this morning showed that the editors of the Washington Post learn from experience. That is a typically modest statement of the Senator from Illinois. I believe the editorial really shows that the editors are also capable of learning from a great educator and a great economist. I believe this is one of the greatest teaching jobs of many fine teaching jobs the Senator from Illinois has performed in his public life, and is comparable to the great work of teaching he did when he was a professor at the University of Chicago.

I believe the Washington Post editorial shows that the editors of the Washington Post studied the record made by the Senator from Illinois as set forth in the CONGRESSIONAL RECORD. In my book, as I have said so often, he is the greatest economist in Congress and one of the 10 greatest economists in the country today. I believe his position is unanswerable. Therefore the editors of the Washington Post have written this editorial.

I was one of the cosponsors of the amendment the Senator from Illinois offered, and also one of the cosponsors of the Yarborough-Proxmire amendment, providing for a tax cut. There has been a considerable amount of adverse editorial comment in my State about my fiscal irresponsibility, because I favored a tax cut and also favored a public works program.

It has been very interesting in recent days to see in my State also a shift of editorial opinion. As more and more of our newspaper editors recognize that the recession is much deeper than was first contemplated they are beginning to shift their position in regard to the tax-cut issue.

I have always been very proud of the fact that I was a good enough student to follow the teachings of a great teacher on this issue when I joined him as a cosponsor of the bill offered by the Senator from Illinois.

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

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

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

UNIFIED CONTROL OF AIRSPACE

Mr. MONRONEY. Mr. President, I desire to call the attention of the Senate to a serious problem that faces American aviation. This is a problem that has existed for many years, but which has become increasingly critical until it culminated, as it was bound to do, in the recent midair collision of a military jet fighter with an airliner.

We have reached the point in this air age when dual control of our airspace is inviting disaster, both for the military aircraft and civilian aircraft of our Nation. The divided control resulted in this crash which resulted when a jet trainer on a training flight, piloted by a hooded pilot in the back seat and with a safety pilot in the front seat, crossed one of the busiest airlanes in the world, the east-west leg of the main airway over Las Vegas, Nev.

The pilot of the airline plane was on instrument flight control, and had been assigned the altitude of 21,000 feet to fly that leg of the transcontinental air highway. According to our information, the jet fighter plane, its trainee pilot under a hood, was flying at 30,000 feet. He was given orders by radio, not by the control tower, but by the officer in charge of his instrument training, to descend from 30,000 feet to 16,000 feet.

There is great overcrowding of the airspace over Nevada. I am told six-tenths of the airspace over Nevada is under military control and restricted. The jetplane, in making its simulated instrument landing, was brought across the 21,000-foot altitude which had been assigned to the United Air Lines plane. There was no contact between the control tower at Nellis Air Force Base and the control tower of the CAA at Las Vegas airport, although they were only 6 miles apart.

Furthermore, there was no communication with Salt Lake City and Denver, so that not even the CAA tower at Las Vegas knew that the 21,000-foot altitude had been assigned to the United Air Lines flight.

Those of us on the Aviation Subcommittee of the Senate Committee on Interstate and Foreign Commerce have long been concerned with the growing danger of midair collisions as a result of dual control of air operations and air space. One-half of the air traffic of the Nation is military; the other half is civilian; and the right hand does not know what the left hand is doing. Such a situation is almost as dangerous as a busy intersection at which the red lights were supervised by one agency and the green lights by another.

For 3 years we have been urging, threatening, and planning to create an aviation agency—an independent agency which would not be a subordinate, back-office branch of a Government office whose primary duty has nothing to do with aviation. An agency of such stature must have the right to control the air space of the Nation, so that both military and civilian air traffic can move with certainty and safety, once they are given assigned altitudes and flight plans, without danger of midair collision.

For years we have tried to coordinate military programs of the various services. All we have had is additional groups of coordinating committees and interdepartmental committees, which seem to spend more and more time in discussion and talk and never reach any program of action.

We have asked the staff of our committee, with the help of the aviation industry, to draft suggested legislation creating an overall modern aviation agency; we will propose an independent agency reporting directly to the President, and not organized as a subordinate branch of another Government department.

We contemplate that the agency will have representatives of the military aviation branches as a part of it, but that it will have a single civilian administrator, who will have the power, after adequate consultation, advice, study, and technical help, to make final decisions. Unless such power is granted soon, air travel is going to become dangerous.

We are about to see the advent of the jet age in civil air transport. Jet airliners flying at over 500 miles an hour, with a range of 4,000 miles, at an altitude of thirty to thirty-five thousand feet, will be crisscrossing this country in large numbers within the next year or year and a half. It is dangerous enough when propeller-driven airplanes, flying at 300 miles an hour, come in proximity to jet aircraft flying at from 500 to 1,300 miles an hour.

As Senators know, the instrument type of contol, in which the assigned altitude and the right to use airports is clearly defined, is used by the civilian airlines on all intercity flights.

It is not going to do any good to require one-half of our air traffic to operate under carefully regulated instrument flight conditions if we leave the other half, which is the military traffic, completely free from any regulation or even communication with the civilian side.

For that reason, Mr. President, I hope we shall soon have a bill drafted, which we can consider and on which we can have hearings. We should hear witnesses from all branches of aviation. I hope we can consider and pass a bill which will correct the dangerous situation which will be compounded when the modern jet airliners now on order reach the airlines of the Nation.

As I have said, it is difficult enough to operate propeller-driven airliners safely even under instrument conditions in the vicinity of military supersonic jet aircraft. In good weather the military

fly under visual conditions. That means the military pilots fly by eyesight.

Mr. President, the day of flying by eyesight passed when the jet air age arrived, because there is no one whose eyesight is so good or whose reactions are so fast that he can take corrective measures to avoid a collision when two planes, one flying at 500 miles an hour and the other at 1,200 miles an hour, are closing at a speed of 1,700 miles an hour.

We will have to go into the upper levels of the air, the levels where the jets fly, and control the airspace under conditions similar to the instrument control which we have today. We can no longer depend upon the visibility being good enough for the pilot of the jet aircraft to see what is ahead of him or to the side of him, because of the extreme speeds of these planes.

It is much later than we think, Mr. President. I hope we can expedite the drafting of some overall legislation, to get hearings started so that we can pass a bill and get started to work in a cooperative way.

The civilian side should not dominate the military side, and the military side should not dominate the civilian side of air transportation. Both must work as partners in the air in which we all live. If that is not done, we shall have an increasing number of casualties in both military and civilian air travel.

The Air Transport Association, most of the large airlines, and most public bodies dealing with aviation are aware of the problems. The time has come when we must take action. We must have a blueprint for safety in the air and a greater utilization of our air space under proper control, so that those who fly may take advantage of a great means of transportation without becoming accident victims, such as the two pilots in the Air Force plane or the fifty-odd passengers and crew on the United Air Lines plane.

I had the privilege of having lunch today with President Patterson of United Air Lines. Twice in the last few months, planes of his airline, which is a great airline, have been in midair collisions, both of which could have been avoided had we had proper air navigation facilities in force at the time. President Patterson told me that considering only the pilots and the crew of this airliner, ten children are orphans today because of the crash, which modern technical knowledge and modern control of the air space could have avoided.

Again I say, Mr. President, it is later than we think. The jet air age is upon us. If the air is to be safe, air traffic must be coordinated so that both users, the military and civilian, will be flying under the same type of flight rules. The air space must be under a single control, instead of the two tight, hermetically sealed compartments from which one cannot learn what the other is doing.

ADDRESS BY SENATOR KNOWLAND AT GOOD GOVERNMENT AWARD DINNER

Mr. HOBLITZELL. Mr. President, I ask unanimous consent to have printed in the RECORD the remarks of the distinguished minority leader, the Senator from California [Mr. KNOWLAND] at the Good Government Award dinner last evening in Washington.

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

ADDRESS BY SENATOR KNOWLAND, GOOD GOVERNMENT ASSOCIATION AWARD DINNER, WASHINGTON, D. C., APRIL 30, 1958

Mr. Chairman, my good friend and colleague in the Senate and one who is also receiving an award this evening, DICK RUSSELL, Senator BRIDGES, Members of the House, and fellow Americans, first of all I wish to express my very deep appreciation to this organization and to Senator BRIDGES for the presentation which has been made.

It has been a great privilege to serve in the Senate of the United States now for almost 13 years. And as I leave the Senate this year, I shall take back with me some wonderful recollections of the men with whom I have served, Democrats and Republicans alike, who have devoted themselves to the preservation of our constitutional system.

I leave Washington this year with some very firm convictions. One is that our American constitutional system is the greatest system that has yet been devised by man for the preservation of a free people, and if we of this generation are just half as wise as those men who gave us our Constitution and who helped to preserve it, we will see to it that we maintain our three great branches of government as coordinate and coequal.

As I have served here for 13 years, I must say to my colleagues in the Senate that in each of those years I have become stronger in my conviction of the importance of maintaining the rights of the States and limiting the power of the Federal Government.

Now this is no time for men or women of little faith. Our Nation would not have been born if people had not had a faith in our free processes and in the future of our common country. We would not have preserved the Union over the intervening years if there had not been people of faith to do so.

In the troublesome times in which we now find ourselves we should never be complacent nor defeatist. I cannot help but believe that what has preserved us as a Nation has been the fact that our people have recognized that what we have, we have gained because of divine guidance. I think all of us since our days in school have recollections of reading of Washington kneeling in prayer during the dark days at Valley Forge when lesser men would have given up the struggle. They have read of Lincoln kneeling during the dark period through which he passed, and through all of this period our Nation has been preserved because our people have recognized this divine guidance which has come to us as a people.

During recent years we have seen how over 900 million people have lost their freedom to the most godless tyranny the world has ever known.

We have an obligation to our generation and to future generations to preserve our free system. This is no time to sell America short. This is no time to weaken our defenses. For I do not believe that basically the men in the Kremlin have changed in the slightest their long-term objective to destroy human freedom everywhere in the world.

Both as an individual citizen of this Nation and as a Senator of the United States, I do have a deep and an abiding conviction that if only we of this generation will use the same courage, yes, and the same commonsense that motivated the men who sat at Philadelphia and, under what I believe was divine inspiration, gave us first our Declaration of Independence and later our Constitution of the United States, there are none of our great domestic problems, as great as they may be, that we as a free people cannot solve and there is no foreign foe we need ever fear.

DR. ROBERT HUTCHINGS GODDARD: FATHER OF MODERN ROCKETS

Mr. ANDERSON. Mr. President, there has just been published in the Saturday Review an article which demonstrates the truth of the old aphorism that a "prophet is not without honor, save in his own country." Just a few years after the Wright brothers' historic flight at Kitty Hawk, N. C., an American physicist, Dr. Robert Hutchings Goddard, started work on rockets which he believed could be made to soar into outer space. The missilemen of today owe an incalculable debt to Dr. Goddard, who died in 1945 at the age of 62.

He held some 200 basic patents at the time of his death and in 1919—nearly 40 years ago—stated the principle of multistage rockets that has become familiar to most of us today.

On March 16, 1926, he launched the first successful liquid-fueled rocket. With the help of funds from the Daniel and Florence Guggenheim Foundation, he fired rockets from the New Mexico desert in 1937. In his New Mexico workshop in 1941, Dr. Goddard built a liquid-fueled rocket which anticipated in almost every detail the German V–2 of World War II—the device on which the United States based much of its rocket development.

I might say, Mr. President, one of the interesting things is that these days if a man is a rocket expert people seem to feel he must have come from Germany. It is also interesting to note that the rocket which Dr. von Braun used in 1943 or 1944 was not only produced in almost exact detail in the United States prior to that time, but that Dr. Goddard tried hard to interest the American Government in it prior to the outbreak of World War II. Dr. Goddard published enough materials so that the information became available to other countries, and scientists of other countries used it to develop rockets. These experts are now brought to the United States, to tell us what to do.

Our own prophet could remain without recognition of his work.

Dr. Goddard's three decades of research cost about $200,000, or about one-tenth of the cost of a single intercontinental ballistic missile today.

Mr. President, the article is entitled "Mr. Smithson's Space Station." It refers not only to the fact that the Smithsonian Institution put up some of the money for the work which the Wright brothers did, but again, through its funds, made possible some of the work by Dr. Goddard.

I ask unanimous consent, Mr. President, that the article written by John Lear, from the Saturday Review of May 3, 1958, be printed in the RECORD at this point.

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

MR. SMITHSON'S SPACE STATION

Space stations have become a significant variable in the future plans of American industry. The 8-foot steel-cone model built for the Air Force Office of Scientific Research by Litton Industries of Beverly Hills, Calif., and pictured on Scientific Research's cover this week (through the courtesy of Astronautics, journal of the American Rocket Society) is one of many earthbound prototypes. It is unusual only in that men and materials can be tested together within its vacuum. The men survive by wearing a special suit—the tailor's equivalent of a vacuum bottle—from which carbon dioxide, moisture, and body heat are drawn in exchange for ingoing oxygen. Neither this nor any other satelloid will be ready to go up tomorrow. Some time will pass before any interplanetary structure qualifies as a conservative real-estate investment.

When Mr. Smithson put up his money in England on October 23, 1826, the situation was far more equivocal. Space stations were sheer blue-sky speculations. But Mr. Smithson was a gambler. He bet compulsively, as some men wench, as others drink, as some lug typewriters on buses, trains, and airplanes. No documents survive to tell why he chose the longest shot of his life. Anyhow, the new world that he paid for space in seemed at the time to be a conventional two-dimensional surface with a chunk of unknown below. Not until 1958 did anyone clearly see that the property he ordered in his will actually extends in a fourth direction the whole way up through and beyond earth's atmosphere and has within its bounds a structure with every right to be called "Mr. Smithon's Space Station."

Were it not for Mr. Smithson's gamble, the new National Aeronautics and Space Agency which Congress is now considering on President Eisenhower's recommendation would lack a base of operations.

Mr. Smithson (his first name was James) would almost certainly have enthused over the outcome of the investment made in his name. The notion of gadding about the sky, sampling the northern lights, collecting meteorites and examining the texture of sunbeams, would trigger drool from his omniverous curiosity. Chemistry fascinated him in life, and he inherited wealth enough (but not a legitimate name) from the Scottish Percys and Henry VII's line to humor the enchantment. He roved the Continent of Europe with a portable laboratory, analyzing every new flower that bloomed in his sight and every new stone that lay in his path, experimenting now in search of Earth's origin, then in search of the nature of colors of vegetables and insects, and again in search of a better cup of coffee. No event was too unexpected, no circumstances too inhibiting to break his quest of the unknown. On one occasion he noticed a tear beginning to slide down a lady's cheek. Instead of offering his handkerchief, he picked up a crystal goblet, pressed it against her loveliness, caught the remaining half-drag of her emotion, submitted it to chemical reagents and discovered "microscopic salt * * * muriate of soda, and * * * 3 or 4 other saline substances."

Perhaps because of the degree of his dedication to pursuit of such investigations, Mr. Smithson never married. He left his fortune to a nephew and stipulated that if the nephew had heirs, the money should pass to them. Then came the gamble. If the nephew had no heirs, "I then bequeath the whole of my property * * * to the United States of America, to be found at Washington * * * an establishment for the increase and diffusion of knowledge among men."

Mr. Smithson died in 1829. His nephew also died heirless. On December 6, 1838, the United States Congress heard formal advice of the windfall's arrival in a message of state from President Martin van Buren. The fortune was in gold, half a million old-fashioned dollars' worth of it. But Congress was preoccupied. The panic of 1837 had hit its nadir. American industry's output was expanded beyond the immediate capacity of its markets (a spectacular exaggeration of the situation which exists today) and the canals weren't paying off (as the railroads aren't now). Besides, the profound domestic issue in American politics those days was States rights versus a strong federalism. A national bank had been beaten down as a threat of overpowering centralization. To many politicians an establishment owned by the United States and charged with increase and diffusion of knowledge among men could mean only one thing: a national university. Would not such a creation embody tacit acceptance of the Federalist principle rejected in the bank debate?

Van Buren left the White House, William Henry Harrison moved in and died there, John Tyler assumed the Presidency and completed his term. Congress wrangled on while canal bonds, in which Smithson's gold had been invested for safekeeping, depreciated scandalously. Finally 20 years after the chance-loving British chemist had written his will, the Congress quashed a last ditch States rights move to return the bequest to England. In 1846, President James Polk signed a law authorizing the establishment of the Smithsonian Institution.

Fortunately for us who are today making the first tentative explorations beyond earth's atmospheric envelope, an adventure infinitely more titillating in its excitements than the voyage of Columbus that gave Mr. Smithson a site for his property, the Smithsonian Institution rose in the midst of American science at a time when science was enjoying popular prestige. The hottest news of the day was Samuel F. B. Morse's patent on the telegraph, which derived from principles of electromagnetism discovered by the brilliant young physicist Joseph Henry. The Smithsonian board of regents commanded the membership not only of three United States Senators and three United States Congressmen but the Chief Justice of the Supreme Court and the Vice President of the Nation. Even more significant, the regents were able to summon as the institution's guiding secretary the electromagnetics scholar who ranked second to Ben Franklin in American science up to that day. Joseph Henry had indeed gone Franklin one better by flying a kite with wires that picked up electricity from the air in a cloudless sky, and it was truly said of this young man that he loved truth for its own sake.

In view of the work that satellite successors to the Explorer and the Vanguard are scheduled to do for science, there is a tinge of prophecy in some of the advice Henry inherited from the Congressional debate over the use of Smithson's money. John Quincy Adams had dreamed of lighthouses of the sky; that is to say, astronomical observatories. James F. Espy, of Philadelphia, saw valuable advantages in simultaneous meteorological observations all over the Union. Adams ridiculed Espy as the storm breeder and political opponents almost ruined Adams by imputing to him belief in lighthouses in the sky—a notion which today seems the sanest commonsense.

Joseph Henry not only believed in lighthouses in the sky; he tried to put them up there. He supported the historic balloon experiments of the Civil War, so added a third dimension to the battlefield—and, incidentally, came sufficiently close to Abe Lincoln to influence the creation of the National Academy of Science. Henry also initiated the first organized effort to chart happenings outside earth's atmosphere by methodically recording changes in the atmosphere itself as evidenced by the daily weather. Already the Institution was preparing itself for the name, Mr. Smithson's Space Station, though no one thought of it in those words.

Ten years is but a moment in the long story of man's curiosity. Before that moment had fully passed after Henry's death, an astronomer who followed him in the secretary's post had designed a bolometer—an especially sensitive type of thermometer—to measure the heat of the sun. Instead of registering degrees of temperature, this device recorded infinitesimal units which in time were called langleys in recognition of the bolometer's inventor, Samuel Pierpont Langley.

In studying the sun's heat, Langley had to use earth's atmosphere. In studying the atmosphere, he became convinced as early as 1891 that engines then in existence were powerful enough to lift a machine off the ground and fly it above the earth. Such was his stature that his mere statement of belief prompted a philanthropist to give the Smithsonian $142,000, the interest from investment of which was intended to finance research on atmospheric air in connection with the welfare of man. By 1893, Langley was further convinced that regular pulsations which he observed in the wind would enable a machine to fly against the wind.

In 1896, the Langley experiments in aerodromics culminated in the catapulting of a 13-foot-long steam-driven airplane from the top of a houseboat above a half mile of the Potomac River before the engine stopped and the plane fell. After a larger model, also launched by catapult, had flown three-quarters of a mile under its own power, Langley said confidently, "The great universal highway overhead is soon to be opened."

But when, at the outbreak of the Spanish-American War in 1898, the War Department expressed interest in the possibility of a plane that could do battle, Langley couldn't find an automobile engine builder in Europe who thought a plane could carry enough pistons to keep it aloft. The motor Langley had built for himself in the Smithsonian's own machine shop landed in the Potomac in 1903 "like a handful of mortar." Modern aircraft makers would write off such a mishap as due to "bugs" and proceed with other experimental models. Optimistic Langley had held the demonstration publicly, however, on the strength of his earlier successes, and newspaper editors of the time responded as hysterically as later ones did to the first failure of the Vanguard rocket. "Langley's Folly," the headlines screeched, and Langley went home on the night of the fiasco to hide his disappointment by telling fairy tales. Nine days later, the brothers Orville and Wilbur Wright, safe from critics among the lonely sand dunes of Kitty Hawk, flew only 120 feet compared to Langley's three-fourths of a mile. But a man was aboard their craft.

Langley died not too long thereafter, some say of grief. Behind him he left the man who had called his "aerodromics" to President William McKinley's notice in 1898. This convert to man's invasion of the air, Charles D. Walcott, became the Smithsonian secretary. And it was on his initiative that the institution was pushed so far out into the sky that it became Mr. Smithson's space station.

The airplane has been a commonplace for so many years now, and we are yet so unaccustomed to think seriously of waystations for space travel, that it is difficult to believe that space science was under way only 5 years after the first plane flight of the Wright brothers. Nevertheless, it is true that in 1908 an impetuous physics professor named Robert Hutchings Goddard was filling the basement of the Worcester Polytechnic Institute in Massachusetts with such strangling

billows of acrid smoke that he was formally requested to stop playing with those infernal rockets.

Though rockets had been in use for more than 700 years, Goddard was first to try to drive them high into the earth's atmosphere, to study the weather. No matter how fiercely his experiments stank, he persisted. By 1912, his mathematical calculations persuaded him that a relatively small amount of fuel could carry a heavily loaded vehicle far up into the sky if the rockets were properly built.

He experimented for 4 years, then ran out of money. His only remaining resource was his laboratory at Clark University. What he lacked in fund-raising experience, however, he made up in earnestness and enthusiasm. And he turned in a direction that had previously proved hospitable to earnest, enthusiastic young men. He wrote out his big idea and mailed it to Walcott, who, by one of those inscrutable coincidences that punctuate history, had already unwittingly engaged himself in the space travel business through another venture: the new National Advisory Committee for Aeronautics, which is today President Eisenhower's choice for America's civilian space agency.

Merely by way of example, Goddard mentioned in his prospectus to Walcott that it should be possible to fire a rocket that would reach the moon. If the cargo were 13.82 or less pounds of flash powder, the rocket's impact would be strikingly visible to observers on earth.

"This plan," he wrote dryly, "although a matter of much general interest, is not of obvious scientific importance."

Whether Walcott was affected by the weather or by the moon, he replied warmly. How much money did Goddard need? This response was so unexpectedly generous that the rocketeer cut his real requirements in half. He got the sum he named: $5,000. Later he got $6,000 more. So it was that on the picayune total of $11,000 of Smithsonian funds the science of modern rocketry was born.

Copies of the Smithsonian report of Goddard's work were available in the public libraries of Germany at the time Herman Oberth began to write his now famous book, The Rocket Into Interplanetary Space. Oberth discussed space flight as a practical possibility rather than the scientific curiosity Goddard considered it. The resulting space travel craze in Hitler's realm enlisted Wernher von Braun among the rocket aficionados. The rest of the story, from the V2's of Peenamunde to the manmade moons of Cape Canaveral, is now familiar to millions who, upon hearing mention of Mr. Smithson's Space Station, would ask: "Smithson? Which Mr. Smithson?"

ORDER FOR ADJOURNMENT TO MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until noon Monday next.

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

ASSUMPTION BY THE SUPREME COURT OF THE ROLE OF THIRD LEGISLATIVE CHAMBER

Mr. JOHNSTON of South Carolina. Mr. President, law has sometimes been described as a mirror of history. Laws reflect man's struggle up from tyranny to freedom. Laws are the cornerstone of a republic—in their absence there is despotism.

Take away a rule of law and you have a frenzied Hitler, hurtling the world into war—remove the protection of law and you have the tragic persecution of a Stalin—make a mockery of law and you have the farcical trials of a Moa-ruled Red China.

Law—organic law, constitutional law, embracing the rights first wrung from an unwilling monarch back at Runnymede of memorable Magna Carta origin, is the basic framework upon which representative government is built.

Time and time again it has been said, and the truth has gained new luster in the retelling, that ours is a government of laws and not men.

Mr. President, it is well to keep this truth before us in this day when so many of our citizens have taken alarm at the grab for power by our Supreme Court as it has virtually annulled laws in rulings that have far exceeded that body's authority.

A constitutional crisis is in the making as the Supreme Court, in decision after decision, makes a shambles of established, ingrained law. So abusive has the Court become of the traditional separation of powers structure in our Government that one of America's most eminent jurists, for years hailed as an outstanding liberal, has declared the Supreme Court is assuming the functions of a third legislative chamber.

Striking out hard for the concept that the Supreme Court should champion the established law of the land instead of writing new law through Court decisions, Judge Learned Hand in a recently delivered lecture at the Harvard Law School on the Bill of Rights said:

> The authority of the courts to annul statutes (and a fortiori acts of the Executive) may and indeed must be inferred (although it is nowhere expressed), for without it we should have to refer all disputes between the "departments" and States to popular decision, patently an impractical means of relief, whatever Thomas Jefferson may have thought.
>
> However, this power should be confined to cases when the statute or order was outside the grant of power to the grantee, and should not include a review of how the power has been exercised * * * For a judge to serve as communal mentor appears to be a very dubious addition to his duties and one apt to interfere with their proper dicharge * * * Moreover, it certainly does not accord with the underlying presuppositions of popular government to vest in a chamber, unaccountable to anyone but itself, the power to suppress social experiments which it does not approve.

In effect, to a layman, the distinguished senior jurist, regarded by the legal profession as one of the most able legal scholars in the land, is saying that the Supreme Court has far overreached itself and is taking unto itself powers that were never authorized by the Constitution or intended by the Founding Fathers.

An outstanding example of the Court's invasion of legislative functions was its decision outlawing racially separated schools, thereby failing to uphold the precedent of the Court where it had previously held that equal facilities were all that was necessary. That line of decisions extended over a period of 100 years. The Supreme Court substituted its judgment for that of a number of State legislatures and also for that of Congress.

The Supreme Court went so far in this opinion as to edict a time element for compliance by the people of what it ruled to be constitutional.

A practice, condition or custom is either constitutional or it is unconstitutional. Only a lawmaking body such as Congress has the power to include a time element for compliance with some new law or for ending failure to comply with some standing but yet unenforced measure.

A court is a body to determine whether compliance is being carried out or not. When a court goes into the field of changing the meaning of standing laws and decides the time element for compliance, it is then writing laws and not interpreting laws.

In the consideration of this issue it is important that we remind ourselves that Congress never passed legislation affirming that the 14th amendment to the Constitution implied and required nonsegregated schools.

The proposition that a court, through the issuance of an opinion, can cancel out the time-honored, time-developed social institutions of a nation is not only a capricious notion but a dangerous concept. By such a device courts could negate the habits, values, and social relationships of a country.

The law is the law because it represents the just equation of peoples' experiences, down through the decades; yes, down through the ages.

Laws find their mandate in consent voluntarily and expressly given to representatives of the people who are chosen for legislative tasks. It is the height of folly, nay, a malicious misadventure in government for courts, established to interpret the law, to arrogate to themselves lawmaking powers. Such usurpation by the courts is an invitation to legal recklessness that might easily lead to civic convulsions and the ruin of our democracy. An unwarranted, unreasoning extension of the courts' powers could well develop into a dictatorship of the judiciary, wrecking the social mores, customs, and democratic institutions of America.

The United States has witnessed, to its regret, the damage caused by the Supreme Court's invasion of States rights in its ill-fated desegregation opinion. That case happened to come up from my State.

This is an example of what happens when the Supreme Court embarks upon legal nullifications of constitutional safeguards that were built into the Constitution in the light of man's experiences of the ages. No court decision can so nullify constitutional guaranties, constitutional doctrines that have their authority in the birth of the Republic and their force in the living history of our Nation.

In case after case the Supreme Court has flouted established law as its flood of decisions has washed away the traditional safeguards which have been the constitutional protection of our citizenry.

States rights have been violated by the High Court's decrees; the Nation's efforts against Communists and subversives have been weakened; the internal security of the United States harmed; legislative bulwarks tumbled; society's rights against criminals surrendered, and a harvest of social tensions unnecessarily fomented in the Court's onslaught against constitutional safeguards.

Let us examine some of the cases where Supreme Court decisions have destroyed constitutional law and weakened our whole system of representative government.

A most interesting case is the Stephen Girard will case. It is entitled "Commonwealth of Pennsylvania against Board of Directors et al.; order No. 769, issued April 29, 1957; Commonwealth of Pennsylvania, appellant, against Board of Directors of City Trusts of the City of Philadelphia."

This was an appeal from the Eastern District of the Supreme Court of Pennsylvania. In a per curiam opinion, wherein the appeal of motion was dismissed, however, the Court, treating the papers filed with the appeal as a petition for certiorari, granted same.

Stephen Girard, by will probated in 1831, left a fund in trust for the "erection, maintenance, and operation of a college" for the education of "as many poor white male orphans between the ages of 6 and 10 years as the income from the trust shall be adequate to maintain."

The will named the city of Philadelphia as trustee.

The provisions of the will were carried out by the State after the opening of the college in 1948. Since 1869, the college, by virtue of an act of the State legislature, and the trust were administered by the Board of Directors of City Trusts of the city of Philadelphia.

In February of 1954, petitioners, Foust and Felder, applied for admission to the college. They met all the qualifications except they were Negroes. The board refused their admission. They petitioned the orphans court to direct their admission. The city of Philadelphia and the State of Pennsylvania joined in the petition of Foust and Felder.

The grounds of the petition were that the action of the board of directors was in violation of the 14th amendment to the Constitution.

The orphans court denied the petition and the decision of that court was affirmed by the Supreme Court of Pennsylvania, in 386 Pennsylvania 548.

The Supreme Court held that the board of directors operating Girard College, though acting as a trustee, was an agency of the State of Pennsylvania, and that the refusal to admit Foust and Felder was an act of discrimination by the State in violation of the 14th amendment to the Constitution—*Brown* v. *Board of Education* (347 U. S. 483).

The Supreme Court directed a reversal of the Supreme Court of Pennsylvania and remanded the case for further proceedings not inconsistent with its opinion.

Mr. President, in the Girard case the Court virtually sets itself up as having the power to draw a decedent's will by nullifying a will's plain provisions. It was Girard's will that poor, white boys between 6 and 10 should be the beneficiaries of his bounty. If the court can change white to mean colored, why can it not change male to female? What can prevent the Court from changing the ages from 6 to 10, from 10 to 20? Who can say the Court lacks the power to strike down the qualifying word "poor," so that even the rich or the undeserving might not also become the beneficiaries? Such overreaching, overstepping and variant exercises of judicial power not only defeats a testator's plain intent in his will, it invades the field of legislation. Such an exercise of power goes far beyond the normal process and reasoning applied to judicial interpretation or construction. In reality such an opinion is judicial destruction of a decedent's expressed testamentary powers under the law of wills and in the administration of estates and trusts.

The decisions of the Supreme Court in the Jencks, Nelson, and Girard cases nullify all precedents and renders the law of stare decisis of no effect whatever. Such decisions haunt the lower courts and counsel alike, for no one knows from day to day what the law is or might be tomorrow.

Mr. President, let us take a look at what the Supreme Court has done in cases affecting criminal offenses, bearing in mind that FBI figures show that since 1950 crimes have increased nearly four times as fast as the population.

Consider the Mallory case. The records show that on April 1, 1954, Andrew R. Mallory, colored, raped a defenseless woman in the laundry of her apartment house. Through good police work the 19 year old rapist was rounded up. He was convicted and his conviction upheld by the Court of Appeals.

In a unanimous opinion, written for the Court by Mr. Justice Frankfurter, the conviction was reversed and remanded. It is important to note that the Supreme Court did not find Mallory innocent. Never was there any suggestion from the High Tribunal that there was any doubt about the man's guilt. Instead Mallory was allowed to go free because the Court made a rule on a technicality in which the Court denied to the police the right to question a suspect before arraignment. The police had questioned the suspect and the questioning produced a confession, but the Court ordered Mallory to have a new trial. The very interesting aspect of all of this is that the Court in effect was "putting manners" on the police because it felt they had not been sufficiently technical in dealing with the defendant.

Although the Court ordered a new trial, that was the end of the matter for all practical purposes, for the Attorney General's Office, in dismissing the case, said that the position taken by the Court and the texture of its opinion practically made it impossible to develop a new case which held any reasonable chance of conviction.

Thus an admitted rapist, tried and convicted, walked free from jail. The return of this man to society, however, is only a small part of the total result for the procedures insisted upon by the Court, in the opinion of law enforcement officials, serve as barriers against the conviction of criminals.

In this connection it is interesting to recall the comment of Assistant Attorney General Warren Olney, Chief of the Criminal Division of the Department of Justice, as quoted in the Washington Star:

> The Mallory decision clearly demonstrates that a great many serious crimes will go unpunished, not because the truth cannot be ascertained, but because of the procedures that have to be followed to develop the facts.

Still quoting the Star:

> Mr. Olney said the Court is supposed to have its judgment rest on the best truth it can get but the Court will not listen to the truth for reasons that have nothing to do with the guilt or innocence of the defendant.

Further, Mr. Olney is quoted in the Star as follows:

> This opinion says in so many words that the police can't question a suspect after his arrest. The place where the impact of this decision will be greatest is in the gangster crimes. It is the real hardened professionals who will take advantage of this. The housewife who shoots her husband usually confesses to the first person who comes along. This decision won't affect her.
>
> But when dealing with criminal groups, police will be unable to question the hirelings who are caught first, about the higher-ups they want to reach.

On the same issue, Washington's Police Chief is quoted by the Star in these words:

> Chief Murray cited the rape of an 8-year-old northeast girl where 30 detectives have been at work rounding up possible suspects. Over 1,000 people have been questioned in the crime.
>
> "What good will it do to bring in a good suspect, question him and get a confession if this decision stands?" he asked. This decision says he must be arraigned immediately and not questioned after we arrest him.

And so a rapist was set free by grace of the United States Supreme Court. And in the opinion of penologists, criminologists, jurists, lawyers, and law enforcement officials, a great blow was struck against the legal system to bring criminals to a just accounting before the bar of justice.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled, "Help! Help!" published in the Washington Star of April 20, 1958.

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

HELP! HELP!

> A Solomon would stagger away, talking to himself and shaking his head, if called upon to explain what the Mallory rule means in the Nation's Capital today.
>
> It has been almost a year since the Supreme Court handed down its unanimous decision in the Mallory case—a ruling which threw out the confession of a convicted rapist and resulted in his release. Mallory had been held by the police for 7½ hours. The reason for the reversal was that he had not been arraigned "without unnecessary delay" as required by Federal rule 5 (a).
>
> We thought from the beginning that the Supreme Court's decision was unreasonable

in the circumstances of the Mallory case and that its meaning was unclear. Others disagreed, contending that the opinion was both proper and its meaning clear.

Now, almost a year later, comes the opinion of the United States court of appeals in the case of John Trilling, an eager-beaver safecracker. This appellate court is composed of nine able and conscientious judges. Yet they are in hopeless disagreement with respect to the meaning of the Mallory rule as applied to the Trilling case.

The division among the judges is cited here, not in any needling spirit, but to illustrate the massive confusion which prevails. Judge Danaher wrote what becomes the opinion of the court, affirming Trilling's conviction on one count in three indictments. Trilling, in three trials, had been found guilty under all of the indictments. Judge Danaher was joined in full only by Judge Burger, and we will return to Judge Burger later. Judge Bazelon, joined by Chief Judge Edgerton, would have thrown out all confessions and reversed the one conviction. Judges Washington and Fahy came to this same conclusion, but, perhaps significantly, they did not join in Judge Bazelon's free-wheeling opinion. Judge Prettyman was joined by Judges Miller and Bastian. He agreed with Judge Danaher as to the correctness of the one conviction, thus supplying a majority of the court on this point. But Judges Prettyman, Miller, and Bastian thought that all of the confessions were valid and that all of the convictions should have been affirmed.

This, then, is the prevailing state of the law in the District with respect to the Mallory ruling. How can any policeman, prosecutor, or trial judge be expected to know which end is up?

Let's get back to Judge Burger. In a brief statement he said he agreed reluctantly with Judge Danaher because he thought he was compelled to do so by the Mallory ruling. He would have preferred to join Judge Prettyman because what he said makes sense and ought to be the law. Then Judge Burger said this: "Rule 5 (a) should be reexamined by the rule-making process or by Congress."

To this we say "Amen" although we believe action by Congress is preferable. This community, in which the Mallory rule hits with full and crippling impact, is in desperate need of help. That help can best come through enactment of pending legislation which provides that mere delay in arraignment shall not serve to invalidate voluntary confessions. We earnestly hope the decision in the Trilling case will furnish the extra push needed to get the bill through Congress.

Mr. JOHNSTON of South Carolina. Mr. President, another revealing case is that of *Jencks* v. *United States* (353 U. S. (No. 3) 657,684).

The petitioner, Jencks, was convicted of perjury for falsely swearing in an affidavit filed with the National Labor Relations Board that he was not a member of the Communist Party nor was he affiliated with the party.

Two paid undercover agents of the FBI—Harvey F. Matusow and J. W. Ford—were the principal witnesses for the prosecution. These witnesses testified that they had made regular oral or written reports to the FBI on matters about which they had testified.

Jencks moved that the reports be produced in court for the inspection of the judge with a view to their possible use to impeach such testimony. The motions were denied by the trial court.

Jencks was convicted. The fifth circuit court of appeals affirmed the conviction and also the order of the trial court on the petitioner's motion for a new trial.

The party activity of Jencks preceded his union employment as a business agent for the International Union of Mine, Mill, and Smelter Workers in the New Mexico area.

The witnesses, Matusow and Ford, admittedly were active members of the Communist Party in New York and Mexico, respectively.

Matusow, of course, recanted and made himself out a liar for having named certain Communists as Communists, but the Senate Judiciary Subcommittee on Internal Security made a thorough investigation of the affair. I am a member of that subcommittee.

The distinguished junior Senator from Indiana [Mr. JENNER], in a speech reporting on the Jencks case and other related matters some time ago, had this to say about the Jencks recantation:

> We (the Subcommittee on Internal Security) learned that the so-called recantation had actually been cooked up by Red attorneys Witt and John T. McTernan before Matusow knew about it himself. We learned that Matusow, in a private, tape-recorded conversation with his Communist publisher, Albert Kahn, had said this about Jencks: "* * * it made him no less a Communist because he put a piece of paper down and said I'm no longer a member. As far as I am concerned, Jencks was still under Communist Party discipline." Nevertheless, a month later Matusow made his affidavit of recantation.

So what happened? The Supreme Court, speaking through Justice Brennan, declared Jencks could have access to the FBI files and in effect examine them to his heart's content. I do not have that right, even though I am a member of the Committee on the Judiciary.

Justice Clark in a vigorous dissent held that the investigative reports of the Government should be kept inviolate in accordance with the previous decisions of the Court.

I am glad he so held, because he knows a little something about the way records are kept in the Department of Justice and about what has been done in the past. He has been Attorney General of the United States, so probably he has more information on the subject than probably the other members of the Supreme Court have.

In the Jencks case, the Supreme Court struck down in one decision what had long been the rule of law and practice in all our Federal courts, that the reports and notes of the investigative officers of the Federal Government were removed from the pillage and search of criminals in an effort to avoid and evade conviction for a crime. It gave the Communists a free rein to go through all the prosecutor's files and papers without first providing that the judge should have power to separate the wheat from the chaff, the relevant from the irrelevant. The effectiveness of reports of detectives, police officers, and members of the FBI has been placed at the mercy of all criminals so far as preliminary detection, arrest, and final conviction are concerned. Prosecution in many cases had to be dropped.

Moreover, the longstanding rule and practice in all Federal jurisdictions were reversed. Something new and foreign to such practice is introduced in our criminal prosecutions thus rendering the many good and law-abiding citizens to the mercies of the criminal and his evil acts of violence, sedition, subversion, and the very destruction of society.

My reason for mentioning that is that if someone is being questioned by the committee, and it is necessary to examine the FBI files, the only member of the committee who can glance at the record is its chairman.

It is amazing, when one looks at such a file, to see all the hearsay against various persons which is placed in the file. A great deal of turmoil would be engendered if every bit of it could be made known and exposed to the world. I feel there would be a great many killings if the contents of those files could be made public, so that everyone would know what his neighbors had done. I fear that the next day we would see a great many newspaper headlines to the effect that so-and-so was killed last evening.

The President's Commission on Government Security, a distinguished group of lawyers, educators, public servants, and former members of the FBI, in its report filed June 21, 1957, commented upon the impact of the Supreme Court's decisions on the national security.

Chairman Loyd Wright, who is well known from coast to coast for his legal attainments and his liberal views, in his statement accompanying the report said:

> Judicial decisions rendered during the past year have required modification of the security programs, and apparently similar changes can be expected in the future. Both the legal profession and an informed citizenry have found causes for concern in the judicial delays that have left in doubt many of the basic issues of the security system.
>
> As this is written to meet a publication deadline, confusion has been compounded by the decisions of *Jencks* v. *United States*. When we are striving to survive the insidious attacks of the Kremlin seeking to destroy our government of law, it is disheartening that blind justice is unnecessarily blinded to realism. I respectfully urge the Congress that if we are to keep pace with our enemies who seek to infiltrate our Nation to subvert us, immediate legislation must be passed to negative the grave consequences that will flow from this confusing decision.

The Commission on Government Security in its comprehensive studies and findings takes cognizance of the relationship between the judiciary and the national security. The Commission in its majority report—a separate report was filed by the Honorable James McGranery, former Attorney General of the United States—said:

> It is fundamental that there should be no reasonable doubt concerning the loyalty of any Federal employee in any of the three branches of the Government. In the judicial branch, the possibilities of disloyal employees causing damage to the national security are ever present. As an example, Federal judges, busy with ever-crowded court calendars, must rely upon assistants to prepare briefing papers for them. False or biased information inadvertently reflected in

court opinion in crucial security, constitutional, Government, or social issues of national importance could cause severe effects to the Nation's security and to our Federal loyalty-security system generally.

There appears to be no valid reason why an employee of the judicial branch should not be screened, at least as to his basic loyalty to the United States. Certainly the judiciary proper and the public generally should have the assurance that the men and women who carry the administrative responsibilities of the courts or assist in the preparation of decisions are loyal, dependable Americans.

The Commission therefore recommends, as in the case of the legislative branch, that the judicial branch and the executive branch endeavor to work out a program under which adequate investigation or screening can be provided for all judicial employees.

Mr. President, upon review, the Court's record of decisions over the past several years is truly appalling. Perhaps it would not be amiss to recite, once more, the facts in the Steve Nelson case.

In this case the Commonwealth of Pennsylvania was the petitioner, and Steve Nelson was the respondent.

Steve Nelson, an acknowledged Communist, was convicted by the Quarter Sessions Court, of Allegheny County, Pa., of violation of the Pennsylvania Sedition Act. He was sentenced to serve 20 years and to pay a fine of $10,000 and costs, amounting to $13,000. The conviction was affirmed, on appeal, by the Pennsylvania Supreme Court (172 Pa. Super. Ct. 125 92A (2d) 431).

The Supreme Court of Pennsylvania held that the Smith Act of 1940—as amended in 1948—which prohibits the knowing advocacy of the overthrow of the Government of the United States by force and violence, supersedes the enforceability of the Pennsylvania Sedition Act. (377 Pa. 58; 104 A (2d) 133.)

By reason of the fact that many State attorneys general and other filed briefs, either pro or con, as amici curiae, certiorari was granted.

The principal question was whether a State might indict and punish when there is a Federal statute for a like offense. Does the Federal statute on a particular subject matter prevent a State from passing a valid and enforceable act? The Court ruled that the States were powerless to move to protect themselves against the Communist conspiracy because the Federal Government had preempted that right. Justice Reed, for himself and Justices Burton and Minton, dissented from the majority opinion, and said, in part:

It is quite apparent that since 1940 Congress has been keenly aware of the magnitude of the existing States legislation prescribing sedition. It may be validly assumed that in these circumstances this Court should not void State legislation without a clear mandate from Congress.

As a result of the Supreme Court decision in the Steve Nelson case, more than one State attorney general reported that they were compelled to turn loose numbers of Communists against whom action had been taken. Thus, the efforts of the Several States to cope with the conspiratorial efforts of the Communists within their jurisdiction were brought to naught.

The record is filled with evidence that the Supreme Court in recent years has indeed assumed the functions of a third legislative chamber, by voiding the traditional doctrine of States rights, assuming the powers of the Congress, and striking at the powers of the Federal Government to protect itself against the Communist conspiracy.

Mr. President, lawmaking is not the function of the judiciary. It is not by accident that the first sentence of the Constitution states:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

So there can be no doubt of the intent of the framers of the Constitution on this point, it is noteworthy that section 8 of article I of the Constitution declares:

The Congress shall have power * * * to make all laws which shall be necessary and proper for carrying into effect the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Mr. President, what could be plainer? The framers of the Constitution were making it abundantly clear for all time that the lawmaking powers were vested in the Congress, and that no inherent powers were reserved to the courts. Such powers as were given to the President were for the execution of the laws enacted by the Congress.

Mr. President, we are confronted with the proposition that the Supreme Court has been in the lawmaking business, and has been usurping legislative functions, under the guise of judicial construction. We have seen that no such grant of authority was intended or given to the Supreme Court by the Fathers of Our Country. If the Supreme Court is to have more power legally, wider jurisdiction, greater authority, then the basic laws of the country will have to be changed and the Constitution amended. There is established procedure for changing the Constitution, and the issue will have to be taken to the States, in the form of a proposed constitutional amendment. It has been well said that the States are more than municipal corporations. In fact, article IV of the Constitution sets forth a perpetual guaranty of sovereignty, in these words:

The United States shall guarantee to every State in this Union a republican form of government.

Mr. President, in these days we do well to bear in mind that the men who were delegates to the Constitution Convention of 1787 had just risked their lives, liberties, and fortunes in the Revolutionary War. They were determined to establish a government of laws, not of men, wherein the rights and liberties of all were to be protected under a constitutional system based on three separate branches of the Government: Executive, legislative, judicial.

In his classic treatment, "The Spirit of Laws," Montesquieu wrote: "(In a Republic rulers) govern by fixed and established laws; while a despot governs according to his will and caprices without laws and rules." Impressively, he wrote: "In despotic states there are no laws, and the judge is his own rule." By contrast, he said in free states "there is a law, and where it is precise, the judge follows it; where it is not he tries to discover its spirit."

Judges, no matter how elevated their tribunal, must not attempt to make new laws by their judicial construction. Jurists have no warranty to tear up the Constitution. Clearly, no matter how skillfully phrased, no matter how solicitous in pretensions for the general welfare, no decision or decisions of any justice or justices are sufficiently grounded in constitutional authority to make a new law.

To this challenge of Supreme Court "dictated" law, the Congress must rally. Judicial despotism is just as repugnant to free men as is tyranny in any other form. It is our task to preserve the constitutional system that was won for us by untold sacrifice, paid for in patriot's blood, and established under the guidance of the Almighty.

I ask unanimous consent to have printed in the RECORD at this point a part of a report made by former United States Senator Herbert R. O'Conor to the American Bar Association in England last July 25, dealing with the Communist conspiracy.

In his report, Senator O'Conor included 15 cases decided by the United States Supreme Court which "directly affect the right of the United States of America to protect itself from Communist subversion."

Although I have dealt in detail with several of the cases included in the O'Conor report, I am submitting the entire list of 15 as commented upon by Senator O'Conor in his report.

The PRESIDING OFFICER. Is there objection?

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

THE CLEAR AND PRESENT DANGER

Modern history is filled with the wrecks of republics which were destroyed from within by conspiracies masquerading as political parties. The nine justices of the Supreme Tribunal of Germany refused to see that the Nazis were a conspiracy against the very existence of the German Republic. The Kerensky government of Russia thought it could tolerate and coexist with the Communist conspirators. The Communists responded to this toleration by disbanding the Constituent Assembly at bayonet point and destroying the newborn Republic of Russia. The Republics of Czechoslovakia, Poland, and China tried valiantly to coexist with the Communist Party in their midst, but were unable to do so.

We are spending more to equip and defend ourselves and our allies from Communist aggression than we ever spent to stop Japanese aggression. The Japanese found it difficult to purloin our military secrets, but the Communists have stolen many of our military secrets, including vital details of the American atomic and hydrogen bombs which were known to the traitors, Dr. Klaus Fuchs and Dr. Bruno Pontecorvo.

The cynical cruelty with which the Kremlin crushed the Hungarian patriots and executed their leaders is proof by deeds that "the spirit of Geneva" was always a tactic and a sham. Likewise, the admission of Mao Tse-tung in his recently published Peking speech

of February 1956 that the Chinese Communists completed the liquidation of 800,000 persons between October 1949 and January 1954, and the report published June 15, 1957, by the Senate Internal Security Subcommittee that, in fact, more than 15 million persons have been executed in Red China since 1951 proved the fatuity of those who argue that Red China should be admitted into the family of nations and recognized by our Government.

The Communists have conquered large areas of the world according to a carefully enunciated plan. In 1903, Lenin established communism with 17 supporters. In 1917, the Communists conquered Russia with 40,000. In 1957, the Communists are in iron control of 900 million people. Their advance since the end of World War II has been especially tragic.

The Korean war proved that aggression does pay because it was followed by Soviet advances in Tibet, Indochina, and Hungary. After Soviet tanks rolled into Hungary the Communists succeeded by clever propaganda in electing their first government by forms of democratic processes—in the state of Kerala, in India. To the Communists "peaceful coexistence" means Communist conquest without war.

COMMUNIST OBJECTIVES

The greatest asset the Communists have at the present time is not the hydrogen bomb, certainly not Soviet satellites, but world ignorance of their tactics, strategy, and objectives. The biggest need today for the free peoples is an awareness of the menace of communism and the ability to isolate the Communist line so that whoever utters it may be detected. One speech from the mouth of an important American innocent can be worth a truckload of New York Daily Workers in advancing the international Communist conspiracy. The current Communist line includes the following:

1. Repeal or weaken the anti-Communist legislation on the books, especially the Smith Act, the Internal Security Act, and the Subversive Activities Control Act.

2. Discredit and hamper the Senate Internal Security Subcommittee, the House Un-American Activities Committee, and State officials investigating communism.

3. Weaken the effectiveness of the FBI and reveal its sources of information.

4. Destroy the Federal security system.

5. Recognize Red China and admit her to the United Nations.

6. Oppose the possibility of the United States breaking off diplomatic relations with Soviet Russia.

7. Enlarge East-West trade, especially in items of short supply behind the Iron Curtain.

8. Revive the idea that the Communist Party is just another political party.

9. Use the recent shakeup in the Kremlin as a guise to revive a "Communist peace offensive," just as a previous shakeup in the Kremlin brought about the spirit of Geneva.

AMERICAN CASES ARE CITED

In the last 15 months, the United States Supreme Court has decided 15 cases which directly affect the right of the United States of America to protect itself from Communist subversion.

1. *Communist Party* v. *Subversive Activities Control Board:* The Court refused to uphold or pass on the constitutionality of the Subversive Activities Control Act of 1950, and delayed the effectiveness of the act.

2. *Pennsylvania* v. *Steve Nelson:* The Court held that it was unlawful for Pennsylvania to prosecute a Pennsylvania Communist Party leader under the Pennsylvania Sedition Act, and indicated that the antisedition laws of 42 States and of Alaska and Hawaii cannot be enforced.

3. *Fourteen California Communists* v. *United States:* The Court reversed two Federal courts and ruled that teaching and advocating forcible overthrow of our Government, even "with evil intent," was not punishable under the Smith Act as long as it was "divorced from any effort to instigate action to that end," and ordered 5 Communist Party leaders freed and new trials for another 9.

4. *Cole* v. *Young:* The Court reversed two Federal courts and held that, although the Summary Suspension Act of 1950 gave the Federal Government the right to dismiss employees "in the interest of the national security of the United States," it was not in the interest of the national security to dismiss an employee who contributed funds and services to a not-disputed subversive organization, unless that employee was in a "sensitive position."

5. *Service* v. *Dulles:* The Court reversed two Federal courts which had refused to set aside the discharge of (John Stewart) Service by the State Department. The FBI had a recording of a conversation between Service and an editor of the pro-Communist magazine Amerasia, in the latter's hotel room in which Service spoke of military plans which were "very secret." Earlier the FBI had found large numbers of secret and confidential State Department documents in the Amerasia office. The lower courts had followed the McCarran amendment which gave the Secretary of State "absolute discretion" to discharge any employee "in the interests of the United States."

6. *Slochower* v. *Board of Education of New York:* The Court reversed the decisions of three New York courts and held it was unconstitutional to automatically discharge a teacher, in accordance with New York law, because he took the fifth amendment when asked about Communist activities. On petition for rehearing, the Court admitted that its opinion was in error in stating that Slochower was not aware that his claim of the fifth amendment would ipso facto result in his discharge; however, the Court denied rehearing.

7. *Sweezy* v. *New Hampshire:* The Court reversed the New Hampshire Supreme Court and held that the attorney of New Hampshire was without authority to question Professor Sweezy concerning a lecture and other suspected subversive activities.

8. *United States* v. *Witkovich:* The Court decided that, under the Immigration and Nationality Act of 1952, which provides that any alien against whom there is a final order of deportation shall "give information under oath as to his nationality, circumstances, habits, associations, and activities, and such other information, whether unrelated to the foregoing, as the Attorney General may deem fit and proper," the Attorney General did not have the risk to ask Witkovich: "Since the order of deportation was entered in your case on June 23, 1953, have you attended any meetings of the Communist Party of the U. S. A.?"

9. *Schware* v. *Board of Bar Examiners of New Mexico:* The Court reversed the decisions of the New Mexico Board of Bar Examiners and of the New Mexico Supreme Court which had said: "We believe one who has knowingly given his loyalties to the Communist Party for 6 or 7 years during a period of responsible adulthood is a person of questionable character." The Supreme Court substituted its judgment for that of New Mexico and ruled that "membership in the Communist Party during the 1930's cannot be said to raise substantial doubts about his present good moral character."

10. *Konigsberg* v. *State bar of California:* The Court reversed the decisions of the California Committee of Bar Examiners and of the California Supreme Court and held that it was unconstitutional to deny a license to practice law to an applicant who refused to answer this question put by the bar committee: "Mr. Konigsberg, are you a Communist?" and a series of similar questions.

11. *Jencks* v. *United States:* The Court reversed two Federal courts and held that Jencks, who was convicted of filing a false non-Communist affidavit, must be given the contents of all confidential reports which were made by any Government witness in the case, even though Jencks restricted his motions to a request for production of the reports to the trial judge for the judge's inspection and determination whether and to what extent it hinted the reports should be made available.

12. *Watkins* v. *United States:* The Court reversed the Federal district court and six judges of the Court of Appeals of the District of Columbia, and held that the House Un-American Activities Committee should not require a witness who admitted "I freely cooperated with the Communist Party" to name his Communist associates, even though the witness did not invoke the fifth amendment. The Court said: "We remain unenlightened as to the subject to which the questions asked petitioner were pertinent."

13. *Raley Stern and Brown* v. *Ohio:* The Court reversed the Ohio Supreme Court and lower courts and set aside the conviction of three men who had refused to answer questions about Communist activities put to them by the Ohio Un-American Activities Commission.

14. *Flaxner* v. *United States:* The Court reversed two Federal courts and set aside the conviction of Flaxner of contempt for refusing to produce records of alleged Communist activities subpenaed by the Senate Internal Security Subcommittee.

15. *Sacher* v. *United States.* The Court reversed two Federal courts and set aside the conviction of Sacher of contempt for refusing to tell the Senate Permanent Investigations Subcommittee whether he was or ever had been a Communist.

The Communist Daily Worker described the effect of these decisions as follows:

"The Court delivered a triple-barreled attack on (1) the Department of Justice and its Smith Act trials; (2) the free-wheeling Congressional inquisitions; and (3) the hateful loyalty-security program of the Executive. Monday, June 17, is already a historic landmark. * * * The curtain is closing on one of our worst periods."

CONGRESSIONAL INVESTIGATIONS

The Watkins case decided that it is not pertinent for a Congressional committee, established for the investigation of un-American activities, to ask a witness to give information concerning persons known to him to have been members of the Communist Party.

The courts have repeatedly said: "The power to legislate carries with it by necessary implication ample authority to obtain information needed in the rightful exercise of that power, and to employ compulsory process for that purpose."

Although the Congressional investigations into communism by the House Un-American Activities Committee (which was a particular target of the Watkins opinion) and the Senate Internal Security Subcommittee (which was ruled against in the subsequent decision of *U. S.* v. *Flaxner*) may be considered as primarily the information type of inquiry, they have resulted in a considerable quantity of legislation. This includes the Smith Act, the Subversive Activities Control Act of 1950, the Internal Security Act of 1950, certain sections of the McCarran-Walter Immigration Act, the Immunity Act of 1954, and considerable State legislation, such as the United States Supreme Court-approved New York Feinberg and Maryland Ober laws. Congressional investigations have also resulted in repeated attempts to legislate the Communist Party into an illegal status. The repeal or the weakening

of these anti-Communist laws and committees is in the forefront of the program of the Communist Party of the United States.

Until the Watkins case, the Court had long held that the information function of Congressional committees properly extends the scope of inquiries far beyond immediate legislative considerations. In a unanimous decision which was considered for more than 2 years before its pronouncement, the Supreme Court said:

"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."

Mr. HOBLITZELL. 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. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE RAILROAD RETIREMENT SYSTEM

Mr. SMATHERS. Mr. President, over the past several months the Subcommittee on Surface Transportation of the Committee on Interstate and Foreign Commerce has devoted almost all of its time to an intensive study of the railroad industry. The subcommittee concerned itself with every facet of the railroad problem and carefully considered the many suggestions made as to the action which should be taken to strengthen the railroad industry's position in the overall national transportation field.

In its deliberations, problems of corporate management and the financial structure of the railroads were carefully studied. The subcommittee was also concerned with the welfare of the railroad employees who have devoted their lives to this great industry. Without question, these employees have played a great role and have made an outstanding contribution to the economic development of our country.

One of the problems which was of great concern to the subcommittee was the alarming decrease in railroad employment and its impact on the railroad retirement system. In 1921, for example, more than 2 million people were gainfully employed in the railroad industry. Today only a little more than 800,000 employees are on the rolls. One can readily understand the impact of declining rail employment on the actuarial soundness of the railroad retirement system. At one time more employees were coming into the industry than were retiring. Today fewer employees making contributions to the fund places in jeopardy the benefit payments being made to those already on the retirement rolls. These are retirees who had every right to rely on the security which this fund would give to them in their declining years.

These elderly citizens, many of whom reside in my own State of Florida, are finding it increasingly difficult to maintain a decent standard of living on the retirement incomes which they are presently receiving due to the constantly rising costs of living. Facing a problem of losing these benefits would have disastrous consequences not only on these elderly citizens but on the economic life of the communities in which they live. Yet this is exactly what will happen if railroad employment continues on the decline.

It is essential, therefore, that the actuarial stability of the railroad retirement fund be assured. Additional income to this fund is necessary to accomplish this purpose. Promoting the economic health of the railroad industry is essential if the industry is to continue to support the fixed charges to the fund. The problem which exists is a serious one in which an early solution must be arrived at in the interest of restoring economic balance as recommended by the Comptroller General of the United States in his December 1956 report to the Congress on "Significant Financial Aspects of the Railroad Retirement Board."

There are presently pending before the Congress two pieces of proposed legislation which I feel merit serious consideration. I refer to S. 1313 pending before the Senate Labor and Public Welfare Committee, of which the distinguished senior Senator from Oregon is the author; and H. R. 5551, introduced by Representative McCARTHY, the very able and distinguished gentleman from Minnesota, and which is present pending before the House Ways and Means Committee.

Among other things, S. 1313 would provide more liberal benefits to our railroad retirees, while H. R. 5551 would permit active employees to exclude from taxable income taxes imposed upon them under the Social Security, Railroad Retirement and Civil Service Retirement Systems.

Some of the principles embodied in these two pieces of proposed legislation, in my opinion, have considerable merit and should receive the prompt, careful consideration of the Congress. I cannot urge too strongly that both of these proposals be considered with the utmost speed.

There is general agreement on the conclusion that the railroad industry plays a vital role in the national defense and general economic welfare of our country. It is essential in the public interest that the economic health of this great industry be maintained. This can only be achieved to a maximum degree by insuring adequate protection of its employees and instilling their confidence once again in the actuarial soundness of the railroad retirement system.

A CAMPAIGN TO QUICKEN THE ECONOMIC PULSE OF THE COUNTRY BY STIMULATING THE MODERNIZATION OF HOMES

Mr. KNOWLAND. Mr. President, we cannot and should not depend upon Government alone to meet the challenge of the recession. It requires the efforts of all our people.

Of the 50 million homes in America, almost half, or fully 25 million, are at least 30 years old. Ten million are 50 years old or older. The very age of these homes indicates a tremendous need for improvements of one sort or another. It is obvious that the modernization of these homes would in itself constitute a great stimulant to business. Remodeling of even 25 percent of these homes would put large numbers of men to work, put money in circulation, and quicken the economic pulse of the Nation.

I invite Senators' attention to the fact that an important group of our citizens has organized for the purpose of persuading householders not to defer much-needed modernization, but to proceed with it now, without further delay.

I refer to the campaign, "Renew the Heart of Your Home," sponsored by the plumbing-heating-cooling industry through the medium of the Plumbing-Heating-Cooling Information Bureau.

The bureau represents all segments of the industry—labor, retail sales (the plumbing and heating contractor), distribution, and manufacturing. There is in this campaign, therefore, a national joint effort of labor and management to help themselves by helping others to do those things which will increase property values, provide greater comfort, and create a more healthful environment. In order more effectively to call attention to the magic which can be achieved in our homes by modernization, the industry has designated May as Plumbing-Heating-Cooling Month.

This great industry, employing more than 1 million workers, is second to none in its contribution to modern living. Without the sanitation supplied by the plumbing industry, our great cities would be uninhabitable. It is this industry which brings to our homes safe, potable water, and removes the waste water in such a manner that the pure water supply is not contaminated.

Equally significant is the contribution of the heating and cooling industry in providing a healthful and comfortable environment wherever men and women live, work, play, or worship.

It is fitting and proper, therefore, that this industry should call attention to the importance of its products and services in American life and that this industry should endeavor to raise all homes to a higher standard of sanitation and year-round control of the indoor environment.

Specifically, the goals of the industry are these:

First, modernization and remodeling of residential properties through improved plumbing, heating, and cooling facilities.

Second, participation with Government agencies, industries, national trade associations, and other groups to promote the rehabilitation and modernization of neighborhoods and communities through home improvement.

Third, to call attention to the need for care and maintenance of new homes to prevent their deterioration.

Fourth, by timely improvements to halt the spread of blight in residential areas. These are commendable ambi-

tions and worthy of the support of all Americans.

I commend the officers and directors of the Plumbing-Heating-Cooling Information Bureau, sponsors of the campaign "Renew the Heart of Your Home—Plumbing-Heating-Cooling" and the members of the industry throughout the United States.

I compliment them on their enterprise in organizing a joint effort which cannot help but result in stimulation of employment at all levels.

The President of the Plumbing-Heating-Cooling Information Bureau is William A. Landers, Oklahoma City, Okla.

The vice president is William A. Fitzpatrick, Dayton, Ohio.

The treasurer is Victor J. Killian, Winnetka, Ill.

The members of the board of directors of the Plumbing-Heating-Cooling Information Bureau include the following:

Stanley S. Backner, executive vice president, Universal-Rundle Corp., New Castle, Pa.

Paul B. Baird, manager, Standard Pipe Sales, Youngstown Sheet & Tube Co., Youngstown, Ohio.

Loren Bonnett, general sales manager, Eljer Co. Division of the Murray Corporation of America, Three Gateway Center, Pittsburgh, Pa.

John S. Booth, president, Irving D. Booth, Inc., 620 William Street, Elmira, N. Y.

Earl E. Brown, president, The Chicago Faucet Co., 2700 North Crawford, Chicago, Ill.

R. M. Candee, staff manager, Dealer Sales, Johns-Manville Corp., 22 East 40th Street, New York, N. Y.

Wm. T. Dodd, executive vice president, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, 901 Massachusetts Avenue NW., Washington, D. C.

John M. Dumser, director of sales, Wolverine Tube Division, Calumet & Hecla, Inc., 17200 Southfield Road, Allen Park, Mich.

Wm. A. Fitzpatrick, general manager, M. J. Gibbons Supply Co., 601–631 East Monument Avenue, Dayton, Ohio.

P. J. Faherty, Buffalo Pipe & Foundry Corp., 136 North Union Street, Lambertville, N. J.

T. B. Focke, president, National-United States Radiator Corp., 221 Central Avenue, Johnstown, Pa.

Earl J. Gossett, chairman of board, Bell & Gossett Co., Morton Grove, Ill.

J. Milton Hagler, president, Tay-Holbrook Co., Inc., 165 Eighth Street, San Francisco, Calif.

Wilbur S. Hokom, president, A. A. Hokom Co., 400 North Beverly Drive, Beverly Hills, Calif.

Peter Keenan, president, Keenan Pipe & Supply Co., 2112 East 27th Street, Los Angeles, Calif.

Victor J. Killian, president, V. J. Killian Co., 933 Linden Avenue, Winnetka, Ill.

Herman Krakower, Plumbing Supply Co., Inc., Post Office Box 1282, Houston, Tex.

John M. Kohler, vice president, Kohler Co., Kohler, Wis.

W. A. Landers, president, W. A. Landers Co., 36 Northeast 28th Street, Oklahoma City, Okla.

E. B. Lent, president, Lent's Inc., 279 Fourth Street, Bremerton, Wash.

Warren A. Logelin, director public relations, Crane Co., 836 South Michigan Avenue, Chicago, Ill.

William Morris, executive vice president, Briggs Manufacturing Co., 6600 East 15 Mile Road, Warren, Mich.

Lawrence N. Peterson, president, L. N. Peterson Plumbing & Heating, Gloucester, Mass.

Robert J. Pierson, Jr., national sales manager, Home Products Division Rheem Manufacturing Co., 7600 South Kedzie Avenue, Chicago, Ill.

John M. Rhoades, president, J. M. Rhoades Co., 347 South Pineapple Avenue, Saratoga, Fla.

G. H. Roney, Dishwasher and Disposer Section, General Electric Co., Appliance Park, Louisville, Ky.

John E. Sommers, executive vice president, Noland Co., Inc., Post Office Box 974, Newport News, Va.

Howard L. Spindler, vice president public relations, American Radiator & Standard Sanitary Corp., 40 West 40th Street, New York, N. Y.

Joseph H. Spitzley, R. L. Spitzley Heating Co., 1200 West Fort Street, Detroit, Mich.

Morris Stein, president, Torrington Supply Co., Inc., 125 Maple Street, Waterbury, Conn.

Roy L. Stewart, Sr., vice president, Stockham Valves & Fittings, Box 2592, Birmingham, Ala.

Charles W. Thompson, president, Tallman Co., 6435 Maple Avenue, St. Louis, Mo.

Horace E. Wetzell, president, The Smith & Oby Co., 6107 Carnegie Avenue, Cleveland, Ohio.

Throughout the United States there have been organized active local committees to implement the national campaign. It is for these local committees as well as for the national campaign that I respectfully urge the fullest support of our citizens, of Government officials, and of the Nation's press, radio, television, and magazines.

It is hoped that officials in every town and city throughout America will cooperate in the commendable efforts being made in this field.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 86), congratulating the State of Minnesota upon the occasion of the centennial of its admission into the Union.

ADJOURNMENT TO MONDAY

Mr. SMATHERS. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 29 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Monday, May 5, 1958, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 1, 1958:

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law:

To be first lieutenants

Abel, Billy J., O72432.
Ackiss, Ernest L., Jr., O72433.
Adams, Robert B., O72565.
Adams, Tom, Jr., O72669.
Akin, Havis D., O72808.
Albers, James J., O72670.
Albrecht, Nelson O., O72566.
Albright, John E., Jr., O72567.
Ameel, Joseph B., O72810.
Anderson, James J., O72435.
Andre, Peter C., O72436.
Ashe, Oliver R., O72815.
Ashey, Clarence D., Jr., O73017.
Ayotte, Ronald J., O73122.
Bales, Donald G., O75142.
Barrett, Gilbert J., O72816.
Barry, Raymond D., O72573.
Basten, Lawrence E., O72438.
Beach, Edmund J., O72818.
Beisman, James J., O73125.
Bell, Charles H., O72677.
Benacquista, John J., O72575.
Bennett, Donald P., O74964.
Benoski, Joseph, Jr., O72440.
Bentley, Thomas N., O73021.
Berry, Fred C., Jr., O72323.
Blackham, Daryl K., O73128.
Bookout, Jerry P., O72824.
Boyer, Henry, Jr., O73022.
Brooks, George W., O72681.
Brooks, William C., Jr., O78243.
Brown, Arnold K., Jr., O77285.
Brown, Joseph G., O72580.
Brutscher, Baldwin L., O72444.
Buchanan, Paul J., O77289.
Burkett, Seth W., O72685.
Bush, Robert C., O72447.
Byrne, John M., O73136.
Byrnes, Graham F., O72451.
Callaway, Charles P., O77299.
Carlisle, Alan R., O72686.
Carnes, Julian H., Jr., O72687.
Carrington, Hugh C., O72582.
Carroll, George F., Jr., O77309.
Cashwell, James E., Jr., O73137.
Caster, Robert W., O72689.
Casto, Philip C., O72690.
Chamberlain, Charles M., O72583.
Chillcott, Dewey A., Jr., O77315.
Clements, Philip J., 2d, O72584.
Cluxton, Donald E., Jr., O72453.
Cohen, Sydney G., O72846.
Collier, Gary D., O72847.
Cooksey, David O., O72585.
Costello, Charles J., O72848.
Count, Elmer E., O72849.
Cowan, Robert E., O78267.
Crawford, Theodore A., O72694.
Dambrauskas, Vincent, O72459.
Daves, Phillip E., O72852.
Day, Edward A., Jr., O72461.
Delahunty, Thomas C., O72853.
Demick, Harold B., Jr., O72586.
Dirmeyer, Robert P., O77361.
Dismukes, James R., O77362.
Dister, Arthur C., Jr., O73092.
Dodd, Calvin G., O72856.
Dorough, Philip E., O72700.
Draper, Edwin L., O72858.
Durant, John J., O78289.
Durkin, Michael J., O72467.
Dutton, Howard M., O73029.
Elliott, Harlen O., O78292.
Finkle, Rodney T., O72591.
Fiora, Edward F., Jr., O78300.
Frazier, Kenneth M., O72708.
Freeman, Donald, J., O72709.
Freshley, Robert L., O78308.
Gable, John P., O72472.
Gallier, Gary L., O72473.
Gange, William B., O72875.
Garcia, Heriberto A., O78314.
Garrison, Melvyn V., O72710.
Glasson, Robert P., O73033.
Goldsberry, Verne W., O72475.
Gomes, Lloyd E., O72713.
Gould, Frank O., O72717.
Grabiak, Richard W., O72718.
Gray, Donald A., O77416.
Gudger, Robert M., O72885.
Gugel, Donald N., O77419.
Gunning, Edward G., O72721.
Gunsell, Richard M., O77420.
Halliburton, John R., O73153.
Harper, Henry H., O78339.

Harvey, Richard W., O72599.
Hay, James R., O78345.
Hazelip, Albert C., Jr., O72726.
Heinsoo, Heino, O77437.
Heiss, John L., 3d, O77438.
Hereld, Gerald P., O72601.
Herzog, David E., O72482.
Hess, John P., O72898.
Heyde, Jay A., O72730.
Hill, James R., O72483.
Hill, Vernon B., Jr., O72731.
Hodgson, William E., Jr., O72484.
Hoffpauir, Wray G., Jr., O72603.
Hoglan, Curtis F., O77453.
Hollowell, Emmett P., Jr., O72735.
Howell, Thomas R., O72736.
Hudman, George D., O72737.
Huff, Richard A., O77466.
Huff, Roy P., Jr., O72903.
Huskey, James E., O72494.
Hutchinson, Hugh F., Jr., O72738.
Islin, John A., O77475.
Joyce, Cecil L., O78373.
Kaufman, Gerald G., O72497.
Keenan, George E., O78387.
Kelley, Donald R., O73160.
Kelly, Donald E., O72610.
Kelly, Thomas L., O77500.
Kepler, Roger T., O72611.
Kierman, Leonard A., Jr., O72614.
Kilgallen, John E., O78385.
Knight, John K., O72745.
Korywchak, Frank, O72500.
Krane, Robert A., O72501.
Kyle, Norman R., O77516.
Labinski, Raymond J., Jr., O72747.
Labonge, Carl A., Jr., O73163.
Large, Ulysses S., Jr., O77520.
Lascola, Harry R., O72914.
Lawson, Warren G., O72503.
Levine, Seymour, O72750.
Lewis, Henry J., O72619.
Lilje, Donald H., O72918.
Lillich, Edward R., O72919.
Link, Thomas H., O72751.
Littlejohn, Roy, O72752.
Longacre, David H., O72753.
Love, James R., O72754.
Lozar, Alfred J., O72505.
Maccini, Francis L., O72621.
Macedonia, Raymond M., O72925.
MacPhail, William, Jr., O72756.
Mahaffey, Fred K., O72926.
Mait, Martin B., O77553.
Manning, Robert L., O72509.
Manzo, John M., O77555.
Marino, Andrew S., O72930.
Marlow, James W., O72510.
Marsh, Russell L., Jr., O78415.
Martin, Thurman O'N., O72758.
Masters, Robert D., O72760.
McGar, Robert D., O78424.
McGowan, Garrett E., O72515.
McKay, Gerald E., O72938.
McKellips, John L., O77573.
McMaster, Ronald R., O72516.
McNelis, David N., O78428.
Medley, George W., O72518.
Miller, Charles H., O73108.
Miller, Robert A., O72524.
Mixan, Edgar J., O73218.
Monteith, Gerald E., O77585.
Morris, Cornelius J., O72627.
Morris, Glenn S., O72766.
Morris, Richard A., O72628.
Muckenhirn, Charles F., O72949.
Murphy, Jerry C., O72527.
Murphy, John J., Jr., O73050.
Murray, Roland N., Jr., O72953.
Myer, Gerald J., O78434.
Myrick, Howard A., Jr., O78452.
Neal, Jerome B., O72528.
Newman, Frank R., O72629.
Nugent, Frank J., Jr., O73051.
Olchovik, Stanley, O74023.
Oliver, Mahatha M., O77610.
Openshaw, James A., Jr., O72530.
Osborne, Walton H., 3d, O72532.
O'Shaughnessy, James P., O72633
Owen, David T., O72770.
Payne, Robert W., O72535.
Pemberton, Thomas G., O72636.
Perry, Earl E., O72536.
Pfaff, Robert A., O72537.
Plugge, Donald W., O72540.
Poarch, Henry H., Jr., O72775.
Pohly, Glenn W., O72639.
Polak, Alexander P., O72966.
Priore, Fortunato R., O72971.
Pugh, George M., O77632.
Pybus, Fred R., 3d, O77634.
Quest, Joseph W., O77635.
Radford, James T., O73113.
Ramsey, John D., O72778.
Ramsey, Roger R., O72541.
Redd, Gail R., O72542.
Reed, Paul R., O72973.
Richardson, George A., Jr., O72974.
Richardson, William T., O77649.
Rinedollar, John D., O72977.
Robbins, Edwin E., Jr., O72781.
Roby, Robert L., O72783.
Rodina, Stanley L., O73186.
Rofrano, Paul P., Jr., O73187.
Rohland, Robert G., O72642.
Ropp, Richard F., O77657.
Roster, Nicholas J., O72545.
Rutkowski, Richard A., O72644.
Sagramoso, Daniel E., O73189.
Schaub, Arthur J., Jr., O72645.
Schelton, Carlton L., O72983.
Schmitz, Robert P., O77673.
Scott, Douglas W., O72548.
Seelinger, John A., O72785.
Shannon, John W., O72648.
Shippers, Ernon L., O72549.
Shockley, Henry A., O72786.
Sieminski, Edmund J., O72787.
Simpson, Robert W., O73193.
Sinclair, Waldo G., Jr., O72788.
Sinclaire, John, Jr., O78505.
Singletary, Ben B., O73194.
Smiley, Ronald H., O72790.
Smith, Edward P., O72653.
Smith, Richard L., O73197.
Smith, Robert G., O72550.
Snow, James A., O72791.
Staples, William B., O73080.
Stevens, Edward A., Jr., O72655.
Stroup, Glenn A., O77714.
Tanner, Walter D., O72795.
Taylor, Joseph W., O77724.
Taylor, William J., Jr., O78522.
Thompson, Douglas F., O72554.
Thompson, Robert S., O77733.
Tomberg, Ralph T., O78526.
Trigg, Jasper A., O73001.
Twilley, Leroy G., O73225.
Tyler, Thomas H., O77745.
VanGiesen, Robert E., O72557.
Walter, John S., O77761.
Ward, Thomas J., O73005.
Ware, Gilbert, O72802.
Waterman, Stephen, 3d, O73006.
Wegley, Frederick L., Jr., O73008.
Wemmering, Fred A., Jr., O72804.
Williams, Bruce H., O72561.
Williams, Thomas L., Jr., O78551.
Winne, Ross W., Jr., O73012.
Woliver, Clarence H., Jr., O77789.
Young, Gregor T., 3d., O78561.

To be first lieutenants, Medical Service Corps

Bass, Bobbie R., O73019.
Beach, Douglas J., O76819.
Dowery, Gordon K., O72701.
Early, Ralph T., O72468.
Erickson, Duane G., O75352.
Hahn, Jerry D., O76825.
Heinz, Robert F., Jr., O72481.
Lange, John H., O72912.
Van Straten, James G., O72558.

To be first lieutenant, Army Medical Specialist Corps

Olson, Marilyn C., R10169.

The following-named officers for appointment in the Medical Service Corps, Regular Army of the United States, in the grades specified under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be lieutenant colonels

Cooley, George Morgan, O397504.
Morrow, Frank William, O337174.
Nagy, Ernest Adam, O321096.
Stillman, Frank Edwin, Jr., O324988.

To be majors

Butchkosky, John, O1001744.
Carr, Martin James, O2048244.
Madden, James Peerman, O1010623.
Newton, Arthur, O1543200.
Youngs, Edward Roy, O454989.

To be captains

Kaufman, Paul Isaiah, O1541461.
Kotchin, Stanley Paul, O1545916.
Maes, Henry Edward, O1583396.
Meads, William Jewett, O417323.

To be second lieutenants

Baxter, John Richard, O4059949.
Bissell, Donald Frederick, O4076438.
Daugherty, John Michael, O4071907.
Potin, James Bernard, O4048176.
See, Donald Harlan, O4027039.
Stubblefield, James Bert, Jr., O4071326.

The following-named officers for appointment in the Regular Army of the United States in the grades specified, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be lieutenant colonels

Buntyn, James Russell, O304712.
Carn, Robert Marion, O290265.
DeFrees, Lindsay Junius, O304233.
Drennon, Clarence Bartow, Jr., O285618.
Kemp, Roger Winfred, O324061.
Lockhart, Julian McMurry, O306661.
Matteson, Victor Edward, O307105.
Pettin, Charles Francis, O338355.
Powers, James William, O341842.
Price, John Weldon, O337686.
Taylor, Kenneth Guy, O316732.
Wright, William Perry, O326313.

To be majors

Adamson, Kenneth Edward, O334902.
Anderson, Richard Henry, O361954.
Arvin, Charles Robert, O351611.
Bigley, Frank, O416723.
Bondurant, Joseph Ray, O323867.
Brubaker, Jack Harold, O340839.
Byrne, Robert Joseph, Jr., O372375.
Fox, Richard Arnold, O1045431.
Hazam, Mitchell James, O446951.
Hodgson, John Andrew, O350516.
O'Connor, Edward Francis, O419529.
Rackham, Karl Mortimer, O414317.
Shambaugh, Wilson Roger, O1286017.
Shupe, Joseph Bernard, O384748.
Taylor, Leonard Burbank, O362926.
Wade, William Durand, O1165096.
Wells, Howard Borden, O385713.

To be captains

Barnes, George Gordon, O531820.
Bennett, Paul Martin, O519353.
Dierauf, Frank, Jr., O1060071.
Doherty, Philip Arnold, O1167809.
Feild, Terry Trimble, O453560.
Freeman, Arthur Lewis, O1120189.
Gaines, Melvin Rudolph, O1333200.
Gee, William Ralph, O1913456.
Gross, Earl Russell, O1170397.
Halligan, Arthur James, O1183870.
Hendry, James Benjamin, O2037984.
Ivey, Ashley, O1319212.
Jackson, Robert Hutchinson, O1634005.
Leddon, John William, Jr., O1648355.
Marcum, Robert Dale, O1018920.
Marden, Martin, O1320146.
Masterson, Joseph H., O1924620.
Miles, Francis Charles, O1341812.
Mohr, Phillip Joe, O2051516.
Morgan, David Cameron, O1302505.
Morley, Harrison Andrew, Jr., O2035963.
Munnelly, John Edward, O1688720.
Painter, Maurice, O1797699.
Peck, James Newton, O503805.

Post, Jack Harlan, O468857.
Proudfoot, George Francis, O1291003.
Rarick, David, O1120428.
Reece, Donald Phillips, O425009.
Rogers, William Bradley, O534187.
Schmid, William Kenneth, O455364.
Starnes, Carl Stanley, O948451.
Suechika, Ben, O935258.
Toole, Charles Edward, O1688646.

To be first lieutenants

Collins, Lonnie Lee, O4040296.
Glover, Alfred P., O4012170.
Graham, James Ralph, O2003829.
Graham, Jones Raymond, O2003830.
Hosford, Jerry Neal, O1890415.
Junot, Arthur Joseph, O2021122.
Markis, George Euthymios Gust, O4004935.
Miller, John Philip, O2021845.
Obermire, John Paul, O4017565.
Shallcross, George Whitaker, O973904.
Silvanic, George, O2268699.
Walker, Theodore Hughes, O1883719.

To be second lieutenants

Barrett, Jonathan Reed, 3d, O4063072.
Brown, Bernard Gurston, O4048227.
Bryant, James Carlisle, O4075380.
Buel, Charles Joseph, O4060111.
Burbery, John William, Jr., O4019643.
Burgoon, Kenneth LeRoy, O4057613.
Cahill, Thomas Aloysius, O4059872.
Campbell, Charles Burnett, O4076565.
Cleaver, George Alpheus, Jr., O4070153.
Cleveland, Arne Richard, O4077225.
Connell, Jerry Lee, O4071397.
Coughlin, James Lyons, O4066246.
Dilyard, Rex Emmet, O4061958.
Di Ruzza, Santi, O4052421.
Forgey, James Dudley, O4061649.
Freitas, Louis Hartwell, O4078095.
Fritz, Richard Louis, O4076246.
Garner, John Joel, Jr., O4049454.
Gessner, Stephen George, O4064593.
Hilmo, Orin Robert, O4046922.
Kysar, Alverado Franklin, Jr., O2272166.
Marmor, John William, O4049010.
Mattison, Charles Harrison, O1937914.
McGoff, Leo Francis, Jr., O1926169.
Parr, Ivan Walter, 3d, O4075659.
Reck, Max Vernon, O4060104.
Rembecki, Edward Xavier, O4047450.
Scott, John Robert, O1927497.
Skahan, Michael Neil, O4061853.
Snow, William Zaidee, O4033637.
Sparks, Donald Eugene, O4045661.
Toler, William King, O4047877.
Wagner, Stanley Gene, O4060802.
Watson, James Horace, O4062956.
Wilder, Allen Stanton, Jr., O4070416.

The following-named officers for appointment as chaplain in the Regular Army of the United States, in the grades specified, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Read, Charles Edgar, O346925.

To be captains

Cronin, Edward Thomas, O2269693.
Ketchersid, Corbin William, O979868.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, section 3291, as amended by Public Law 85–155, 85th Congress; title 10, United States Code, section 3294, as amended by Public Law 497, 84th Congress:

To be captains

Bowman, Betty O., ANC, N805645.
Elkins, John T., Jr., MC, O996645.
Goldsmith, Dorothy, ANC, N730912.
Hampson, Floyd F., Jr., DC, O4028267.
Hughes, Margaret E., ANC, N761108.
McCaleb, Lois M., ANC, N776333.
Neacy, Mary A., AMSC, R2500.
O'Brien, Mary R., ANC, N721206.
Painter, Mary E., ANC, N783337.
Wright, Helen E., ANC, N751250.

To be first lieutenants

Alexander, James S., MC, O2283945.
Bench, James D., DC, O2289781.
Berghorn, Bronson M., MC.
Berman, Donald A., MC, O2284670.
Bowser, Barry L., MC.
Duback, Richard T., MC, O2283881.
Farrington, John K., MC, O2284244.
Fike, Robert H., MC, O2284739.
Gentilcore, Gloria E., ANC, N901668.
Guss, Sheldon, MC.
Helfrich, Richard B., MC, O2288861.
Hendrix, Vernon J., MC.
Hoch, Margaret C., ANC, N804897.
Hunter, Ripley H., Jr., MC, O2284573.
Intile, Joseph A., Jr., MC, O4015609.
Johnson, Egon V., MC, O2284914.
Lee, Carolyn M., ANC, N901951.
Lipscomb, Charles R., MC, O2288850.
Lundberg, George D., Jr., MC, O2283911.
Scragg, William H., Jr., MC, O2284420.
Snyder, Richard J., MC, O2284563.

The following-named officer for appointment, by transfer, in the Medical Service Corps, Regular Army of the United States, in the grade of first lieutenant:

McKenney, William R., O70854.

The following-named cadets, United States Military Academy, for appointment in the Regular Army of the United States, effective June 4, 1958, upon their graduation, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

Philip William Ackerman
Ronald Kessinger Andreson
Stanley Bacon, Jr.
Peter Frederic Bahnsen 3d
Clark Jonathan Bailey 2d
Robert Eugene Baker
Vincent Barta
Richard Elmer Bauchspies
Anthony George Bauer
Hugh Albert Bauer
Ronald Lawrence Bellows
Adam Benjamin, Jr.
Robert Albert Bethmann
Jerry Wortham Betts
Paul Martin Bons
Arthur Guy Bottinger
David Warren Bourland
Frank Sayles Bowen 3d
John Hilton Bradley
Jack O'Brien Bradshaw
Joseph William Brandl
John Farmer Brinson, Jr.
Clarke McCurdy Brintnall
Daniel Pleasant Brockwell, Jr.
Dan Allan Brookhart
James Raymond Brooks, Jr.
Clyde Orville Brown, Jr.
Frank McCarthy Brown 3d
Glenn Allison Brown
Joseph Kevin Brown
Ronald Shelton Brunner
Dennis Russell Bruzina
John Charles Buchanan
William Saunders Buchly
Glenn LaMar Bugay
Lawrence Hoover Bullis
Robert Monroe Bunker
Edward Joseph Burke, Jr.
John Carlson Burke
Jerry Lee Burton
Peter Charles Byrne
Thomas Francis Cameron
Gerald Carl Capelle
Thomas Edgar Carpenter 3d
John Ward Carson
Robert Oliver Case
James Cameron Castle
Troy Dawson Chappell
Daniel Patterson Charlton
Paul Frederic Ciasullo
William Cibosky
Alan Brian Claflin
Robert Earl Clark, Jr.
David Arthur Clarke
William Phillips Clary, Jr.
Robert Maurice Clewell
Dale Sherwood Cockle
Raymond Isaac Coffey
Ronald Thomas Coleman
Willis Clare Collett, Jr.
Samuel Pickens Collins, Jr.
Terence Jurdan Connell
Nelson Owen Conner, Jr.
Cline Gerald Cook
William Troy Cooper, Jr.
David George Coury
Bo Franklyn Craddock
John Donald Crandall
Ben G. Crosby, Jr.
Nathan Harold Crow
Robert Edward D'Amore
John Michael Daley
Bernard Michael Davall
James Monteville Davis, Jr.
Joseph Mortimer Davis
Wayne David Day
Edward Vincent DeBoeser, Jr.
Joseph Mitchell DeChant
Donald Arthur DeJardin
John Richard Deely
Robert Degen
Charles Francis Densford, Jr.
William Alonzo Denson
David Ernest Depew
Douglass Stengrim Detlie
John Wellington Devens
Robert Allen Dey
Philip Victor DiMauro
Joseph Martin DiTommaso
Edwin Nelson Dodd, Jr.
Claude Belmont Donovan 3d
Robert Thomas Donovan
Edward Jackson Downing, Jr.
Melville Anson Drisko, Jr.
Stanley Edward Dus
John Mark Dykes
Michael Frederick Easley
William Augustus Edwards 3d
John Herbert Eliot
James Elmer Emmons, Jr.
John Garrettson Evans
Joseph Anthony Evans
Roy Tripp Evans 3d
Barry Phillip Eveleth
William Lafayette Fagg, Jr.
Gennaro John Faiola
Lorin Ballantyne Farr, Jr.
Melvin Howard Farrar
Claude Emmanuel Fernandez, Jr.
Robert Griffith Finkenaur, Jr.
Eugene Allen Fisher
Thomas Arthur Forman
Donald Miles Forney
Thomas Anthony Forster
Robert Roy Foster
William Wilkinson Foulkes 3d
Richard Gale Franklin
Francis John Franks
James Albert Frick
Robert Phillip Gall
William Guy Ganey
Richard Daniel Garlick
Richard Walter Gell
Louis Basil Gennaro
John David George, Jr.
Bill Cosmos Giallourakis
Leslie George Gibbings
William Percy Gillette 3d
Robert William Giuliano
Charles Williamson Glover, Jr.
James Allen Godbey
Victor John Gongola
Fred Wesley Goodenough, Jr.
Gordon Lee Goodman
Henry John Gordon
William Saunders Graf
Gary Perkins Graves
Richard Gordon Graves
Turner D. Griffin, Jr.
Rupert Edwin Grimm
Peter Jon Groh
Richard Newland Groves, Jr.
Norman Lee Gustitis
Edward Gordon Hale, Jr.
Fred Wesley Hall, Jr.
George Morgan Hall, Jr.
Harrell Glenn Hall, Jr.
James Balmer Hall

Bruce McClung Hamilton
James Harvey Hankee
Frank Michael Harlem, Jr.
William Lucas Harry
Thomas Henry Harvey, Jr.
Robert Michael Hattler
Paul William Haushill
LeRoy Robert Hayden, Jr.
Ashton Miller Haynes, Jr.
Kermit Mandes Henninger
Theodore Warren Hepner
Kenneth Stephen Herberger
John Daniel Herren
Peter Darcey Hidalgo
Robert Martin Higgins
John Rimmer Hill, Jr.
Orland Kitchell Hill
Richard Makoto Hirata
Walter Andrew Hitchcock, Jr.
John Francis Holecek
Terence Howard
Dale Eugene Hruby
Harry Jenkins Hubbard III
Ronald Ernest Hudson
George Clinton Huff
Norbert Alfred Hulsman
Robert Lincoln Hultzen
Larry Howard Hunt
Robert Ray Huskinson
George Ellery Hussey
Heyward Groverman Hutson
Paul Churchill Hutton III
John Louis Isaacson
Strube Jennings Jackson
Harvey Raymond Jahn, Jr.
Edward Joseph Jasaitis
Daryl George Jaschen
Homer Bentley Jenkins III
Bradley Jerome Johnson
Donald Wright Johnson
Herbert Richard Johnson
Hugh Paul Johnson
Alexander Johnston 3d
James Howard Jones
Lincoln Jones 3d
Robert Harry Julian
Joseph Jacob Katz
Thomas Joseph Kelly
James Joseph Kernan
Joseph Douglas Keyes
Mahlon Kirk
Martin Larry Kirkegaard
Roy Spencer Kirkpatrick
Richard Dean Kittelson
Paul Leonard Julius Klempnow
Richard Stanley Kloskowski
Gary Lee Kosmider
Brian Louis Koster
Harry Ray Kramp, Jr.
Frederick Walter Kulik
Leonard Joseph Kusek
David Schirmer Kyle
Kenneth Ervin Lager
George Newton Lancaster
Glenn Allan Lane
John Richard Larson
George Carr Lawton
Charles Elwood LeMere
Zigmont Jody LeTowt 3d
Julian John Levasseur, Jr.
Jerome Carter Lewis
Robert Edmund Lindquist
John Wesley Loffert
Kenneth Arthur Lohr
Thomas Crawford Looney
David Stuart Loughborough, Jr.
Joseph Charles Luman, Jr.
Joseph Anthony Lupi
Richard Thomas Lynch
John Howard Lynne
Harold Clifford Lyon, Jr.
Albert Douglas MacLeod
Arthur Frederick Mace
John Joseph Madigan 3d
Michael David Mahler
Paul Makowski
Thomas Peter Maliska
Lawrence Michael Malone
Duff Gerard Manges 3d
John Paul Manos
Willie Jon Marshall
Cary William Martin
Don Martin, Jr.
Alfred Rex Mason
Thomas Montgomery Mason
Billy Frank Mathews
Robert Neil Mathis
Robert James Matsumoto
Edward Whitehouse Matthews
Stanley Arthur Maxson, Jr.
Jack Campbell May
Frederick Flood Mayer
William James McCaffrey
James Wayne McCauley, Jr.
Leonard Raymond McCormack
Palmer McGrew
William Timothy McLean
James Patrick Mellin
Robert Arthur Melott
Will Garrison Merrill, Jr.
George Robert Michael
Bruce Philip Mignano
Frank William Miles
Charles Anthony Miller
Milton Lee Miller
Robert Hassler Miller
William Ray Miller
Peter Edward Millspaugh
Gerald Clarence Mitchell, Jr.
Dwain Thate Moentmann
Kenneth Harold Montgomery
Charles Sargent Moore
Olin Joel Moore
Robert James Moore
Hugh Whitford Morgan
James Bruce Morgan
Thomas Drexel Morgan
John William Morrison
Robert Gardner Moscatelli
William Ignatius Murphy
Samuel Leslie Myers, Jr.
Ramon Antonio Nadal 2d
Anthony Paul Nardi
Ola Robert Nelson
David Frank Nidever
John Anthony Nowak
Frederick Lewis Nuffer, Jr.
John Bert Nun
Gerald Leroy O'Barr
Garland Deloid O'Quinn, Jr.
Dick Shaw Oberg
Karl E. Oelke
Edwin Irwin Ofgant, Jr.
Ronald Claude Olson
Roderic Edward Ordway
Thomas Linwood Orr
Charles Herbert Oxrieder
Bruce Stevens Packard
Joseph Albert Paes
Donald Joseph Palladino
John Lee Palmer
William Leo Parker
William Robinson Parks
William David Parsons
Garth Hayden Payne, Jr.
Max Galen Pearsall
James Wyatt Peck
Millard Leroy Pedersen
Benjamin John Pellegrini
Peter Austin Penczer
Alexander Julius Pensiero
Lawrence Francis Perreault
John William Peters
Walter Max Plaue
Robert William Pointer, Jr.
Davies Reed Powers
Karl Frank Prunitsch
Philip Alan Pryor
Herbert Charles Puscheck
James Harrison Ramsden
John Sylvester Rave
John Allen Raymond
Zane Kyle Rector
Loren Douglas Reid
Richard Francis Reidy, Jr.
John Francis Reilly
Richard Lamar Reynard
William Miles Reynolds
Robert Gardner Rhodes
Raymond Branch Riggan, Jr.
Michael William Riordan, Jr.
Donald James Roberts
Cloin Gentry Robertson
George Rogers Robertson
Kelly Edward Robinson
Louis Brand Rodenberg, Jr.
John Harrison Roe, Jr.
Garret Garrison Roosma
William Arnoux Roosma
Dennis August Rupprecht
Crosbie Edgerton Saint
Alan Blanchard Salisbury
John Bernard Sampson
Thomas Allen Sands
Eugene Johnson Scales
John Albert Schaffer
John Wilburn Schneider, Jr.
Paul Thomas Schonberger
Richard Christopher Schonberger
Gerald Paul Schurtz
Joseph Henry Schwar, Jr.
Douglass Alfred Sedgwick
James Edward Seltzer
William Edward Serchak
John Oscar Bagot Sewall
Joseph August Shea
Harry Lee Shedd, Jr.
William John Shepard 2d
William Arthur Shepherd
John David Shetler
John Henry Shimerda
Ronnie Dean Short
Cecil Lynn Shrader
Larry Lee Shull
Peter Shunk
George Warren Sibert
James Martin Sigler
Mariusz Stefan Sigurski
Richard Alwin Simmers
Anthony Alan Smith
Richard Lee Smith
Theodore Frank Smith
Thomas Keith Smith
Floyd Brown Spencer, Jr.
Lon Arnold Spurlock 2d
James Dunworth Stanton
Curtis Rudolph Stender
Thomas Edward Stevens, Jr.
Vernard McComb Stilson, Jr.
John Burton Stone
Frederick G. Stritzinger 5th
Carl White Sullinger
John Reynolds Sutherland, Jr.
David Willits Swanson
Robert Waldemar Tallgren
Charles Edwin Teeter, Jr.
Otto Joseph Thamasett
Jude Joseph Theibert
Richard Earle Thomas
Thomas Morris Thompson, Jr.
James Noble Tilley, Jr.
Joseph Conrad Tirre, Jr.
Charles Nelson Toftoy
Raymond Forrest Rogers Tomlinson
Richard Francis Trabert
Robert Norton Tredway
Hugh Homer Trumbull, Jr.
Ronald Dean Turner
William Gilbert Townsend Tuttle, Jr.
Lloyd David Umbaugh
Townsend Allen Van Fleet
Paul Dudley Vanture
Clifford Daniel Victorine, Jr.
Roger Walter Waddell
William Joseph Wafer
Michael Paul Wagner
George William Patric Walker
James Edgerton Waller
Wallace William Ward
Francis Aloysius Waskowicz
Richard Brenard Webb
Edward Charles Weckel
George Gregory Wees
James Herbert Weis
Eugene Gibson Wentworth, Jr.
James Richard Wessel
James Russell Wildey
Donald Ray Williams
J. Barrie Williams
Neil Seymour Williamson, Jr.
James Stewart Willis, Jr.
Donald Eugene Wilson
Milton Russell Wofford
Branch Alvin Worsham, Jr.
Israel Wrubel

Sterling Wayne Wyatt
Michael William York
George William Yurick
Gerald Harwick Zimmer, Jr.
Barry Martin Zwick

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress:

Herek, Robert L.
Taylor, Edward J., Jr.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress:

Akam, George R.
Alport, Gerald W.
Avillar, Frank M.
Baer, Harold R.
Balaguer, Melchor C.
Bates, David E.
Bechtold, William P., Jr.
Belinsky, Howard M.
Brandt, John J.
Burns, Richard C.
Caddigan, James L., Jr.
Calello, Samuel C.
Cheek, Alton J.
Chesney, Ted S.
Clough, William S.
Coleman, Lynn F.
Connolly, John D.
Cornell, Marcus C.
Cote, Paul R.
Covell, Thomas G.
Danilek, Donald J.
Dantzscher, David D.
Denbow, Carroll E.
Dodson, Charles R.
Egan, James E.
Elliott, Norman T.
Elwell, John E.
Emigh, Edward W.
Farquharson, William R.
Farrar, Raymond E.
Feloney, John A., Jr.
Fideler, Paul A.
Fischer, Richard W.
Frankoski, Joseph P.
Gamage, John F.
Gingras, Ronald W.
Gottlieb, Richard M.
Gunderson, Peter G.
Hardy, Rodney D.
Hatton, Christian P.
Haynes, Frederick M.
Heizmann, William A., III
Henderson, Joe P.
Hennessey, Stephen P.
Higgins, Thomas F.
Hoffman, Francis R.
Hofmann, Robert M.
Holt, Samuel C. O.
Honan, Joseph C.
Hooper, Carl G.
Hopf, William H.
Horniman, Alexander B.
Huyssoon, John W., Jr.
Iacomino, Gennaro J.
Jones, Rollin A.
Kaye, Francis
Kremzar, Michael H.
Krisko, John
Kronkaitis, John
Locke, William W.
Lucke, David B.
MacGowan, Robert G. H.
MacKenzie, David F.
Mahoney, Thomas J.
Mailes, Marten D.
Maniago, David P.
Matos, Joseph A., Jr.
Mattes, Richard W.
Matthews, Robert C., Jr.
McAllister, Max F., Jr.
McGovern, Richard T.
McGuire, Matthew W., Jr.
Mee, Gregory C.
Michael, John D.
Millham, Richard D.
Moll, Robert E.
Morosco, Bernard J. A., Jr.
O'Brien, Erin S.
O'Brien, John J.
O'Connor, Edward J., Jr.
O'Donovan, Thomas E., Jr.
Perregaux, Paul A.
Pike, Randall L.
Plasket, Richard L.
Powell, Colin L.
Press, Donald P.
Putnam, John D.
Redman, Peter
Reinert, John E.
Reiser, Andre K.
Rought, Barry G.
Ryan, Patrick S.
Samoy, Raymond M.
Sauer, Charles E.
Saunders, James D.
Scanlon, John G.
Schmith, Albert T.
Schooner, Murray J.
Schreck, Joseph F.
Sseburger, George W.
Shaute, Joseph J., Jr.
Sherrod, Dale E.
Shriver, Louis M., Jr.
Skroback, Andrew E., Jr.
Smith, Duncan C.
Smith, Theodore H., III
Stahlman, John W.
Sterling, Robert L.
Stieber, Joachim W.
Strother, James O.
Taylor, Harry, Jr.
Thibodeau, Charles A., Jr.
Tipka, John W.
Trauthen, Donald R.
Tschider, Richard A.
Turgeon, Gareth M.
Ulzheimer, Robert
Van Steenbergen, Albert R.
Volpe, Michael
Wagner, Elmer R.
Whitham, John E.
Williamson, Donald R.
Wilson, Douglas B., Jr.
Wilson, Richard A.
Winchell, Albert B.
Withington, Robert J.
Wold, Pedar C.
Yoder, Kenneth E.
Zambon, Robert S.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 1, 1958

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

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. McCORMACK). The Chair lays before the House the following communication:

MAY 1, 1958.

I hereby designate the Honorable JOHN W. McCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

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

Isaiah 43: 5: *Fear not, for I am with thee.*

O Thou who art the sovereign Lord of our life, ruling not by fear or force, but by the power of truth and winsomeness of an infinite love, may we give ourselves gladly to the leading of Thy divine spirit.

We rejoice that Thou art always seeking to minister to our needs, quieting our restlessness, healing our heartaches, comforting our sorrows, and cleansing us of our sins.

Help us to believe that Thou alone canst cast out our fears and haunting loneliness and open unto us the windows of light and hope.

Grant that the purpose and passion of our life during the day may be that of doing Thy will faithfully and gratefully.

Hear us in Christ's 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 without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 308. Concurrent resolution to provide for the printing of additional copies of hearings on reciprocal trade agreements legislation.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10764. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1959, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. CHAVEZ, Mr. MAGNUSON, Mr. HOLLAND, Mr. MUNDT, Mr. YOUNG, and Mr. KNOWLAND to be the conferees on the part of the Senate.

The message also 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. 86. Concurrent resolution congratulating the State of Minnesota upon the occasion of the centennial of its admission into the Union.

TO PROVIDE ADDITIONAL FUNDS FOR THE EXPENSES OF THE STUDY AND INVESTIGATION AUTHORIZED BY HOUSE RESOLUTION 128

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution (H. Res. 522) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the studies and investigations authorized by House Resolution 128 of the 85th Congress, incurred by the Committee on House Administration, acting as a whole or by subcommittee, not to exceed $40,000, in addition to the unexpended balance of any sums heretofore made available for conducting such studies and investigations, including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Mr. LeCOMPTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LeCOMPTE. This is a privileged resolution?

The SPEAKER pro tempore. That is correct.

Mr. LeCOMPTE. As such the gentleman has control of the time. I wonder if I may ask him to yield to me for a question.

Mr. FRIEDEL. I yield.

Mr. LeCOMPTE. Mr. Speaker, will the gentleman tell us what is contained in this resolution and what is the situation with respect to the Special Subcommittee on Printing?

Mr. FRIEDEL. Mr. Speaker, this resolution calls for $40,000 for the Special Subcommittee on Printing of the House Administration Committee to continue their work. They have done a very good job. They have made many recommendations which will enable the Government to save hundreds of thousands of dollars. They will continue this work during the 2d session of the 85th Congress if we pass this resolution. This resolution was approved by unanimous vote, both in the subcommittee and in the full committee.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

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

Mr. MARTIN. What is the nature of the investigation they have made and contemplate making?

Mr. FRIEDEL. The Printing Subcommittee has not made a great deal of

fanfare, nor are they seeking publicity. They are making a thorough study which should save the Government a great deal of money when their recommendations are carried out.

Mr. MARTIN. Why could not the regular staff of the committee do this job?

Mr. FRIEDEL. The regular staff has ample work to do. There is a lot of research to be done. This is a special subcommittee that employs its staff members to do this work. Recent hearings by the subcommittee with GPO and GSA officials clearly pointed up the need for better coordination in the procurement and warehousing of paper which could obtain savings of hundreds of thousands of dollars annually. In the warehousing of paper alone, they pointed out how more than $200,000 could be saved.

Mr. MARTIN. What did they do, close a warehouse?

Mr. FRIEDEL. No, sir; on the cost of storage, and so forth. There was a lot of duplication and lack of coordination—as was developed by their study and hearings. We believe we have learned how considerable savings can be made.

Mr. LECOMPTE. Mr. Speaker, if the gentleman will yield, this resolution was considered by the Subcommittee on Accounts?

Mr. FRIEDEL. That is true.

Mr. LECOMPTE. And it had the unanimous approval of the subcommittee?

Mr. FRIEDEL. That is true, and also the unanimous approval of the full committee.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL CLERICAL EMPLOYEES, COMMITTEE ON WAYS AND MEANS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 525 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective May 1, 1958, the Committee on Ways and Means is authorized, until otherwise provided by law, to employ 2 additional clerical employees to be paid from the contingent fund of the House at rates of compensation to be fixed by the chairman in accordance with section 202 (e) of the Legislative Reorganization Act of 1946.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

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

Mr. LECOMPTE. Will the gentleman from Maryland tell the House that the members of the Committee on Ways and Means unanimously asked for this resolution? That is true; is it not? And, as a matter of fact, it does not really add 2 employees, but converts the position of 2 messengers to the status of clerks.

Mr. FRIEDEL. That is true. The gentleman not only has asked the question, but has answered it.

Mr. MARTIN. Mr. Speaker, if the gentleman will yield, it increases the pay of each.

Mr. FRIEDEL. That is up to the chairman of the Ways and Means Committee. This resolution was sponsored both by the chairman of that committee and the ranking minority member of that committee.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL MAIL CLERK, OFFICE OF THE POSTMASTER

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 550 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective May 1, 1958, there shall be paid out of the contingent fund of the House, until otherwise provided by law, compensation for the employment of one additional mail clerk, Office of the Postmaster, at the basic salary of $2,100 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROMOTE MASSACHUSETTS WEEK MAY 18, 1958

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

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

There was no objection.

Mr. LANE. Mr. Speaker, what is the chief attraction of Massachusetts? Its bracing climate in the winter, or its wealth of lakes and beaches in the summer? True. But there is so much more.

Its impressive historical shrines where the spirit of American independence was born.

Harvard and Massachusetts Institute of Technology and the abundance of its colleges and research centers.

The high standards and the excellent reputation of its hospitals, that draw patients from all over the world.

The rich variety of its industrial complex that is pioneering in electronics, nuclear energy, and is a key factor in opening up the new horizons of the space age.

In this environment, where every facility is available, progress thrives.

Massachusetts has one of the best networks of transportation in the Nation. By train, plane, truck, bus, or car, there is swift and easy access to any point in the State and beyond.

Factory-trained workers with a high degree of skill, are a great inducement for new industries to locate in the Commonwealth. The vast raw material resources of Canada are close at hand. The port of Boston and Logan International Airport link Europe with the United States, offering unexcelled opportunities for trade and commerce.

Every American admires the contributions that Massachusetts has made to the industrial growth of our Nation. But that past is but a prelude to the dynamic future that is unfolding. New and diversified industries are establishing their modernistic homes here, attracted by the confident spirit of its people, and by the rich assets of enterprise, technical know-how, ample power, convenient plant locations, ready markets, and priceless cooperation all along the line.

Massachusetts leads the way toward a dazzling expansion of industry, trade, and commerce with possibilities unlimited.

STORY OF FREE ENTERPRISE

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

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

There was no objection.

Mr. ALGER. Mr. Speaker, we hear today a lot of strained comparisons between our current economic situation and that of the 1930's. More properly, we hear comparisons between this year's economic picture and last year's record-breaking prosperity made by some who would like to convince us that we are heading back to the thirties.

All right, let us compare some other points, too. As Dillon Anderson pointed out in a recent speech, in 1938, after 5 years of desperate pump priming and crash Government programs, about 1 person in every 5 who wanted to work did not have a job. There were no television sets, no hi-fi's, no jet aircraft, no plastics of any consequence. Half of the automobiles in America in 1938 were over 10 years old and few people had seen or even thought about such things as the dishwashers, electric mixers, deep freezers, electric washers and dryers which grace millions of modest American homes today.

The changes since 1938 have been really stupendous, and almost entirely for the better. About all we have around today entirely unchanged since 1938 are politicians who are still promising that they can legislate away the unpleasant facts of life.

CONSTRUCTIVE LABOR LAW REFORMS

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

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

There was no objection.

Mr. GRIFFIN. Mr. Speaker, the recent effort on the part of the Republican leadership in the other body to secure passage of needed and constructive reforms in labor legislation succeeded at least in bringing forth important commitments from the Democrat leadership that such legislation would be considered in this session by the other body.

As I understand it, the appropriate committee in the other body will begin hearings Monday on legislative recom-

mendations made by President Eisenhower and others in this field, and it has been indicated that proposed legislation will be reported from committee to the floor of the other body by mid-June.

Mr. Speaker, it is obvious that hearings and debate in the other body on labor legislation will amount to nothing more than a waste of time and taxpayers' money unless the Democrat majority controlling the House Labor-Management Subcommittee reverses the position it assumed on March 5.

On that date, at the only meeting of that important subcommittee held so far this session, the Democrat members, by a straight party-line vote, flatly refused even to hold hearings on the President's labor proposals.

Mr. Speaker, the American public as well as the rank and file union members want, and expect, Congress to act this year to remedy obvious defects in our labor laws.

There can be no excuse for this inaction on the part of the House Labor-Management Subcommittee. At this point, it seems reasonable to conclude that the Democrat majority of that committee intends to deliberately block the way of any constructive labor law reforms during this session.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from Kentucky [Mr. SPENCE] I ask unanimous consent that the Committee on Banking and Currency may sit today during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 49]

Ashley	Gray	Montoya
Auchincloss	Gwinn	Morano
Breeding	Harden	Moulder
Buckley	Harris	Porter
Burdick	Harrison, Va.	Powell
Celler	Holland	Radwan
Chelf	Holt	Rains
Christopher	James	Rhodes, Ariz.
Cunningham, Nebr.	Jarman	Roberts
	Jenkins	Rogers, Tex.
Dawson, Ill.	Jones, Mo.	Scott, Pa.
Dies	Kilburn	Shuford
Dooley	Knutson	Sieminski
Edmondson	Lennon	Spence
Engle	McCulloch	Teague, Tex.
Gordon	McIntosh	Walter
Grant	Miller, Calif.	Williams, N. Y.

The SPEAKER pro tempore. On this rollcall 371 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TEMPORARY UNEMPLOYMENT COMPENSATION ACT OF 1958

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 12065) to authorize temporary unemployment benefits for individuals who exhaust their benefit rights under existing unemployment compensation laws, and for individuals who were employed in noncovered employment.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 12065, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Arkansas [Mr. MILLS] had 1 hour and 7 minutes remaining and the gentleman from New York [Mr. REED] had 1 hour and 44 minutes remaining.

The Chair recognizes the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, I rise in support of the pending bill. Our Nation has reached the position of eminence and leadership that it has in the world today as a result of an immensely successful partnership, the partners of which are American capital and American labor. Each of the partners has brought his great resources and skills to a task that has produced the highest standard of living in the world. Neither partner can be successful standing alone. Just as one suffers so must the other and as one succeeds so shall the other.

In times of economic crisis such as we are facing today, it is folly to believe that the American workman can fall upon poor times without the same harsh realities being visited upon his employer. Since this is the case, I think it extremely unwise to view the pending bill with narrowness, to see only the plight of labor, because the plight of labor is the plight of business, too. The benefits which will be provided by the pending bill will help prevent loss of purchasing power by the unemployed, the first victims of the admitted recession, and will help to alleviate some of the misery that would otherwise be experienced by the unemployed. But, in addition, and importantly, the maintenance of purchasing power prevents the loss of a purchasing pool which supplies the funds to help keep the wheels of American industry and agriculture turning. The task to which we bend ourselves today is then not limited to the welfare of American labor. It affects the rest of the economy as well and is, therefore, properly a national problem which calls for Federal action.

It has been suggested by some that this bill in some manner discriminates against those States which are less industrialized than, say, the State of New York, and that the people of other parts of the country are being asked to bear a burden for which they will not receive commensurate benefits. To remove some of the doubt on that subject, permit me to cite a few statistics, with respect, especially, to New York State.

New York, today, accounts for 12.4 percent of the total of national covered employment, yet as of today, only 6.8 percent of the total unemployed who have exhausted their benefits are New Yorkers. Now when it is realized that New York State accounts for, and pays, approximately 18 percent of the total revenues flowing into the Federal Treasury, it will be appreciated that in supporting this bill New Yorkers are cheerfully, and graciously, and typically, being generous with the country. This bill is no different from any of the other great pieces of social legislation that have come before this Congress, many of which were theretofore without precedent and many having been attacked for the fact of their being without precedent, but many of which, once enacted into law, have become great legislative monuments fashioned by this great legislative body to which all of us, regardless of party or where we may come from, look back with pride and look forward with faith that they will endure to better enable America to meet the problems it must face in the future. New York, therefore, is willing today to tell you that it is desirous of being of assistance in this hour of economic crisis.

I should like to remind you of that of which I am sure you are all familiar, that is, the obvious interdependence of our economy. Perhaps it may be believed that it is possible for the industries of one State to suffer without the industries of another State being affected; that New Yorkers can be without work without Virginians or some others not being affected. This is not the case. Unemployment, like many diseases, is hard to confine. It may be true that today our employment in New York stands at 7.7 percent and only 4.4 percent in Virginia, but I can assure the Members of this House that that will not long be the case if something is not done to reverse the present economic decline, to restore confidence and to start us on the road to recovery; to provide the psychological impact that measures such as the pending bill will provide, that we may once again be on the broad highway of recovery.

The CHAIRMAN. The time of the gentleman from New York [Mr. KEOGH] has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. KEOGH. Mr. Chairman, we have heard that the benefits that will be provided by the provisions of this bill will be described as a dole. The use of this term is intended, in my opinion, to supplant reasoning, and to prevent us from making comparisons between the benefits provided by this bill and other needed benefits conferred upon other segments of the economy. It is said that for the first time, as a matter of statutory right, citizens are being authorized to dip into the Federal Treasury for a stated sum. In my opinion, that is not the case. For example, what difference in fact exists between the sums that this

bill will provide for the aid of the unemployed and the sums which are today being provided for agricultural price-support payments and Soil Bank payments? Upon analysis it is revealed that both the unemployed and the farmer need help. Having supplied the farmers' needs, are we to ignore the needs of the unemployed? Just as it is necessary for the Federal Government to assure the existence of an efficient and modern merchant marine, so also is it necessary for the Federal Government in times of protracted unusually high unemployment to come to the aid of the State unemployment compensation systems and supply supplemental benefits.

If it is thought necessary to expend billions of dollars to acquire the weapons and power to defend ourselves against enemies from without, can it be any less necessary to spend what is necessary to defend ourselves against economic decline? Is it thought that any more potentially dangerous enemy can exist than economic weakness? I think not. By spending the minimal sums provided by this bill, we do no less than protect our investment on every other front. Not to spend them is to lose the war for economic supremacy by default.

I am authorized by the director of the New York system to say that New York would find no unusual problems as a result of title II of the pending bill. Claims could be processed promptly, equitably, judicially, and properly.

I urge that the pending bill receive the support of forward-looking progressive Members of this body, regardless of party, and regardless of sections.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MILLS. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. ZELENKO] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ZELENKO. Mr. Chairman, I urge the immediate passage of H. R. 12065. This legislation is vitally necessary for the economic well-being of the millions of American wage earners and of the balance of the American economy.

I have the honor to represent the 21st Congressional District of New York, a district where most of the people earn their living by working for others. I am unfortunately familiar with the distressing plight of the many of those who are presently receiving their unemployment insurance; of many others to whom these benefits are about to commence, and still another large group, those whose benefits are about to cease. It would be with a much lighter heart, if I could report that employment was rising and that wages were increasing. However, the opposite is true. It is needless for me to repeat the acknowledged fact that our economy is at present in a distressing state.

Those of my colleagues who also represent constituencies composed mainly of wage earners are also confronted with the urgency and the duty of relieving the plight of the many thousands of their people. They are solidly backing this great legislation.

Many of my colleagues who come from agricultural districts and to those representing areas where the people are fortunately of greater means, perhaps have not yet felt the full impact of the situation. I remind these colleagues that when necessity dictated and good Americanism required legislation which would benefit and protect the predominantly non-wage-earning portion of this country, they found us side by side with them. We now call upon them to heed our request to enact this bill into law at once.

There has been much talk by those who now oppose us that this is a dole, that this is socialism, and that this is politics. May I point out that these same persons said the same thing of social security, Federal deposit bank insurance, minimum wage, and any and all of the progressive legislation which was conceived by the liberal democratic mind and born in similar emergencies. We now hear from these very same advocates of retrogression that all of these other beneficial statutes have been and are worth while but that this one is different. This is a distinction without a difference. Let us hear no more wails from those who have just finished their seven-course dinners and live well and comfortably that this is creeping socialism.

It might be well to remind many of my colleagues that this administration has adopted much of the basic philosophy of Franklin D. Roosevelt and Harry S. Truman and has cloaked it in a new but nondeserving word, "liberal" Republicanism. I tell you now that the only thing that can be properly designated with such an adjective is "creeping" Republicanism. The administration is at a loss on what to do. It cannot handle its adopted liberalism as well as did the prior administrations. So it had been promising pie in the sky in the future. The only part of the pie in the sky that the wage earner can receive from this administration is the crust of its adherents. No matter what the headlines read, unemployment is increasing, unemployment insurance is evaporating, prices are rising. Even lean assistance now is more helpful than a fat promise of the future.

Let us not spend our time going into the nuances and technicalities of how to do it. Right now, in this legislation we have a method as good as we can devise in the emergency. It is the result of the diligent labor of those of our distinguished colleagues of the Ways and Means Committee who are fully familiar not only with the problem but with the means of solving it. Let us stop talking and start voting this legislation into law.

Mr. REED. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I am opposed to this bill and shall support what I hope will be a substitute for the bill to be offered later in the proceedings by the gentleman from Florida [Mr. HERLONG].

Along with every other Member of this body, I recognize the responsibility of a Member of Congress to the unemployed, to all taxpayers, as well as our responsibility to our States and to the Nation. This responsibility, of course, among other things, means that any legislation which passes here should be both administratively possible and practicable. Certainly, we should avoid passing a law which cannot be enforced efficiently or properly. Certainly, it should not include provisions which tend by their own nature to make it wasteful and destructive of our well-established insurance plan for the unemployed.

I suggest that this bill is completely unworkable administratively; that it cannot be made to operate with respect to title 2 in any honest way while accomplishing the purpose for which it is intended.

The Secretary of Labor, Mr. Mitchell, pronounced the proposal unworkable and impracticable, and he has had great experience administering unemployment compensation.

The distinguished Governor of Virginia, the Honorable J. Lindsay Almond, said that the bill turns unemployment compensation into a dole system, and so on.

The Florida Industrial Commission chairman says that the bill creates a dole that could wreck the unemployment-insurance program.

I like to think of unemployment compensation as one monument that good government has provided. I would like to see it protected. In my opinion the strength of unemployment compensation lies in the joint effort on the part of the State and the Federal Government. Anything which tends to break down that combined and cooperative effort will in my opinion wreak havoc with unemployment compensation permanently.

A principle of unemployment compensation in the minds of the workers, as I envisage it, lies in the fact that the employee recognizes that he has bought something; namely, job insurance; he has in unemployment insurance an asset which will benefit him whether he is well off or poor. It is money that will come to him as a result of a contract he has made by which insurance is paid to him under certain circumstances, the principal circumstance being that he is unemployed and is willing to work.

Because this bill creates a situation under which the Federal Government disregards completely the responsibility for the payment of anything by the individual or his employer as a condition under which he shall receive benefits from the Federal Treasury, I say to you that this bill will result in nothing but the collapse of unemployment compensation if this principle is adopted and carried out to what I am sure will be its ultimate conclusion; namely, the substitution of a dole for insurance. If this bill becomes law, then why should any employer, why should any employee want to rely on unemployment compensation? "Why," the employer will ask, "tax us when our unemployed will get a dole anyway?" "Why," the employee and the employer will say, "should we build up a fund for unemployment compensation benefits when

at the first signs of unemployment in the country the people down in Washington will take from the Treasury money to pay the claims and they will pay them without regard to whether the employers had paid the premium or not?

"Why should we burden our industry within the State of Pennsylvania, New York, Arkansas, or any other State by the imposition of a tax upon our employers to pay unemployment insurance when Washington will simply take that money out of the General Treasury and pay those claims irrespective of whether an insurance premium was paid or not?"

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield.

Mr. DORN of South Carolina. I would like to ask the gentleman a question. He is making a great contribution to this debate. Under the pending bill, if it is passed, would there not be a tendency on the part of the employer in the gentleman's district and in my district and in many other districts where you have employees affected by foreign imports, where these people are working part time, to lay them off and let the Government take care of them, rather than carry the many thousands they are carrying now in the hope that business will improve? I believe this bill will adversely affect those hundreds of thousands of workers who are working part time. They will probably be laid off and be put on the Government dole.

Mr. SIMPSON of Pennsylvania. I am sure one of the results of the enactment of this bill would be to provide a dole for people who are forced out of their present jobs by reason of unreasonable and excessive imports into the United States from low-wage countries. I could spend a long time on that subject but will not.

Mr. Chairman, I point again to the financial aspects of this proposed law. If we pass the bill here, a tax is levied against every person under our general taxing laws. The poorest employee within your Congressional District, the man who is eager to work and who takes a job to avoid going on relief, will be taxed and taxes taken from him and paid over to someone who is unemployed, this person who may be, relatively speaking, well off. How can one justify that within his own Congressional District? What justification is there for taxing one who today is working 25, 30, or 32 hours, more or less, a week, and using the money to pay people who may not need it?

Politically it is plain dumb. From the standpoint of financial responsibility, and our responsibility to this Nation, it is unwise, and I hope the Congress will not adopt anything of that sort.

Mr. Chairman, someone suggests that the administration's bill, which makes money available under certain circumstances to unemployed people, falls within this same category. That is not true, because under the administration's bill, and particularly under the proposal that will be offered as a substitute for this bill, by Mr. HERLONG, no money will be made available to any State for distribution to people who are unemployed unless the representatives of the people within that State ask for it. These local representatives in the State legislatures are the very people who preserve this dual system of responsibility, and unless they ask in a way provided by their constitution and their own laws for this money, the State will not get it or be taxed to pay it back. If that State, whether it be Pennsylvania, California, Kentucky, or any other State, gets the money from this fund that State will have to pay it back. Pennsylvania will pay back money spent in Pennsylvania received from the Federal Treasury and secured on the basis of a loan asked for by the State, as will any of these other States. In that way, Mr. Chairman, we preserve the responsibility of the States.

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

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

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. DENT. I am seeking information more than anything else on this matter. What do you suggest that we do for the sixty-one-thousand-odd people in Pennsylvania whose benefits have run out as of the month of April?

Mr. SIMPSON of Pennsylvania. When Governor Leader came to Washington and was testifying along this line, he made the statement substantially that it was impractical to expect the present methods of handling unemployment compensation in Pennsylvania to handle noncovered cases, as required under title II. The Governor said we should hurry to make money available for the people whose compensation was exhausted. But, we should proceed in some other manner with respect to others needing assistance.

My suggestion with respect to this matter is that the committee should go into the subject and make a careful study and determine the financial responsibility of the National Government to those States by way, possibly, of a grant, to be matched by the States, in the event we discover that there is a demand and need on the part of the States for Federal aid in that area.

Mr. DENT. Mr. Chairman, will the gentleman yield further?

Mr. SIMPSON of Pennsylvania. Yes.

Mr. DENT. Then, would you suggest that we follow Governor Leader's suggestion in these matters?

Mr. SIMPSON of Pennsylvania. I suggest that we here pass a bill which makes available on a loan basis to the States, if the States see fit to request, money which would permit payment to those who are covered by unemployment compensation which has been exhausted. I suggest that a very careful survey be made of the States to ascertain the basis for need of Federal moneys to assist the States in meeting their obligations to needy persons on the basis of a method of contribution between the Federal Government and the States. I think there must be a contribution on the part of the States in order to assure responsibility in administration and distribution of the money.

Mr. DENT. Do you believe, then, in the principle, in the original concept of the unemployment compensation law?

Mr. SIMPSON of Pennsylvania. Yes, I believe in the original concept, which would provide an insurance fund, money paid by industry, money which in fact could go to the employee, by way of a wage increase, if not used to buy insurance policy protection for a stated number of weeks and months. The distinguished gentleman, a former member of the State Senate of Pennsylvania, was very active in preparing legislation which provided, in Pennsylvania, for covered unemployed individuals, I believe—subject to correction—the maximum benefit payments in the United States. And, I do believe in that, as does the gentleman.

Mr. DENT. I wondered, because, if I remember rightly, you and I served together some twenty-odd years ago when I was the original sponsor of the legislation. I am happy to note that you now believe in it more strongly than you did at that time, because at that time I believe you voted against my proposal.

Mr. SIMPSON of Pennsylvania. Well, the gentleman must have examined the record. If I did, I probably had reason for it.

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

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Michigan.

Mr. GRIFFIN. I would like to offer the statement of another governor in response to the question asked by the gentleman from Pennsylvania [Mr. DENT]. When Governor Williams of Michigan testified before the House Committee on Ways and Means he was asked to suggest a proposal to help those whose unemployment compensation benefits were exhausted prior to the critical date or who were not covered by unemployment compensation. And Governor Williams of Michigan, on page 162 of the hearings, said this:

> Governor WILLIAMS. If the Congress were to ask me, I would be willing to suggest a 50–50 participation, the Federal Government 50 percent and the States, plus the local communities, whatever way they wanted to take up the other 50 percent.
>
> Mr. BAKER. Would you administer that through unemployment compensation channels or through State welfare channels? I am talking about these people who were not covered or were covered prior to January 1 and exhausted and will not get anything under any of these bills.
>
> Governor WILLIAMS. I would administer it under the welfare, sir, because I think this should be on a needs basis rather than on a particular number of dollars.

I find myself in general agreement with Governor Williams on this point.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I would like to close by saying that it is not correct to say that under this bill everyone who is unemployed would be covered and would receive the benefits provided under this bill. That is not the case, because in order to qualify you have got to establish a wage record within the terms of the law of the jurisdiction within which

you live. That is impossible in many instances. There is no administrator who can certify as to eligibility without employment records, completely unavailable. So the people who are the poorest, the ones who need the relief the most are the very people who would not get it, and the ones who need it the least, if I may put it that way, those who may be well off but whose unemployment compensation has been exhausted, are the ones most certain to get it. I think it would be irresponsible on our part to pass legislation of that kind.

Mr. MACK of Washington. Mr. Chairman, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Washington.

Mr. MACK of Washington. Mr. Chairman, I received a telegram this morning from the commissioner of the Washington State Employment Security Department and I should like to ask the gentleman a question concerning it. It reads:

OLYMPIA, WASH., *April 30, 1958.*
Representative RUSSELL V. MACK,
House Office Building,
Washington, D. C.:

Re H. R. 12065 (Mills) unemployment insurance extension proposal. Title I administratively feasible and should go into effect immediately. For some workers with only limited work attachment extended duration would exceed original entitlement. Title II administratively cumbersome. Securing wage data for 1957 or earlier would be difficult for such groups as agricultural, domestic, and casual workers. Payment to such groups would be time consuming and leave much room for error and possible fraud. Payments to be prompt would in many cases have to be made on basis of affidavit. Desirable to get money into hands of unemployed workers not covered by regular insurance programs but combining it with the unemployment insurance program would dilute the insurance principle we have fought so hard to maintain through the years.

PETER R. GIOVINE,
Commissioner, Washington State Employment Security Department.

Would the gentleman agree with that statement?

Mr. SIMPSON of Pennsylvania. I certainly would, yes. I suggest that if the committee had gone into the subject carefully and had the administrators of the various States appear before it, practically all of them would have said the same thing.

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

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from West Virginia.

Mr. BAILEY. In the administration's approach to this type of legislation, I believe a person's qualifying date would have to be January 1, 1958. The depression or the recession, whichever you care to call it, in West Virginia is not of recent origin. It has been going on for a number of years.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, may I answer the gentleman this way, by saying that in the bill introduced by the administration, what the gentleman says is correct. But in the proposal which will be submitted here this afternoon, the beginning date goes back to June 30, 1957, if the State requesting the benefits of the bill chooses to go back that far.

Mr. REED. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. KEAN].

Mr. KEAN. Mr. Chairman, I voted to report this bill out of committee. I did so because I believed that the lengthening of the period when unemployment benefits are paid is essential under present conditions. But there are grave dangers in the bill concocted by the Democrat majority. I cannot urge too strongly that this Congress amend the bill.

I am particularly concerned with title II. True, those unemployed who have never been covered under the program need aid just as much as those who have been covered. A man can get just as hungry if he has been employed by the corner grocery store as if he had worked for General Motors.

If the bill which I introduced last year, which would have permanently extended the benefits of the system to employees of employers of one or more, had been enacted into law many of those intended to be benefited by title II would now be covered.

My proposal was designed to carry out a recommendation made by the President in both his Economic Report and his budget message. It would have brought nearly 2 million more workers under the system. But my proposed amendment was voted down in the Democrat-controlled Ways and Means Committee. Certainly we should at the earliest possible date enact permanent law covering this group.

But any program of this nature, to serve its purpose effectively, must be put into effect speedily in order to get payments into the hands of the unemployed as rapidly as possible. They need aid now. It would indeed be tragic if we here create such administrative difficulties as to delay even payments that are presently being made under the existing permanent system. This bill brings into the unemployment-insurance system several groups which were excluded from the permanent system because of the serious administrative difficulties involved in handling their claims. These groups include large numbers of seasonal and casual agricultural and domestic workers, as well as other types of seasonal and casual workers. Among these are students and housewives working part time. Even OASI, which has broader coverage than the regular unemployment-insurance system, eliminated some of the title II groups because of the administrative difficulties and costs involved.

Securing reliable, and in fact any, information as to when and where these types of workers were employed and how much they earned, can be extremely difficult. Some of these workers are constantly shifting employers, for many of their jobs are merely on a daily basis. Then, too, the cost of processing many of these claims would be excessive, including the cost of investigating the increasingly large number of claims which will undoubtedly not meet the wage and earnings requirements.

Such difficulties would be serious enough in a permanent program. Perhaps in periods of more normal employment the employment offices would have more time to work out the types of problems which will be raised by title II coverage. But to place such new and serious administrative problem now, for a temporary program only, upon offices already heavily burdened by increased claims under the regular program, would run the risk of seriously disrupting the whole system. A temporary program where speed is of the essence would certainly not appear to be the place to work out such serious administrative problems.

I would be the last person to argue that a temporary program of unemployment-insurance benefits is not needed. It is needed, and it is needed now. However, we should not, in our desire to be of help, enact measures which can well do more harm than good. In addition to the harm administrative difficulties could cause, this bill would graft upon an insurance program features which are not insurance at all.

The present system, like any insurance program, pays benefits only to those unemployed workers who have been a part of the insurance system all along. Title II would suddenly bring within this insurance system, for a limited period of time, a large number of people who have never been a part of the program and thus for whom no insurance premiums have been paid. And it would finance their benefits through outright Federal grants, instead of through the contributions by employers which are the fundamental basis of the existing system. To tie this kind of a system to an insurance program would result in weakening or perhaps even destruction of the permanent system.

I recognize that there is a real need for extending the protection of the existing unemployment-insurance program to many workers who now are entirely excluded. But it should be done on a permanent basis and with the usual unemployment-insurance features, not on this temporary measure.

If this group is to receive benefits, there should at least be some State participation, for under the bill now before the House it costs the States nothing and human nature is such that it is evident that for their own benefit the States will certify every possible individual for these free Federal grants. We must assure responsibility in administration.

There is truth in the question that has been asked here as to why, if we give Federal grants to one who has already received some unemployment benefits, we should forget about those probably more in need, who have never received any benefits.

This is why I also will favor the amendment to title I, as recommended by the President to have the Federal advances made in the form of a loan to the States rather than a grant.

I expect to vote also to eliminate title II, for much as we sympathize with those not covered, it would open wide the Federal Treasury and would be impossible to administer in fairness to the worthy unemployed—not to speak of fairness to that individual who seems to be forgotten by the Democrats of this Congress—the long-suffering American taxpayer.

Mr. REED. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, we have been listening now for 5 or 6 hours to the pros and cons of the arguments for and against this proposal. I had not expected to get into this argument at all. I have been pushed into it. I only expect to summarize, if I can, the con arguments on this bill.

I think we will all agree, whether we are for or against this proposal, that when the President sent up his bill to extend unemployment compensation payments, whether he realized it or not, he certainly opened a Pandora's box, out of which has come many problems that will create headaches for years to come. I think the best thing this Congress could do would be to close that Pandora's box and send it back to the President.

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

Mr. MASON. No. I am not going to yield until I am through.

Now with that as a preliminary statement, I want to summarize the con arguments from the standpoint of the actual situation in the State of Illinois. I do that not because you people will be interested in the actual situation in Illinois, but because the actual situation in the State of Illinois is duplicated at least in 43 or 44 States, because there are only 4 or 5 States that are actually in need of the Federal Government's help in handling this unemployment situation in which we find ourselves. Those 4 or 5 States have a remedy if they want it. I was on the subcommittee 4 or 5 years ago that made that remedy possible. It was the Forand Subcommittee of the Ways and Means Committee. We were working on this unemployment-compensation problem, and we learned that the Federal Government is collecting three-tenths of 1 percent from the employers of the Nation had collected approximately $800 to $900 million more than was needed for administrative purposes and had spent that money for a lot of other things; collected it for a definite purpose, spent it for anything and everything. So our committee decided that something should be done about that, and we drafted legislation which was called the Reed bill. It was passed.

The Reed bill provided that the Federal Government shall set aside all in excess of what is actually needed for administrative purposes of this 0.3 percent in a special fund out of which the States could borrow if they needed to borrow at any time. It provided further that when this loan fund reached the $200 million mark, the Federal Government should then turn back to the States the excess over what it had needed for administrative purposes. That is what is being done, and $77 million were turned back to the States last year.

What is the situation in Illinois? The Governor of Illinois, testifying before the Committee on Banking and Currency a week or so ago said in substance, "Illinois does not need, Illinois does not want, and Illinois does not propose to have the Federal Government insert its long nose into Illinois on this unemployment-compensation business."

The manufacturers sent a representative to our hearing. He appeared before our committee and said the same thing, "Illinois does not need, does not want, and will not accept any help."

The Chamber of Commerce of Illinois sent a representative who testified before our committee to the same effect.

Now, why does Illinois not need and does not want this? Simply because Illinois has a surplus in its own fund of something over $500 million, enough to last Illinois for 2 or 3 years, if necessary. Besides that, Illinois today has only one-third the number of unemployed that have exhausted their unemployment insurance as they had in 1949 and 1950, when there was no national crisis, no national emergency. We have exactly the same number of exhaustees, as they call them, today as we had then, and the same number of unemployed in proportion to the number of employables.

Some of us, therefore, cannot see the national emergency. That is the situation in Illinois; that is the situation in 40 or more States of the Union. Why should we here pass legislation that does violence to the unemployment insurance compensation program in order to make possible some help for the 4 or 5 States that need help, when we have already taken care of their needs? That is a situation that I cannot see; and, as far as I am concerned, and I told our committee this, and I told the Rules Committee this, I am opposed to the President's program because there is no need for it. I am opposed to this program before us because it is not only unsound but I see no need for it. Illinois does not want it and does not need it. So I am going to vote for the lesser of two evils when the substitute is offered, but even if that lesser of two evils is adopted, I shall vote in the end against any bill.

Mr. FORAND. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN. Mr. Chairman, some 20 years ago the Congress passed the basic Federal Unemployment Compensation Act. That law was passed to deal with the problems of normal unemployment.

The legislation before us today has a somewhat different objective, in that it is designed to deal with the problems of abnormal unemployment. We hope that this abnormal unemployment is temporary. The legislation reported by the Committee on Ways and Means is not designed to supplant the basic Unemployment Compensation Act that was passed 20 years ago, but, rather, it is designed to supplement existing inadequate State unemployment compensation systems during this abnormal period.

Most experts agree that when the unemployment factor reaches 6 percent our economy is in trouble. With the unemployment factor currently at 7.5 percent, responsible leaders of both parties recognize the need for Federal action. Translating this statistic of 7.5 percent into human beings means we have 5,100,000 people out of work in this country today. The 5 million figure has not shown any substantial decline in recent weeks. As a matter of fact, it has remained rather static. Each month that we have these 5 million unemployed we lose million of dollars in purchasing power. Figures prepared by the Department of Labor and the Department of Commerce disclose that since last August we have lost in purchasing power $4.6 billion. Is there any wonder that we are in an economic recession at the rate we are losing purchasing power? In my opinion, it is no longer a question of, Shall we extend unemployment compensation benefits, but, rather, the question is, How shall we extend them?

The President in his message to the Congress last month expressed the view that the unemployed worker should be entitled to a longer period of unemployment compensation. The Secretary of Labor in his appearance before the Committee on Ways and Means implemented the President's suggestion. The Secretary of Labor, if I may be permitted to quote him, said:

> The current economic situation is, however, a matter of national concern. * * * The assistance which these benefits will bring to the individual and his family will by sustaining purchasing power also assist in bolstering the economy.

The bill before us today was written by the Committee on Ways and Means. All members of the committee had an opportunity and did contribute to the drafting of this legislation. It is not strictly a Democratic bill because it has support on both sides of the aisle. An examination of the report will indicate that it had the support of 13 Democrats and, I believe, 3 Republicans. This is a wholesome situation, Mr. Chairman, because it gives the bill an aura of bipartisanship, which is badly needed.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. KARSTEN. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. The gentleman said that three Republican members supported the bill. Is the gentleman sure that the three Republicans who did not sign the minority report expressed approval of the bill presented by the committee? One of the members that did not sign the minority report just spoke on the floor of the House and expressed opposition to the bill as reported by the committee. Now, I understand the gentleman is counting him as being for it.

Mr. KARSTEN. The vote was 16 to 9.

Mr. BYRNES of Wisconsin. I think there is a distinction between whether

they voted to report a bill out of the committee and whether they approve the bill in its final form.

Mr. KARSTEN. I will not quibble over one member changing his mind. Even one member will give a flavor of bipartisanship.

Mr. BYRNES of Wisconsin. I wonder if the gentleman has even one.

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

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

Mr. McCORMACK. Apparently that is evidence of what we have heard of, that there is tremendous pressure from the White House on the Republicans.

Mr. KARSTEN. I do not know about that, but even one member on that side supporting this bill would give it a flavor of bipartisanship.

Essentially the committee bill differs from the administration proposal in three respects. The first difference is in duration. The committee bill provides for a flat 16-week extension. Now, we did not just reach in the air and decide upon a 16-week extension. It was carefully thought out. Most economic experts are predicting that we cannot hope to see any substantial upturn in business or any substantial decline in unemployment until perhaps this fall. Assuming this bill goes into effect in June, the 16-week period will carry unemployment compensation until the beginning of the fall season, when the hoped for fall upturn arrives.

The second departure is contained in title II of this bill, which extends temporary unemployment benefits to persons not now covered under the various State programs. It is estimated that there are approximately 600,000 persons in this category at the present time. These people are just as unemployed and perhaps are more greatly in need than are those who are in covered employment.

Section 2 is perhaps the most controversial part of the bill. The opponents have variously described it as a dole or a Federal handout. Such terms, by their very nature, carry with them the implication of a needs test. In order to qualify for benefits under a needs test requires the virtual taking of a pauper's oath. Mr. Chairman, it is bad enough to have 5 million unemployed citizens in a country that is supposed to be prosperous, but it would be far worse to turn them into an army of 5 million paupers. Nothing could be more harmful to the dignity of the American working man or woman who by no fault of their own are not covered by State systems.

Many members of the Committee on Ways and Means, including myself, would like to have seen provisions included in this legislation to raise the standards, increase the benefits, and lengthen the duration that compensation payments could be made. Amendments in this connection were offered in the committee, and I supported them, but the majority of the members of the committee concluded that this is temporary-emergency legislation, and that it would not be an appropriate vehicle in which to incorporate permanent changes in the substantive law. It is my hope that when the Committee on Ways and Means, takes up social security legislation within the near future, we will go into the matter of improving standards and strengthen the Federal-State system of unemployment compensation.

Finally, the bill the committee reported differs in the matter of financing. The committee gave a great deal of study and thought to this matter. The administration proposal calls for a loan to be repaid by the States. The committee bill provides for a grant. In my opinion, it would be most unrealistic for Congress to attempt to write legislation today which seeks to tax employers 4 years from now to pay benefits to persons who are unemployed now. Furthermore, the inclusion of repayment provisions in legislation of this kind would greatly complicate the initiation of the program by the States. Many States would be reluctant to go into it. The governor might sign an agreement, but a year or two later the legislature might pass a resolution expressing different ideas. Finally, when we are in a period of recession, most of the classic laws of economics do not call for tax increases. Instead, they call for tax reductions. The committee, I believe, was wise in abandoning the repayment provision. The legislation before us represents the best efforts of the majority of the members of the Committee on Ways and Means. It provides a workable program that can be put into operation with a minimum of delay. I urge its favorable consideration.

Mr. REED. Mr. Chairman, I yield such time as he may require to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, the bill presently before us authorizes unemployment benefits for individuals who exhaust their benefit rights under existing State law.

At the present time there is a degree of unemployment higher than normal. This has naturally caused a greater drain on the State unemployment-compensation funds. In a few instances such State funds have become exhausted or are approaching that condition. It is because of this that legislation is now offered to provide against any contingency that would leave unemployed persons without the necessary assistance in the form of relief that was intended by the State unemployment-compensation systems of the several States.

Naturally, the distress that can result from extended or widespread unemployment should be provided against. The issue that confronts us therefore is not one of whether there should be any legislation to deal with the situation, but how should the condition be dealt with. President Eisenhower has recognized the necessity of doing something, and has made recommendations to the Congress. And, there can be no doubt that Congress is of the same opinion, and the only difference of opinion relates to the means to be adopted.

Before discussing the subject from the standpoint of how the problem should be solved, it is appropriate to point out that there is general approval of the President's plan to provide a program of public works that will give employment. This can be done by immediately proceeding with the construction of the vast national road-building program that has already been adopted by Congress. The construction of necessary Government buildings, extension of airports to meet the ever-growing need for increased aviation facilities, and, all the other Government and public facilities awaiting fulfillment.

In addition to building construction there is need of a great shipbuilding program. There is need for this from the standpoint of building our merchant marine up to present-day requirements to meet the severe competition it is called upon to face from up-to-date passenger, freight, and other types of commercial ships being built by foreign nations. It is equally important that ships, airplanes, and other defense facilities be provided to strengthen and make secure our national defense.

Furthermore, steps having been taken by Congress to provide incentives to a greater building of homes by private interests, additional financial assistance to small business, and, assistance in many other ways to encourage activity upon the part of private industry, including a widespread program of assistance to our depressed railroad systems. And also of great importance is the extension of financial aid to local governments by the Federal Government to enable such to construct schools and other types of municipal buildings and facilities.

It can be readily understood that all of these several approaches will provide work for the unemployed once construction gets under way. However, while all this can and will prove helpful in the days ahead, yet, there is a necessity to provide relief of an immediate character until the Federal Government, the local municipalities, and private industry get going in full swing.

In the multitude of suggestions that have been made as to the manner in which the immediate problem should be met, there are two that stand out more prominently than the others. I refer to the plan set forth in the bill presented by the House Ways and Means Committee—H. R. 12065—and the plan recommended by President Eisenhower.

The debate has brought forth differing views with respect to each. The result can very likely be a bill that will be in the nature of a compromise, by adopting some features of each and the rejection of others. I am inclined to believe that such could be the result without doing any damage to the main objective, and, could result in a bill that would prove highly beneficial and satisfactory.

As an indication of the existing different viewpoints, even within the committee that reported the bill now under consideration, it is to be noted that two very important and distinguished members of the committee—Messrs. BURR P. HARRISON, Democrat, of Virginia, and A. S. HERLONG, Jr., Democrat, of Florida—expressed their views in opposition to the committee bill as follows:

We disagree with the bill as reported for the following reasons:

1. Title I departs from sound and honored principles of unemployment compensation.

It grants a minimum of $985 million to the States without any obligation on the States to do anything for themselves, and this is done though the States have a reserve of nearly $9 billion in the unemployment insurance funds.

2. Title II departs from sound and time-honored principles in that—

(a) It is a direct grant program of a minimum of $485 million to the States, without the standard and normal requirement that the States shall match or contribute anything.

(b) It is a program purporting to relieve human distress as a result of unemployment, but it contains no requirement that the individual beneficiary show any need for relief.

(c) It contains no safeguards against fraud and abuse. The States, which distribute the money, have no incentive and the Federal Government, which puts up the money, has no machinery to police the fund and protect it from duplication, extravagance, or dishonesty.

BURR P. HARRISON.
A. S. HERLONG, Jr.

In addition to the above dissenting views expressed by the two distinguished members of the committee, we also have extensive supplemental views presented by five other distinguished members of the committee, namely CECIL R. KING, Democrat, of California; EUGENE J. KEOGH, Democrat, of New York; FRANK M. KARSTEN, Democrat, of Missouri; EUGENE J. MCCARTHY, Democrat, of Minnesota; and THADDEUS M. MACHROWICZ, Democrat of Michigan.

These Members of the House committee that reported the bill now before the House, have set forth in great detail their viewpoints. It is not possible to give in full the well-stated arguments presented by the above-named gentlemen as Supplemental Views in Report No. 1656, 85th Congress, 2d session, but the opening words of their views are sufficient to set forth the serious situation that they feel confronts us as a result of the insufficiency of provisions presently contained in the report bill. They say:

While agreeing with the program of emergency action approved by the committee, we believe the committee should have added other provisions designed to increase the weekly benefit amounts immediately available to the unemployed and to strengthen the Federal-State system of unemployment insurance through Federal minimum standards and other provisions designed to overcome permanently the tragic inadequacies of present State laws.

We believe that rather than wait for later enactment of Federal standards in regard to benefit amounts, the level of State maximums, the length of period for which benefits are available, eligibility, and disqualifications, they should have been included now so that unemployed workers who are suffering during this recession might have the immediate advantage of the remedies envisioned. In addition to assuring that these urgent improvements are in fact made, the imposition of Federal standards at this time would prevent future recurrences of the situation facing us today in which we find the State unemployment laws are inadequate to provide for the needs of the unemployed. In fact by doing nothing about minimum Federal standards today we are inviting the States to believe that the Federal Government will bail them out in the next emergency regardless of whether they improve their systems or not.

And, now we come to what is termed "Minority Views on H. R. 12065," found on page 31, of the committee report. This report is signed by distinguished members of the committee who for many years have given important and worthwhile service to that committee under both Democratic and Republican administrations, namely DANIEL A. REED, Republican, New York; THOMAS A. JENKINS, Republican, Ohio; RICHARD M. SIMPSON, Republican, Pennsylvania; NOAH M. MASON, Republican, Illinois; JOHN W. BYRNES, Republican, Wisconsin; ANTONI N. SADLAK, Republican, Connecticut; and THOMAS B. CURTIS, Republican, Missouri.

The views of these members have been set forth in great detail. Without my making specific reference to their report in detail it is sufficient to make reference to the opening and closing of such, as follows:

The signatories to these minority views are opposed to the bill, H. R. 12065, because its implications and inevitable consequences would constitute destruction of the existing effective Federal-State unemployment-compensation relationship. The bill would mean abandonment of the insurance principles of unemployment compensation with the substitution therefor of a dole system of handouts from the Federal Treasury without regard to the need of the individual. It would cause delay in the time in which private enterprise will provide the job opportunities necessary to an enduring solution of the unemployment problem. The bill would bring about the introduction of aggravated and irreconcilable discriminations with respect to benefit entitlement. We unequivocally denounce this legislative proposal as a reckless undeavor—politically inspired—to display the largesse of the Federal Treasury under the guise of social legislation.

* * * * *

Our conclusion is that the role that the Federal Government might properly assume in the existing situation would be to make Federal funds available on a repayable basis to those States which might elect such funds for the purpose of extending benefit duration under State laws.

I have given this matter full and careful consideration. I am definitely of the opinion that a need for legislation exists and that there is an obligation upon the Federal Government to give assistance in the matter. In this connection I am, however, of the opinion that it would be much wiser and produce a more equitable and a more sound fiscal policy to grant the relief to the States in support of their unemployment-compensation funds, with such extension in the benefit period as may be necessary, and, thereby bring the relief to be granted in conformity with the State laws that deal with the subject, and, which through the years have developed a procedure that enables relief to be given on basis outlined and determined by experience. But, in any event it will be my purpose to support legislation that will effectuate the worthy objective that is sought, realizing that while there may be honest differences of opinion as to the ways and means that should be adopted, yet the important and overall consideration must and should be to provide help in the situation with which we are now faced.

Mr. REED. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Chairman, after the extended debate yesterday and today I am convinced that Members of the House are almost ready to cast their vote. Therefore, I shall not go directly into the merits or demerits of the bill but should like to call the attention of my colleagues to one phase of the pending legislation because of the action taken in a special session of my legislature in the State of Connecticut.

Due to increasing unemployment which had attained the figure of 96,000 a special session of the legislature was convened with the idea of taking some action to come to the aid of those who had exhausted their unemployment benefits. Shortly after the legislature convened our Ways and Means Committee was summoned into session in order to deal with unemployment compensation on a national basis. Therefore, my legislature adjourned for a short time in the belief that quick action would be taken by the Congress.

Obviously, the rapid action by the committee and Congress is presently under way weeks after the end of the legislature's recess, and, unable to wait longer, the legislature went back into session and Connecticut extended their basic unemployment compensation benefits, which now, in addition to the 26 weeks, another temporary 13 weeks has been approved, making a total eligibility of 39 weeks.

My purpose in calling the attention of the House to that action is that if the pending measure, H. R. 12065, the Mills bill, is the bill that we shall perfect, then it is my hope that we should have an amendment to dovetail, to coordinate the action of my legislature with this bill, because the bill as now drawn provides for 16 additional weeks by grant and added to what the Connecticut Legislature has done, that could mean 26 weeks, plus 13 weeks, plus 16 weeks, which would make a total of 55 weeks.

It is my further belief that, if we here pass a bill providing for 16 weeks additional, every State should have uniform entitlement. The Connecticut statute will go out of existence when this bill becomes an act according to its new temporarily extended unemployment compensation statute. In other words, we should take into consideration the payments that have been made under the temporary unemployment compensation extension in Connecticut. That is to say, if Connecticut has made 1 or 2 or 3 or more payments, the total overall entitlement should be no more than 16 weeks. The State of Connecticut having made 1 or 2 or 3 or up to 13 payments, should be reimbursed from the Federal Treasury in that amount, so that, if we pass a 16-week bill, they would carry on the additional 3 weeks under the Federal act. With that in mind, therefore, at the proper time I will ask for the consideration of an amendment which will deal with this outlined situation. At this time I would like to read that amendment into the RECORD. It would amend section 102 (a) (2) by adding the following sentences to the end thereof:

This paragraph shall not apply to a State law temporarily extending the duration of unemployment compensation if such law expires by reason of the enactment of this act.

If any payments of unemployment compensation were made pursuant to such State law prior to such expiration, the Secretary shall certify to the Secretary of the Treasury for payment to the State, if it has an agreement under this title, a sum equal to the total amount of compensation so paid. The Secretary of the Treasury shall make payment to the State, in accordance with such certification, from the funds appropriated for carrying out the purposes of this act. The maximum aggregate amount of temporary unemployment compensation payable to any individual under section 101 (b) shall be reduced by the amount of extended unemployment compensation he received pursuant to the State law.

This amendment's adoption would then dovetail and coordinate the action which we have taken in the progressive State of Connecticut dealing with the unemployment situation. I think in all fairness and equity that this amendment should be adopted and added to the bill.

Mr. Chairman, in the event the Mills' bill will not be the one we will be perfecting, then it is my belief that the substitute bill which appears on page 7675 of the RECORD may require some slight change in section 101 (b) because as it is worded, as I interpret it presently, if we add the 50 percent to the existing laws then there must be some exclusions from the temporary unemployment compensation provided in Connecticut. Otherwise, if we consider what would be the situation in every other State we advance by 50 percent, then, in my State, which is presently 26 weeks plus 13 weeks and if we advance that by 50 percent, it makes a difference. It is a question of whether we take the basic eligibility weeks or whether we take the newly enlarged total weeks into consideration and use the 50 percent on that. Thus, observing what may transpire here this afternoon, Mr. Chairman, I hope the Committee will give me an opportunity to submit these amendments in order that we might in all fairness deal properly with the progressive action that has been taken in behalf of the unemployed in the State of Connecticut. The amendments are necessarily quite technical and may require additional revising but there will be opportunity to perfect and have them conform in the other body.

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

Mr. REED. Mr. Chairman, I yield 4 minutes to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I have sat through this debate and it has become more and more evident that H. R. 12065 as reported by the Ways and Means Committee disregards our established State unemployment insurance systems. Some States obviously have not brought their standards in line with the present cost of living but this bill does not deal with minimums or standards.

In particular, however, no one has shown here that title II is not administratively infeasible and subject to waste and fraud.

My State of Washington owing to a long drawn out curtailment of production in the lumber industry, together with cutbacks in defense industries, is a section of the Nation and one of the areas of the country with the highest unemployment. Because of this situation, I have especially wanted legislation in line with the needs of my State.

Accordingly, I wish to refer the telegram which was read earlier this afternoon by my colleague from Washington [Mr. MACK] and which seems to confirm the soundest arguments here; namely, that title II should be stricken from the bill regardless of any other action, that it would leave room for error and possible fraud.

I refer to the telegram:

It would be administratively cumbersome. Securing wage data for 1957 or earlier would be difficult for such groups as agricultural, domestic and casual workers. Payment to such groups would be time consuming and leave much room for error and possible fraud. Payments to be prompt would, in many cases, have to be made on the basis of affidavit.

Also, let me say I would find it against my grain to support legislation without the philosophy of need in it. I do not like the idea of a payment of public funds to other than the needy unless it is an insurance program where recipients have paid in and have benefits due them as a matter of right.

Now, I hope Members listened to the position of the commissioner of the Washington State Employment Security System as stated in the telegram read by the gentleman from Washington [Mr. MACK]. I think we should consider the administrator's views because officials of this type never had an opportunity to testify on this measure at any hearing, which they should have had.

Mr. REED. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. NEAL].

Mr. NEAL. Mr. Chairman, I like to look upon this legislation from the standpoint of its eventual effects on the economy of this country. I practiced medicine for a long time, and when I had a sick patient I usually tried to administer such treatment to him as would not only tend to tide him over his emergency, but would not interfere with the preservation of that man's physical and mental ability to proceed to carry on after he recovered from his acute illness. This bill if approved, will supply a temporary sedative to the man without a job but dangerously drain the source of economic health upon which he must depend for permanent employment in a nation financially sound and unencumbered by irredeemable indebtedness.

Mr. Chairman, the unemployed American workers want jobs—not doles that tend to reduce the value of their wages. In periods of economic adjustments, job holders separated through no fault of their own and whose unemployment insurance has expired, deserve and should have assistance to tide them over. Since each State has its own rules for administering its insurance program, the State is the logical unit of government to perform this function.

Most States have sizable reserves in their unemployment compensation funds. They are expected to be able to meet demands for months—in some States, for years. Unless this recession is unexpectedly prolonged, the majority of States' reserves are adequate to meet this period of emergency.

Administration of any public agency is admittedly more effective and more economical when performed locally. There is less waste and abuse when local government is responsible. Local responsibility is less assertive when spending Federal than when administering local funds.

For this reason, whatever the Federal Government does to cushion the shock of unemployment, it should require States' obligation to repay any advanced funds. If this requirement is made, the several States in order to protect their own credit, will come to Washington for additional funds only after they judiciously have exhausted their unemployment compensation reserves and continued unemployment demands additional moneys.

To me the bill before us is unsound, uneconomical, and unworkable.

First, the Federal Government, overobligated and debt-burdened, can find no funds with which to assume further obligations except as it takes from the wealth and the earnings of employed persons in the States in the form of taxes, and taxes, even now, are confiscatory.

Second, it is uneconomical because it relieves the States of their obligations, thereby weakening their will to stand alone and encouraging them to depend upon an all-too-near bankrupt Federal Treasury.

Third, it is unworkable in that it would destroy the solvency of unemployment compensation by including that great group of miscellaneous workers who are not entitled under the unemployment compensation law to participate. In fact, it would eventually reduce all unemployed people to the status of reliefers.

Fourth, it would federalize unemployment compensation, an exclusive function of the States since establishment of the system more than 20 years ago. The proponents of this bill seem determined to do just that. It is another bold attempt by socially minded promoters to use the present business slowdown as an excuse to usurp from the States another important local function of the national economy.

I am deeply concerned that jobs are not readily available to able bodied workers, especially those in my own State of West Virginia, but I am sure the people of my State want no more temporary, makeshift, debt-incurring experiments such as those that prevailed in the 30's and which failed miserably to accomplish the purpose of restoring stable employment.

I am in favor of legislation to extend unemployment insurance to those who have exhausted their normal coverage. I would like to see legislation to permit the States to request Federal loans if and when their unemployment funds approach exhaustion. I want the States to remain free from Federal dictation in the administration of this function. For those unemployed persons not now

covered by unemployment insurance, I would increase Federal matching funds to any State requesting such assistance for the purpose of relieving the temporarily unemployed through existing welfare agencies. This again puts the responsibility squarely upon the local authorities where it rightfully belongs and where financial ability is far more stable than is that of the Federal Government at this time or as it promises to remain in the future.

Mr. Chairman, I refuse to concur in any plan that would federalize the unemployment compensation. I cannot believe the Members of this House are oblivious to the ultimate breakdown of our economic system if this and other proposed deficit spending programs are authorized by legislation. We are responsible for the immediate needs of our people, yet we must not forget State administration can perform this responsibility without raiding the Federal Treasury that will likewise be held to account for the kind of economy we bequeath to posterity.

Mr. REED. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. HYDE].

Mr. HYDE. Mr. Chairman, although it has been said many times, I think it is necessary to make it clear again that all the Republicans with whom I have talked, and the President, support extension of unemployment compensation. The issue, as I see it, seems to be largely a matter of method.

We are all interested in finding an answer, a cure, to our economic ills that will prevent recession, depression, and unemployment.

For this reason I was particularly interested in the remarks made by the gentleman from Rhode Island, [Mr. FORAND] and my friend the gentleman from Louisiana [Mr. BOGGS]. The gentleman from Rhode Island pointed out that when he was a young man, secretary to a Congressman, sitting in the gallery in the thirties, he listened to the same arguments from our side of the aisle against the remedies that were then offered by the New Deal, and suggested that those were the things that were necessary to be done today to deal with the recession or the depression.

My friend the gentleman from Louisiana [Mr. BOGGS] yesterday quoted from a writer in the Christian Science Monitor, a writer I also highly respect. The gentleman from Louisiana quoted the writer as saying that the Administration had failed to adopt the well-known, built-in remedies that experience has shown us will adequately deal with economic difficulty.

Mr. Chairman, I suggest that we look at some of the New Deal methods and some of those built-in remedies that have been suggested in the light of factual history. In 1938 before Hitler invaded Poland, the unemployed in this country, after 6 years of trying these suggested remedies to which the gentleman from Rhode Island called our attention, stood at 10,390,000, or 19 percent of the entire labor force. Incidentally an increase of 5 percent over the year 1937. Evidently those remedies did not do much to reduce our unemployment.

The major remedies suggested are increased Government spending and tax cuts. Let us look at these remedies in the light of factual history. First, Government spending. The Government expenditures in 1938 were $6,792,000,000. Today the Government expenditures are over $70 billion, or 10 times as much as they were in the last year before the war started—10 times as much—or, if you take a 50-cent dollar, 5 times as much. Are you suggesting that we are not doing enough Government spending today? If Government spending were the answer it would seem we would not be near anything resembling a recession or depression.

What about tax cuts? Evidently our friends who are advocating a return to New Deal methods were not advocating tax cuts in those days, for in that 6-year period from 1932 to 1938 taxes were increased from a minimum of 1.5 percent to a minimum of 4.5 percent, and from a maximum of 25 percent to a maximum of 79 percent. You increased taxes in those days as a depression remedy, now you want to cut taxes

Deficit financing, they say, is the answer. That is one of the built-in remedies. We have had deficit financing every year for the last 25 years, with the exception of 2 in my recollection. If deficit financing were the answer we would not be having a recession.

However, let us weigh the suggested remedies against a specific situation; let us look at the Washington metropolitan area. In the Washington metropolitan area there has been no drop in employment by the basic employer, namely, the Federal Government. A few have been laid off, but on a percentage basis it has been negligible. On the contrary, the total overall payroll, private and Government, has increased in the past year; yet the automobile dealers are suffering. A local furniture dealer has reported to a furniture manufacturer in my District that his sales dropped to one-half of what they were last year. Why? Because payrolls have dropped? No, they have increased. What is the reason for the drop in this area? Do we need more Government spending here where we are doing more of it than any other place in the world? The answer seems to be bad policies on the part of some segments of industry with respect to sales and pricing, probably caused by an inability to match wages with production. With respect to the furniture man it must be psychological. It is a buyers' strike.

Who is responsible for that?

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

Mr. REED. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. HYDE. Mr. Chairman, who is responsible for the psychological attitude, the buyers' strike, which caused a furniture dealer to lose one-half of his business in 1 year? I submit to my friends on the Democratic side of the aisle that you must take responsibility for that. For the last 6 years you have been crying depression and recession. So you must bear the major part of the responsibility for that mental attitude.

Now, you may inquire, What is the point? The point is I think we are doing a great disservice to our people to tell them that we have any built-in known remedy. All of our economists differ on what is the solution. It is a disservice to tell our people that we can assure the people that they will not suffer from unemployment. Nature itself does not give assurance against trouble; how can we mere human beings give that assurance in our human problems.

The other point is that the administration has used those remedies which the experts on both sides, politically and philosophically, recommend, namely, loosening of credit, stimulating and accelerating business in those areas where we have the opportunity to give immediate employment, and, lastly, by recommending a workable plan of unemployment compensation, as suggested by the President.

Mr. MILLS. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Chairman, I rise in support of H. R. 12065, the bill to provide a temporary extension of unemployment compensation benefits, which has been reported by the Committee on Ways and Means.

It is clear to me, Mr. Chairman, that the Congress must take quick action to deal with the current level of unemployment, both in the interest of alleviating the suffering that it entails and in the interest of restoring consumer purchasing power in a way that can improve the chances for a business upturn.

Over 5 million American workers are now unemployed, and the prospects of substantial improvement in this unemployment situation in the next 15 months are certainly not bright. It appears to me immaterial to argue, as some do, that unemployment was higher than this when the unemployment insurance program was first established in the 1930's. The point is that a country as wealthy as ours is in the year 1958 can afford a more generous sense of economic justice than we could have afforded in 1936.

The Labor Department estimates that, even with improving economic conditions over the next 15 months, close to half of the claimants under State unemployment insurance programs will not be able to find new jobs before they exhaust their benefits. This is a serious human problem, and not merely a matter of people not wanting to go back to work. Our State unemployment insurance programs are now geared to remove from the benefit rolls people who are not trying to get jobs. In many of our States there are not even general relief funds available to care for destitute families that include at least one employable person.

The human problem of unemployment is even more serious in those industries not covered by unemployment compensation, and in my opinion, the most important distinction between the bill now before us and the Eisenhower proposal is that this bill will make provision for those employees in uncovered industries. Under the Eisenhower proposal three-fifths of the jobless, who have already

gotten payments or will get payments, would get more payments, but two-fifths, or more than 2 million jobless, who have so far received not a penny of unemployment compensation, would get nothing whatsoever. I can think of nothing more grossly unfair than a Federal unemployment-compensation program which would help only those unemployed who have already received benefits, and would do nothing for the jobless persons who have not been fortunate enough to be covered by unemployment compensation.

Let us take an example of two persons in the same city—both of whom are unemployed and both of whom have a family to support. Let us assume that one of these men had been working in an industry covered by unemployment compensation, and that the other had been a worker in an uncovered industry. Under the Eisenhower proposal the first of these 2 would be entitled to 13 weeks of unemployment compensation in addition to the number of weeks already provided in his particular State, while the second person, also unemployed and with identical responsibilities to meet, would not receive a cent.

It is significant to note that the Census Bureau estimates that between February 1957 and February 1958 the percent of wage and salary workers unemployed in agriculture rose from 11 percent to 21 percent. This was the largest percentage increase in any of the broad industry groups; yet under the Eisenhower plan none of these unemployed would get any help whatsoever; nor would any employees of charitable institutions who are jobless be helped in any way; nor would any aid be given to any employee of a factory in the seasonal canning industry. I could go on and on citing groups of jobless who would not have the slightest chance of getting any help under the Eisenhower proposal.

The Ways and Means Committee bill is designed to treat employees in uncovered industries on the same basis as employees in covered industries so far as the 16-week Federal benefits are concerned. Each individual who is unemployed will have to establish to the satisfaction of the local employment service what his average wages were during the base period provided by that State's unemployment compensation law. A benefit will be calculated from this average wage rate in precisely the same fashion in which a benefit would be calculated for a worker in a covered industry. The unemployed person from a noncovered industry will have to meet all of the State standards for demonstrating that he is ready, willing and able to accept new employment. Even under the committee bill, however, this unemployed person from a noncovered industry will be entitled to receive only 16 weeks of benefits for total unemployment while the individual from a covered industry will be entitled to receive 16 extra weeks of federally financed benefits after he has exhausted his entitlement under the State program.

One of the prime purposes of unemployment compensation is to put some spending money into the hands of those who have none in times of unemployment, and for this reason, if for no other, we should take care of those who have not been in covered employment. From the time that unemployment begins, there are no monetary benefits to offset the loss of purchasing power.

I believe this bill is necessary legislation because existing State unemployment insurance programs are not satisfactory to deal with the problems generated by the present level of unemployment. In part, this deficiency in the State unemployment insurance programs arises from the lack of adequate Federal standards. As was indicated by Governor Williams of Michigan in testimony before the Committee on Ways and Means, these State programs are particularly vulnerable to unsympathetic interest at the level of the State legislatures. This is indicated, for example, by the fact that, whereas the typical State program in 1939 provided an unemployment benefit equal to 65 percent of average weekly wages in covered employment in the State, the maximum State benefits at the present time average only 44 percent of the average State wage.

Unfortunately, a bill providing Federal standards for State unemployment compensation programs would not deal with the present situation. Such a bill would require conforming legislation in the States, and a new improved program would not be available in time to deal with the present severe unemployment. Adding the matter of standards to the present bill would raise new legislative issues that would seriously jeopardize the passage of this emergency legislation. I believe that the matter of standards should be handled on a separate basis. A good deal of study would be required to devise a program with minimum Federal standards that would incorporate the best provisions that have been worked out in the various separate State plans. And a standards bill should be given a longer period of study in the committee than is possible under present circumstances. I will work within the committee to see that this necessary amount of study is provided for and that a long-range unemployment compensation bill is reported to this House.

Mr. Chairman, I would reemphasize that the need for legislation to extend unemployment compensation benefits is urgent. I believe the bill reported by the Ways and Means Committee provides the best answer for this need on an emergency basis, and I fervently hope that this measure will be adopted.

Mr. MILLS. Mr. Chairman, I yield 20 minutes to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, I am not the least bit happy over the fact that I find it necessary to rise in opposition to a bill introduced and supported by the distinguished chairman of the committee on which I am privileged to serve. Our chairman is at once a most personable, highly persuasive, tremendously powerful, and altogether capable individual. I have a deep and abiding respect, admiration, and affection for him. It is, I believe, quite understandable that I should regret that we do not agree on this issue—but the fact remains, we just do not. Just as I am sure his sense of duty impels him to follow the course he is following on this legislation, I am equally sure he understands when I say that I feel likewise impelled to speak up for what I believe.

I do not propose to engage in any oratorical display or demonstration. If this, or any other issue, must resolve itself into a shouting contest which usually generates much more heat than light, then count me out. I do not believe in and will not indulge in any kind of name calling. I respect your right to disagree with me, as I hope you will respect mine to disagree with those of you who favor the committee bill. I shall confine my remarks to what I hope will be a dignified discussion of the committee bill and one which I propose to offer as a substitute.

Mr. Chairman, I believe that even our distinguished chairman of the Committee on Ways and Means will concede that the committee bill is not in fact an unemployment compensation insurance bill in any respect. It is more in the nature of an unemployment relief bill—with the exception that it departs from the time-honored principle heretofore an integral part of relief bills which says that in order for a person to get relief from the Government, he must show need.

Mr. Chairman, the statement was made here yesterday that we should be honest about this whole matter and that the provision of the substitute which I shall offer that requires the States to repay amounts advanced to them by the Federal Government was just kidding the people; that as a matter of fact the Congress would come along in a few years and forgive any amounts the States might owe. I shall discuss that feature of my bill later, but let me say now that it seems to me honesty also would compel amendments in the terms of the committee bill. The title of the committee bill should be changed to that of an unemployment relief bill; it should be amended to include a "need" clause, and it should be administered by the machinery of the welfare department rather than by the unemployment compensation insurance department. This bill should not be used as an instrument to destroy, albeit unwittingly, what has been designed and working as a sound unemployment compensation insurance program.

Mr. Chairman, there is no question but that there is a need for extension of unemployment insurance benefits in some sections of our country. There are some areas where many people who have had a longtime attachment to the labor market have been laid off and are still unable to find work due to existing economic conditions. Many of them have exhausted their entitlements under their State laws. Surely in those areas the machinery should be set up so that they could continue to receive payments a while longer. I submit that the substitute I shall offer accomplishes that result. Moreover, it does it in a sound way, without making a complete mockery of the entire unemployment compensation system.

My proposal adheres to the principles upon which our unemployment compensation system is predicated, and it preserves the integrity of the State systems as well. It is identical in certain important features with existing law. It simply makes the existing law more flexible and better designed to meet the immediate economic situation.

My proposal says that any State which wishes to do so may enter into an arrangement with the Federal Government whereby funds are advanced to the State for the purpose of defraying, in whole or in part, the additional benefits that a State may provide for those individuals who had exhausted their State benefits under regular provisions of State laws. The amount of benefits for which Federal funds may be secured is an amount equal to 50 percent of the benefits that the individual had received under the regular provisions of State laws. It makes qualified all those who have exhausted their benefits since July 1, 1957, except that if the situation in a particular State would be better served by setting a later date, the State has the right to elect such a later date.

Another distinction between my proposal and the committee bill is that the funds advanced by the Government in my proposal are not an outright grant or gift as is the case in the committee bill. The State must ask for the money and provision is made for its repayment.

Now, how is the money repaid? A State may, within 4 years, pay back the amount advanced, without interest, from State funds generally, or it may be paid back from unemployment compensation reserves that the State has accumulated. The amount of money to the credit of the various States in the reserve fund naturally varies with each State, but I am told that as of the last of March the total amount in the fund was roughly $7.9 billion.

Now if, at the end of the 4-year period, the State has not replaced the money advanced to it, the Federal Government collects it from the employers in that State. How do they go about it? As you know, the Federal unemployment compensation tax is 3 percent of the total payroll of the employer on all wages paid by him up to $3,000 a year per employee. The employer, however, does not pay all that tax directly to the Federal Government. Instead, if the State has an approved unemployment-compensation system—and all of the States do—the Government allows the employer to take a credit of 90 percent of his Federal tax in order to pay the unemployment tax levied by the State. The remaining 10 percent of his tax, of course, he pays to the Government—and that money is used by the Government to pay the cost of administering the program. I am sure all of you know this, but I am refreshing your memory so as to show you how the Government goes about collecting from employers if the State has not, within the 4 years, returned the amounts advanced to it. If, as I said, the money is not returned by the State within the 4-year period, then the Government simply reduces the amount of credit it allows an employer from 90 percent of the 3-percent Federal tax to 85 percent. This means, of course, that the employer will pay to the Federal Government at a higher rate than he has previously paid. This excess is credited to the amount due by the State until the amount is paid off. If this excess does not pay it off in one year, then the next year the credit allowed to the employer is reduced another 5 percent the next year, and so on progressively at the rate of 5 percent a year until the advance is paid.

This is exactly the same repayment procedure as is provided for in title XII of the Social Security Act, which has been called variously the Mills Act, the Reed Act, and the Employment Security Administration Financing Act of 1954. This is the law, as you know, which provides for the present revolving fund of $200 million from which States may now get advances under certain conditions.

It has been suggested that the constitutionality of this method of repayment is questionable as it has never been tested because no State has gotten advances from the Federal Government under title XII of the Social Security Act. As a matter of fact there have been such advances. Alaska, which for the purposes of this act is a State, borrowed $3 million in the late summer of 1955. And for the benefit of those of you who think States might not return this money, I can tell you that late in 1956, Alaska returned the money. In January 1957 they borrowed $2,630,000 and February 1958 they borrowed $2,635,000 more. These loans have not yet been paid back, but Alaska has not defaulted yet either, because the 4-year period has not elapsed. To ease the minds of those of you who may be concerned because your State has a constitutional prohibition against borrowing money, I call your attention to the fact that within the last month the State of Oregon has secured an advance of $14 million under title XII and the Oregon State constitution prohibits the State from borrowing more than $50,000 except for the purposes of repelling invasion, putting down insurrection or for building and maintaining public roads. Obviously this type of advance does not come under any of those categories, so States which are generally prohibited from borrowing money not only can but have obtained these funds without question as to their authority to obtain them. The reason that this can be done, of course, is because under title XII as well as under my bill, and I repeat the repayment provisions are identical, the State in no manner pledges its faith and credit in the securing of the advance.

The argument has been made that if the States do not have to pay the money back, then Congress is not going to make them pay it, therefore the statement made by my distinguished chairman that the grants under my bill are just as much of a gift as his, must be true. In that connection I remind you that there have not been any defaults under present law—and if there are or should be, the same as under my bill, the Federal Government would proceed to collect from the employers of that State by requiring them to pay more than the present three-tenths of 1 percent direct to the Federal Government. Can Congress forgive this too? They can—but as a very practical matter we must remember that every State is not going to borrow money under this program, because every State is not in the same economic position. As a matter of fact, over two-thirds of the unemployment in this country today is concentrated in 9 industrial States. I am reasonably confident that the Representatives in Congress of States which have not borrowed any money under this program, are not going to vote to relieve the States or the employers in those States which have borrowed money from paying back what they borrowed.

Another argument has been made that if the States have to pay the money back, then why not just let them increase their taxes now, to pay additional benefits and they will not have to get any advances from the Government. The advantage of my proposal over that is that the same economic conditions which now call for longer duration of payments make it also a hardship on employers to have any additional tax levied on them at this time. What I propose is a method whereby funds may be extended to a State to induce them to extend benefit payments, if this seems warranted in the estimate of local conditions as judged by the various State authorities. This increase of benefits can be made without the imposition of an immediate higher tax. The cost of the provision of these additional benefits can be deferred, as pointed out, and there will be no additional increase in tax until 4 years hence, at which time, I believe we have good reason to hope that economic conditions will be such as to make it easier for States or employers as the case may be, to make the additional payment.

Now as to the further advantages of my proposal as against the committee bill. Basically it preserves the principle of insurance. You might say that it provides extended insurance. You cannot run an insurance system on the basis of putting up free Federal money for the risks insured against. England took this free-money road in 1921 through the extension of free federal money to the English unemployment trust fund. This extension of payments was repeatedly extended, finally culminating in the complete destruction of the British insurance system. It then became known as the English dole system. This, as you know, has broken down and they have had to go back to an insurance system.

Like all of you, I appreciate the plight of our many unemployed people who are a legitimate part of the labor market. I think everyone wants to make reasonable provision for them. Let us not, however, in our zeal and emotions of the moment attempt to assist them in such a manner as to undermine the very principles and administration of our existing State unemployment compensation program. Particularly let us not attempt to make provisions which will have a destructive impact when it is possible for us to make provision within the established framework of our State systems and in a manner that will assure the continuance of this State system

without continued encroachment of the Federal Government.

In our desire to do good, and we all want to do good, let us not be swept off our feet and end up by doing bad. You know that when a State agency is paying out Federal money that it does not have to pay back it is perfectly natural, without any reflection on any of the people who under the committee bill, would administer the program, that they are not going to be as careful about seeing that unauthorized persons do not get the money as if they had to pay it back. Especially is this true when there is no provision in the committee bill for policing the program.

By a loose administration of the committee bill at local levels, we could find ourselves in a position of having started out to try to help people who are unemployed—and end up by giving money, at the expense of people who are a legitimate part of the labor market, to people who just will not work.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield.

Mr. BYRNES of Wisconsin. I want to compliment the gentleman on his statement, and also on the proposal which he makes. It seems to me it is entirely consistent with the Federal-State relationship. It is entirely consistent with the concept and fulfills any Federal obligation that there may be in this particular area.

I congratulate the gentleman.

Mr. HERLONG. I thank the gentleman.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FOGARTY. Mr. Chairman, on March 10, 1958, I introduced H. R. 11254 for supplementation of State unemployment insurance grants. This bill was intended to give protection to eligible workers for a period of 40 weeks at not less than one-half times their weekly earnings with a maximum weekly benefit based on two-thirds of the average State weekly wage. The additional cost was to be borne by the Federal Government. I shall continue to work for these improvements. However, realizing the urgency of the present situation and the need to find a method that will accomplish substantial protection at once to the million or more who are at this moment without the protection of unemployment insurance, I believe this Congress should forthwith enact H. R. 12065.

There are some who would have you believe the States alone should take care of those who have no protection against unemployment. With over 8 percent of the Nation's work force now idle, this is a problem which transcends State boundaries. The Federal Government cannot escape its responsibility for the unemployment-insurance program which it provided for the workers of this country 20 years ago. Many believe there would now be no Federal-State system of unemployment insurance had the Congress not acted in 1935. The Federal Government must not refuse ultimate guardianship of the system. When that system fails to meet the purposes for which established the National Government must act.

We have seen for many months the sharply rising numbers of unemployed workers. We have seen the large number who have exhausted benefits. We have heard that something may be done to put them to work. Neither the States nor the Federal Government have acted. The word from some quarters is wait and see. But the claims lines increase and more and more workers use up their benefit rights with no work in sight. This is an intolerable situation. What are we waiting for—the States to act? Only one State has called a special session to meet the urgent problem. It is evident the unemployed can expect no hope in the present emergency from that quarter. Their only hope is action in Congress.

The administration belatedly offered a feeble proposal, hardly more than a gesture to those who had exhausted State benefits That bill would have increased duration of benefits for each exhaustee by one-half his State duration up to 13 weeks. In some States this actually meant 3 to 5 weeks additional duration to workers at the minimum. For this great industrial Nation that would be nothing short of niggardly. Such a program would have done little to increase purchasing power or keep the beneficiary in the necessities of life, to say nothing of restoring confidence. Its architects had little understanding of what loss of income means to the worker and his family.

We are told by opponents of H. R. 12065 that supplementation is a dole, that any temporary supplement becomes permanent, and that it destroys the insurance principle. The accusations were even made against the administration proposal, weak as it was. When H. R. 12065 was approved by the Ways and Means Committee the same dole charge was leveled at it by the President, in spite of the fact the purpose of both bills was the same; namely, to provide temporary supplementation. These accusations are not new. They bear examination. The stigma of dole was used by these same sources when the Social Security Act was passed. No one took the label seriously then, certainly there is no need to do so now. Fear that temporary supplementation would become permanent as the opponents say it did in England and thus destroy the system of unemployment insurance is not borne out by the facts. Suffice it to say the British system has long since been on a sound actuarial basis.

H R. 12065 provides for outright grants to the States to cover the additional 16 weeks' compensation. The limited administration bill would have forced the States to reimburse the Federal Treasury for the cost of supplementation. In this respect H. R. 12065 frankly recognizes the responsibility of the Federal Government in the present recession. No individual State is held responsible for any part of the present failure of the economy within its boundaries simply because no State alone caused the recession its people experience. On the other hand no single State can prevent the recession from adversely affecting its people. This is a nationwide recession which has come home to roost in the administration's woods. Therefore, the cost should be borne by the Federal Government. To do otherwise would be to penalize those States such as my own which valiantly raised employment rates to the maximum and increased the wage base to $3,600. By so doing, Rhode Island's unemployment fund has remained solvent. The proposed additional cost could well have created a disastrous competitive burden on the employers of the States. The committee acted wisely, in my judgment, to repudiate the administration's method of reimbursement.

H. R. 12065 retains the insurance principle by providing the same tests of eligibility now in effect in each State law. A claimant for supplementation benefits must qualify on the basis of past earnings as distinguished from qualification under a means test. For those who have exhausted benefits a Federal grant for supplementation in no way interferes with the insurance principle contained in the eligibility tests which are basic to the actuarial considerations of contributions and benefits. These Federal grants will not destroy this relationship in any State law. There is nothing to fear from this source.

I strongly urge passage of H. R. 12065.

Mr. Chairman, an editorial in this morning's issue of the Providence (R. I.) Journal clearly and succinctly spells out the emergency nature of the present unemployment crisis. As this editorial states, the conclusion is inescapable that the unemployment situation is now more serious than at any time since the beginning of World War II. It should be apparent, therefore, that the problem requires immediate and forceful action—action which would be achieved by passage of the subject bill, H. R. 12065. Under leave to extend my remarks, I include the editorial to which I have referred from the Providence Journal of May 1, 1958:

THE UNEMPLOYMENT FIGURES DON'T LOOK VERY HOPEFUL

The announcement by Commerce Secretary Sinclair Weeks that unemployment decreased 78,000 from March to April is not so encouraging as it might appear offhand. In the same period of the 1949 recession, unemployment fell 151,000, almost twice as much. From March to April in the 1954 recession, unemployment decreased 259,000, or about 3⅓ times as much as this year.

Unemployment normally decreases from March to April. During each of the past 4 years, 1954–57, inclusive, the decline in unemployment was well over 200,000. In 2 of these years, 1954 and 1956, the drop exceeded a quarter of a million. The average decrease for the 4 years was 240,000.

The Nation's unemployment experience this year contrasts sharply with last year's figures. From January to April this year, unemployment shows a net increase of 626,000. During the same months of 1957, the net decline was 554,000.

The number of workers idle does not fully measure the loss in productive power. Last year, in February, the average work week in manufacturing industries was 40.2 hours. This year, in February—the latest official figures released—the average work week in manufacturing was 38.5 hours.

Mr. Weeks notes that employment increased 596,000 from March to April. In good times and bad, it always rises at this time of year. In the 1954 recession, for example, it increased 498,000 when the total civilian labor force was more than three million smaller than it is now. Of this increase in 1958, moreover, more than four-fifths was in agriculture. Nonagricultural jobs were only 110,000 higher.

The severity of unemployment can best be measured by the ratio of idle workers to the total civilian labor force. Despite the decrease of 78,000 from March to April this year, the ratio in April was the highest recorded in any month during the past 17 years. It actually increased from 7 percent of the labor force in March to 7½ percent. Last year, in April, the ratio was down to 4 percent.

The conclusion, of course, is inescapable that the unemployment situation in April, notwithstanding the 78,000 decline, was more serious than it has been at any time since the beginning of World War II. In these circumstances, it is little wonder that Mr. Eisenhower, in his latest press conference, said he could not regard the April drop in unemployment as indicating that the Nation is on the high road to recovery from the business recession.

Mr. REED. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Vermont [Mr. PROUTY].

Mr. PROUTY. Mr. Chairman, later on I may offer an amendment to H. R. 12065. This amendment will not violate the principle of States rights in any sense and, if agreed to, would require Federal participation only during periods when unemployment exceeds 4,012,000 or 5.9 percent of the total working force.

However, at this time I should like to address myself to those whose concept of unemployment compensation differs from mine.

Mr. Chairman, when we vote funds for various farm programs do we consider this charity? I think not. Such action is based on the theory that a stable and prosperous agricultural economy is essential to a sound general economy.

When we vote subsidies of one kind or another to private industry as we did last Tuesday, is this charity? Again the answer is "No." Such subsidies are justified in the belief that they are in the interest of national security and/or the welfare of the Nation as a whole.

Mr. Chairman, ours has developed into an almost completely interdependent economy. When any major segment of our society experiences serious and prolonged economic problems it is almost inevitable that eventually this will have adverse effects throughout the country.

It is for this reason that when general unemployment reaches abnormal heights I believe it becomes a national problem and one with which the Federal Government must be concerned.

Today more than 5 million Americans are unemployed. So, including the families of the jobless, probably 12 to 15 million individuals are directly affected by the present recession. But its effect does not end here. Local business interests are injured with a diminution of purchasing power in a community. And what perhaps is most serious of all is the fact that those who are employed are induced by fear of the future to restrict their purchases to minimum needs. In other words, unless confidence is restored in some degree a recession can snowball itself into a full blown depression. We should be very careful not to underestimate the psychological impact of the present recession upon millions of Americans for that is certain to prolong it.

Those who subscribe to a "let 'em eat cake" philosophy, who are opposed to any extension or increase in unemployment compensation seem to feel that every unemployed individual prefers it that way. In my judgment the logic of the situation would tend to invalidate such an opinion. For a substantial number of those without work are young people with growing families. By virtue of seniority rules they were the first to be laid off and will be the last to go back on the payrolls.

The Federal Government through various programs has made it possible and, in fact, has almost urged them to purchase new homes. Business has encouraged them to buy almost anything on a nothing down and up to a 3 or 5 years to pay basis.

As a result they are saddled with installment and other debts and it seems to me little short of ridiculous to suggest that any appreciable number of them are willing to face substantial personal losses in order to draw unemployment benefits.

Mr. Chairman, it is said our Federal-State unemployment insurance program was designed primarily to assist financially those who are involuntarily out of work for comparatively brief periods.

Undoubtedly this is true but, as I have explained, when there are significant down-turns in business and employment I think it is in the national interest that counteracting measures be taken.

Certainly one of the most obvious of these is to expand unemployment benefits and increase the weeks of coverage. Not only will this help those unfortunate enough to be without jobs, it will also assist materially in the maintenance of purchasing power within a local business community.

In and of itself such action probably will not end a recession but if, in addition to other measures, the purchasing power of unemployed workers can be sustained by protraction of benefits, the duration of a recession can be lessened and economic recovery accelerated.

One thing is certain. There is no faster method of getting money into a lagging economy than to channel it through the hands of those who have no alternative other than to spend it for the necessities of life.

It is for this reason that I hope to be able to offer an amendment which is similar in text to the bill H. R. 11634 which I introduced some time ago and which, generally speaking, represents a new approach to the question of unemployment compensation.

It should appeal to those who hold to the principle of State's rights in this field because, in my opinion, it will require no significant changes in State laws relating to unemployment compensation. But I do feel that the enactment of this bill would induce many States to amend such laws, on a voluntary basis, in a manner which will render them more consistent with current needs.

This amendment authorizes the Secretary of Labor to enter into agreements with the States. Under such agreements the Federal Government will provide increased benefits and extended coverage to unemployed persons during periods of high-level unemployment.

As defined in the amendment a "high-level unemployment period" is one which begins on the Monday following four consecutive weeks in each of which the Secretary of Labor has announced that unemployment within the groups covered by unemployment compensation exceeds 6.3 percent. Such a period ends on the last day of 4 consecutive weeks in each of which the Secretary of Labor has announced that unemployment within the covered groups is 6.3 percent or less.

Economists generally will agree, I think, that a serious economic recession does not exist until unemployment at the national level reaches 6 percent of the total labor force.

Therefore, my initial premise is that 5.9 percent of the total labor force is the maximum level of unemployment which can be considered within the bounds of normalcy; 5.9 percent of an estimated 68 million persons in the total labor force is 4,012,000. This last figure then represents the maximum numerical unemployment which can be tolerated without corrective measures.

But the ratio of the insured groups within the total labor force to the uninsured is 1.72 to 1. Using this ratio as a base it is logical to assume that on an average and at any given time 63 percent of the unemployed will be within the covered groups and 37 percent outside them.

If we apply these percentages to the 5.9 percent of the total labor force which as indicated above is 4,012,000 we shall find that 2,572,560 or 63 percent of the unemployed will be in the insured groups and 1,484,440 or 37 percent will not be entitled to compensation.

Two million five hundred and seventy-two thousand five hundred and sixty is 6.3 percent of the 43 million persons within the covered labor force and this explains my use of this percentage as the primary factor in determining high-level unemployment.

The number of unemployed within the groups covered by unemployment compensation has been made the basis for such a determination because these figures are much more accurate than those dealing with total unemployment. Moreover, they are available every week and are essential to the carrying out of the provisions of this bill.

The benefits provided by my proposal are as follows:

First. During high-level unemployment periods individuals who receive unemployment compensation under State law will receive Federal supplemental compensation equal to (A) 30 percent of the unemployment compensation received from the State, reduced by (B) any additional payments which such individual receives as a result of his unemployment—such as, for example, unemployment benefits paid by employers or labor unions.

Second. Individuals who after June 30, 1957, have exhausted their benefit rights under the applicable unemployment compensation law will be entitled to an additional 20 weeks of unemployment compensation to be paid by the Federal Government but in amounts which are identical with prevailing State rates. In other words, the 30 percent increase will not apply in the case of those who have exhausted their benefits under existing State laws.

Third. Compensation for the additional weeks will be payable during the remainder of 1958 without regard to any termination of the high-level unemployment period and without regard to the termination of the individual's benefit year. This provision was inserted on the theory that even if the present unemployment level is gradually reduced many individuals will have exhausted their benefits before jobs are readily available.

Fourth. After 1958, individuals will be entitled to a maximum of 16 additional weeks in a benefit year, but only after they have exhausted their benefit rights under the applicable unemployment compenation law and only for weeks beginning in a high-level unemployment period.

Mr. Chairman, I should like to point out that in terms of present national averages the 30 percent Federal supplement proposed in this bill will give those drawing unemployment benefits about 48¼ percent of their average weekly wages or 53.6 percent of average take-home pay.

The national average wage is $81.15 which, after deductions for taxes and social security, leaves a net average take-home pay of $72.93. The average weekly unemployment benefit is $30.11. An increase of 30 percent brings this up to $39.14. This is 53.6 percent of average take-home pay but 17½ percent less than the take-home pay of one employed only 3 days a week.

Mr. Chairman, in approving the Full Employment Act of 1946, I think Congress recognized that it has a responsibility to help maintain full employment and economic stability.

I am asking Congress to live up to that responsibility by enacting a program that will come into operation whenever unemployment reaches high levels.

In attempting to understand any compensation bill a great many questions come to mind. There are a number of basic ones such as, Who is to receive compensation? In what amount? Under what conditions does compensation begin and under what circumstances may it be terminated? A mere reading of technical language in the bill does not suffice to clarify these points for the average person, so I have prepared a series of questions and answers with respect to my bill H. R. 11634:

1. Question. There are many individuals who have already exhausted or will exhaust later in 1958 their State unemployment-benefit rights—to what would they be entitled under this amendment during 1958?

Answer. During 1958 these individuals could receive up to 20-additional weeks of compensation at the State rate whether or not high-level unemployment periods exist.

2. Question. What if an individual exhausts his State benefits late in the year 1958, say on December 1? Under this amendment would he get additional weeks of compensation only until the end of 1958?

Answer. Since this individual would have used only about 4 weeks of his 20-week extension, he could receive unemployment benefits for the first 16 weeks of 1959 if these weeks are high-level unemployment periods.

3. Question. What if a man exhausts his State-unemployment benefits on December 3, 1958, and then draws 4 additional weeks of compensation under this amendment? What happens to him in 1959 if he still is out of work and January, February, and March aren't high-level unemployment periods?

Answer. He would be unable to receive additional weeks of compensation during January, February, and March. He could, however, draw what was left of his 20 additional weeks during high-level unemployment periods occurring later in the year, provided his benefit year had not expired.

4. Question. What do you mean when you say, "provided his benefit year had not expired"? What is a benefit year?

Answer. In most of the States the benefit year is the 12-month period beginning with the date on which an individual has to file his first-unemployment claim. Therefore, when I said "provided" the worker's "benefit year had not expired", I meant in essence provided the worker hasn't been unemployed for more than a year.

5. Question. For the purposes of this amendment, when would a high-level unemployment period begin?

Answer. Whenever for 4 consecutive weeks more than 6.3 percent of those covered by unemployment insurance are without work.

6. Question. When would a period of high-level unemployment be terminated under the provisions of this amendment?

Answer. At the end of the fourth consecutive week during which 6.3 percent or less of covered workers are found to be unemployed.

7. Question. So there is no possibility of an individual getting the supplement 1 week, losing it the next, and drawing it again the third week?

Answer. That is correct. The amendment provides for at least a 4-week buffer between the time compensation ceases and the time it can be paid again.

8. Question. How much of an increase in the individual's weekly unemployment benefit is provided by this amendment?

Answer. The amendment would increase the weekly benefits of those drawing compensation by 30 percent.

9. Question. Whenever an individual draws State unemployment benefits under this amendment does he also receive supplemental compensation provided by the Federal Government?

Answer. Individuals drawing State unemployment benefits get the weekly Federal supplement only during periods of high-level unemployment.

10. Question. Am I correct in assuming that if there were no high-level unemployment periods in this country during the next 10 years no supplemental compensation would be paid under the provisions of this amendment?

Answer. That is correct.

11. Question. If a man is presently receiving each week $40 in State unemployment compensation and an unemployment benefit of $10 a week from his company or union, would he still get a 30-percent supplement provided by the Federal Government?

Answer. In situations of this nature the Federal supplement would be reduced by any amount an individual receives from his company or union. Therefore, in the instant case, instead of getting a Federal supplement of $12 weekly (which would be 30 percent of his State unemployment benefits), the individual would get $12 less the amount ($10) he is receiving from his company or union.

12. Question. Had this proposal been enacted into law in 1948, how many times would it have come into operation since then?

Answer. It would have been in effect for a brief period during 1950 but in no subsequent year until now.

13. Question. In terms of present national averages, if an individual receives State unemployment compensation plus the 30-percent Federal supplement, about what percent of his average weekly salary or take-home pay will he end up getting?

Answer. In terms of present national averages, those drawing State unemployment benefits and the Federal supplement will receive about 48¼ percent of their average salaries or 53.6 percent of their take-home pay.

Mr. Chairman, through this list of questions and answers I hope that I have clarified to some extent the provisions and purposes of the bill.

It is my feeling that what is needed during any significant economic downswing is to channel assistance in proportion to the extent of unemployment and to where the unemployed are.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MACHROWICZ].

Mr. MACHROWICZ. Mr. Chairman, I rise in support of H. R. 12065 as reported by the committee, without amendment, despite strong feeling, shared, I am sure, by many Members in both parties, that it would be far better, if it were feasible at this time, to include Federal standards increasing weekly benefits of unemployment compensation and extending the number of weeks duration from now on.

Let me, first of all, correct some misleading impressions that were created yesterday and today by some Members who would lead you to believe that Governor Williams, of Michigan, the State probably hardest hit by today's recession, does not favor the committee bill. The gentleman from Michigan [Mr. GRIFFIN] said this morning that he agrees with the Governor. I know he will be interested in knowing what those views are. I received from him this morning a telegram from which I would like to quote:

Views attributed to me that I do not favor title II of H. R. 12065 are incorrect. I wholeheartedly favor extension of benefits to those provided for in title II. My previous testimony before House Ways and Means Committee contained endorsement for Federal participation in State general-assistance pro-

gram to help those not covered by unemployment insurance. I believe that title II adequately provides for some workers not now covered. I would still urge Federal grants for general assistance for those not covered by unemployment insurance or by title II of H. R. 12065.

There certainly can be no question as to where the Governor stands on this issue.

Several Members yesterday and today also complained that the committee bill was not administratively feasible. I remember no testimony before our committee that would sustain such charge. Certainly it was stated that there would be difficulties to be met in administering title II, but no one, to my knowledge, testified that it could not be done. But let me read to you further from Governor Williams' telegram to me, on this point, and remember that this is the State where most of these difficulties could be expected to arise. Here is what the Governor says on this point:

I believe that enactment of H. R. 12065, as reported from committee, is a sound proposal and I endorse its provision without reservation. Furthermore, I wish to state that both titles I and II have been determined by Michigan Employment Security Commission to be administratively feasible.

So it seems to me that this alleged administrative difficulty is just a smoke screen that some may use to kill any effective unemployment assistance program at this time.

Throughout the Nation workers are exhausting their benefit rights at the rate of more than 40,000 a week. It is estimated that during 1958 more than 2 million workers may exhaust unemployment compensation benefit rights under existing State laws. As they do so and in the absence of a pickup in employment, they and their families face the danger of dropping from the economic basement to the subbasement, losing hard-earned equities in homes, cars, household equipment, and other assets, along the tragic downward spiral to destitution where they can qualify for inadequate relief payments after they can pass a means test. In addition to the individual and family tragedies involved, this shrinkage of purchasing power by millions of American families means reduction of markets, backing up of inventories, and new pressure to curtail or shut down factories, shops, mines, steel mills, failures of retail stores, and a shrinkage of markets for farm products, both foods and fibers.

Mr. Chairman, in my State of Michigan the latest available reports show insured unemployment for the week ending April 12, 1958, to be 304,922, up 11,585 over the preceding week and up 210,319 over a year ago.

Initial claims filed for the week ending April 19, 1958, by newly laid off workers increased in Michigan 11,622 over the preceding week and were 33,961 above the same week 1 year ago.

The robins have come to Michigan but the recession continues to feed upon recession not only in Michigan but throughout our beloved country.

Mr. Chairman, under unanimous consent, I insert in the RECORD at the conclusion of my remarks a table showing similar figures for each of the 48 States.

Unemployment in Michigan for the week ending April 12 totaled 15.2 percent of the entire insured work force. Since then, I understand it has increased to well over 16 percent. The less industrialized State of Maine had 14.3 percent unemployment, Arkansas 11.2 percent, California 8.6 percent, Connecticut 8.1 percent, Indiana 8.2 percent, Kentucky 14 percent, Montana 10.5 percent, New Hampshire 11 percent, Pennsylvania 10.6 percent, Rhode Island 10.6 percent, Tennessee 9.2 percent, Washington 8.1 percent, West Virginia 13.6 percent.

Mr. Chairman, this is serious. This is the precipitous road from recession to depression, so easy to travel on the way down, so hard to climb back up.

The bill before us will at least slow down the descent to the pit of depression. If enacted, it will provide at least 16 additional weeks of unemployment compensation benefits at whatever the State rates may be to those millions who are unable to find suitable work and who can qualify either under existing State laws or under the provisions of title II of this bill which, it should be pointed out, are not wide open as recklessly alleged here yesterday by some Members, but are related to earnings made under the old-age and survivors insurance title of the Social Security Act, and to other available and reliable official records.

Of course, I would hope that, as the severity of the recession becomes better understood by the American people and by the Members of Congress, and as this bill follows the path of consideration and amendment through both Houses and in conference, it may be decided by majority vote to make admittedly needed permanent improvements in our unemployment compensation system by providing minimum Federal standards, to increase weekly benefit amounts to at least 50 percent of the individual insured worker's full-time weekly wages up to 66⅔ percent of the average wage in each State, and also to extend the duration to 39 weeks.

Mr. Chairman, I recognize the hard fact that the opponents of this bill, H. R. 12065, are now proposing to pare down the administration bill so that it would not even assure all insured unemployed workers a 50-percent extension of the number of weeks of benefits to which they may be entitled under existing State laws, but would make this conditional upon each State's decision whether or not to accept the advance of Federal funds for such purpose, to be repaid by 1963.

This is now not only a weak proposal, it is a broken reed that the unemployed in many States could not lean upon. It would be looked upon by employers in some States suffering chronic, large scale unemployment as a treacherous device for increasing their payroll taxes some years hence, putting them at an even greater competitive disadvantage with other States having lower payroll taxes.

The administration substitute as amended would be, in my opinion, a shameful and indefensible abdication and avoidance of our Federal responsibility to provide for the general welfare and to promote the free flow of commerce among the several States. Yes, Mr. Chairman, in these days when Communist expansionism is on the prowl and alert to pick up every economic and propaganda advantage within a matter of hours, adoption of such a substitute and amendments would be, in my considered judgment, a severe blow against our national economic strength and our national security.

Mr. Chairman, to adopt the administration substitute in the form urged by the opponents of H. R. 12065 would be to cut the spinal cord of our Federal Government, leaving the parts and members to flop and wriggle like the trunk and limbs of a beheaded animal. Twenty-three years ago the Congress decided that unemployment was a Federal concern; 21 years ago the Supreme Court affirmed that judgment in upholding the unemployment insurance title of the Social Security Act.

The responsibility upon the Members of this body today is indeed a great one and a serious one. We must do everything we can to put America back to work. That is the answer to this recession. That is the only possible answer to the economic crisis which faces the Nation today. It would give needed money to those who are most needy—money that would be used immediately for purchases which will help start again the wheels of our economy.

Our system of unemployment compensation benefits was conceived as a major stabilizer to buoy up our economy during recessions. If it has proved inadequate to do this, let us live up to our responsibility and supplement it by such action as is necessary. If we fail, we shall have to answer to our people. If we fail, we will be giving comfort to the enemy. Edmund Burke has once said: "The only thing necessary for the triumph of evil is that good men do nothing."

Mr. Chairman, I cannot believe that this great body of dedicated men and women want to be justly charged with doing nothing in this period of crisis. I believe that the proposed substitute to the committee bill will do nothing effective that the States could not already do under the authority they now possess. I have faith that the committee bill will be approved as the most fair and direct approach to a difficult and a complicated but serious problem.

The extreme terms of the minority committee views and of the opponents of the pending bill generally becloud the issues with a spate of slogans and a flood of crocodile tears about the future of State unemployment insurance programs. However, despite this, it is possible to subject the issues to rational analysis.

Parenthetically, let me state that I have been more than a little surprised at the expressions of concern being uttered by my colleagues of the minority party, by the National Association of Manufacturers, and by the National

Chamber of Commerce about the continued existence of the State unemployment compensation plans and by their great desire to protect them. As I recall, these gentlemen and organizations did not support the original unemployment compensation legislation, the Federal Compensation Tax Act, when it was first before this body in the social-security bill in 1935.

However that may be, in the question of the extension of benefits for persons who have exhausted their rights under State plans, it is hardly necessary to talk about the need of doing something. The administration proposal provided for an extension of duration which in most cases would have been 13 weeks compared with the 16 weeks under the bill. The need for this extension arises from the fact that the normal state duration periods make the assumption that if an individual really wants a job he can find new work in a period of high unemployment. There are simply not enough jobs available. This is emphasized by the fact that the Labor Department estimates of the cost of this bill assume that about between 40 and 50 percent of the workers becoming unemployed will fail to find new employment before their State benefits are exhausted.

The only real issue on this point is how do we pay for this extension. The administration bill actually proposes that this extension be paid for by future employers, and they tell us that this is the only payment method consistent with sound insurance principles. This is fantastic. What insurance company would provide additional benefits to existing policyholders and announce that these benefits will be paid for by an increase in the premium 3 years in the future? The fact is that a system of paying for present benefits by a future increase in the unemployment tax violates every sound insurance principle. The situation of a number of State funds is such that additional benefits cannot be paid for out of existing unemployment insurance reserves. If temporary unemployment compensation benefits are to be provided at all, it is obvious that Federal financing from general funds is necessary.

Not only does a Federal grant approach avoid undermining the insurance character of the unemployment tax, but it is the kind of step that was intended in a serious unemployment situation ever since the beginning of the unemployment insurance system. The original committee reports on the first social security bill made it clear that the unemployment insurance system by itself could not deal with severe and protracted depression. It was clear that additional action by the Federal Government would have to be taken in such circumstances to provide large scale public works, tax cuts, or even supplementary unemployment benefits. Dealing with unemployment by supplementing the unemployment compensation program has obvious advantages. Unlike the tax reduction bills recently introduced by several influential Republicans, these payments help people who are in need. Also the cost of this program will vary with the need for it. If unemployment should increase, this program will be invaluable. Or if conditions should become as good as the rosy picture painted by White House press releases, there should be only small outlays under this program.

The minority report of seven Republican members of the Ways and Means Committee agrees that the State compensation programs are not capable of dealing with protracted unemployment occasioned by economic recessions or depressions. The report continues, however, to develop the absurd theory that the existing State unemployment insurance systems have exclusive rights in matter of helping the unemployed. The theory seems to be that the Federal Government can do anything in an economic recession except help the unemployed. These jealous guardians of stand-pattism do not even appreciate the flattery of imitation. They argue that it would be fatal to provide in other industries the type of benefit extended in covered industries.

One hardly knows whether to take this seriously. Perhaps the real key to understanding this is that my Republican colleagues do not really think that supplementing existing unemployment compensation is a bad way of dealing with an economic recession. I suspect their fundamental position is that you should not deal with a recession at all.

Whether the actual payments, under a Federal program of extended benefits, are covered from the State unemployment-insurance funds or from Federal grants, the money comes from the ultimate consumer who bears the burden of prices. Even for the most zealous defender of the present unemployment-insurance system, it would be hard to establish that the tax on employers is not, in fact, passed along in prices and paid by the ultimate consumer.

On the other issue of providing benefits for workers not now covered by unemployment compensation, the fundamental case is the same. In times of higher than normal unemployment even the transitory casual laborers find that they cannot readily pick up a new job. Since 1957 the increase in agricultural unemployment has been more pronounced than the increase in unemployment in any other broad segment of industry. In view of the present unemployment conditions, which are more serious than any that we have experienced since 1941, it is regrettable that we did not in the past deal more seriously with this problem of the coverage of unemployment compensation. Now the severe human problem of unemployment is upon us in these areas that have been left uncovered. Here again the minority report seems to argue that the existing unemployment compensation programs have established exclusive rights in the field of helping the unemployed. The report again seems to argue that in this type of situation you can do anything else, public works or tax cuts, but do not help those suffering from unemployment.

I believe that I have already dealt with the fundamental issues in this bill, but I find that I have not touched upon what my friends across the aisle have advanced as the most important issue of all, Does this bill provide a dole?

This dole business is a piece of pure wordmanship designed to confuse. Wordmanship is the art of winning arguments without using logic. The equivalent of a home run in wordmanship is to pin on your opponent a word so horrible that even his friends will shun him as an intellectual leper. A recent example was the word "egghead." In the current debate the word "dole" is supposed to strike terror into the minds of potential supporters of the Ways and Means Committee bill.

The whole trick in this piece of wordmanship is the implication that a dole is a horrible thing because once the English tried a program of payments to the unemployed which was not wholly successful.

A brief history of the point would be appropriate. The British used their dole program in the early 1920's as the primary weapon in fighting unemployment of 20 to 25 percent of the labor force. Any student of fiscal policy would agree that a program of payments to the unemployed could not be designed to be the principal remedy for an unemployment situation this severe. Either the Government would find itself paying out nearly as much as the individuals were getting in their regular jobs, or else the aggregate amount of payments would be on too low a scale to deal with the massive unemployment problem. This is obviously the type of situation where large-scale public works and tax cuts are needed. The unemployment problem that we are dealing with at the present time is in the level of 8 percent of the labor force and this program should be of shorter duration than the unemployment problem that the British dealt with in the early 1920's.

Another historical fact that should be taken into account in using the British experience is the fact that in this period the British were engaged in a large-scale program of forcing down domestic prices in order to reestablish convertibility at the pre-World War I gold value of the British pound. As could be expected, a program of tight credit restraint, aimed at reducing prices, with 20-percent unemployment, does not generate business confidence. These are hardly conditions in which one would have expected an increase in job opportunities. The fact is that the cards were stacked against any unemployment program that the British might have utilized at that time.

Since we want to talk seriously about this matter, let us clear away the emotional fog generated by the word dole. The fact is that we have adopted many programs that involve paying doles under other names. We have to an increasing extent in recent years recognized the fact that the rigidity of our complicated economic system frequently leaves people with fixed costs to pay and without the current economic income to meet them and no immediate alternatives for getting the income. Our Government has frequently dealt with these problems by providing at least some in-

come to deal with these fixed costs. The whole program of agricultural price support is very clearly of this type. The Federal Government pays for a portion of the crop which is to be put into warehouses because the market does not want to buy this product at the going price. In unemployment compensation, we pay some people because in the immediate temporary circumstances the market does not want labor at the current wage rate. The fixed living costs of the man and his family, however, go on whether or not the public needs his labor, just as the fixed costs of the farmer continue whether or not the public is willing to buy all of the agricultural output at current prices. An even closer analogy to an unemployment payment is the system of soil-bank payments. It would not be unfair to observe that a farmer is not limited to 16 weeks or even 39 weeks of support payments.

These remarks in no way disparage the agricultural program, far from it, in fact, if you think of what unemployment compensation is, instead of the words used to describe it, then it is clear that unemployment payments and agricultural supports are the same kinds of things and they both deal with serious problems. These problems require a more sincere analysis than thinly disguised name-calling.

This bill itself is concerned essentially with providing a backstop for present economic conditions and a last resort to those who suffer most as a result of their existence. The nature of the bill is such that if employment conditions should, in fact, improve greatly, the benefits paid out under this bill will be very small. On the other hand, if business conditions continue to deteriorate, this bill will provide an automatically flexible instrument which will tend to offset the decline in consumer purchasing power. Economic forecasting is a sufficiently hazardous occupation that I have no intention of telling this House that things will collapse over the next 15 months. My argument is simply that present prospects for unemployment in this period are sufficiently alarming that our economy must be provided immediately with a program to deal with these problems if they develop which will prevent loss of purchasing power and suffering on behalf of the unemployed. I believe that H. R. 12065 will accomplish this purpose and should be enacted by the Congress.

Initial claims filed during week ended Apr. 19, 1958, and insured unemployment for week ended Apr. 12, 1958, continental United States

State	Initial claims				Insured unemployment					
	State and UCFE			Veterans	State and UCFE				Veterans	Total (excluding railroad)
	Number	Change from—			Number	Rate (percent)	Change from—			
		Last week	Year ago				Last week	Year ago		
Total	446,366	−15,442	+210,554	5,889	3,363,344	8.1	+49,037	+1,677,351	80,289	3,443,633
Alabama	4,763	−2,082	+2,184	114	47,599	8.3	+1,978	+24,136	2,048	49,647
Arizona	1,751	−621	+680	71	12,889	6.4	−819	+7,215	584	13,473
Arkansas	2,792	−1,403	+813	87	29,563	11.2	+4,315	+11,053	978	30,541
California	32,082	−7,575	+12,395	639	325,050	8.6	−430	+200,448	7,363	332,413
Colorado	1,569	−479	+693	50	14,121	4.3	−758	+7,962	753	14,874
Connecticut	7,685	−3,460	+3,273	23	62,915	8.1	+3,123	+42,066	964	63,879
Delaware	776	+15	+428	14	7,320	5.5	−92	+4,193	162	7,482
District of Columbia	967	−81	+394	40	9,106	1.9	−386	+3,910	555	9,661
Florida	7,126	+348	+4,165	222	34,778	4.5	+1,120	+21,884	1,190	35,968
Georgia	7,473	+208	+3,477	157	52,096	6.7	+3,122	+25,491	2,075	54,171
Idaho	487	−97	+242	24	6,805	6.1	−1,889	+1,582	376	7,181
Illinois	21,223	+1,978	+11,222	249	177,671	6.4	+5,367	+109,588	2,750	180,421
Indiana	13,536	−6,072	+7,349	242	93,120	8.2	+9,506	56,373	2,964	96,084
Iowa	2,044	−379	+757	10	16,632	3.8	−1,428	+6,475	625	17,257
Kansas	2,007	−1,241	+531	44	19,601	5.2	−1,055	+9,068	666	20,267
Kentucky	5,226	−3,420	+1,974	121	67,029	14.0	+3,664	+30,421	2,238	69,267
Louisiana	4,382	+96	+2,269	87	30,018	5.2	+2,183	+14,056	978	30,996
Maine	3,429	+172	+2,047	38	29,749	14.3	−1,115	+17,602	537	30,286
Maryland	7,170	+209	+4,013	94	47,944	6.5	+1,952	+33,602	1,108	49,052
Massachusetts	16,794	−1,286	+5,679	100	123,837	7.9	−1,427	+66,412	1,809	125,646
Michigan	46,384	+11,622	+33,961	402	297,124	15.2	+11,585	+210,319	7,798	304,922
Minnesota	3,257	−1,889	+1,360	75	56,600	8.6	−402	+21,932	1,696	58,296
Mississippi	3,034	−610	+543	95	23,906	9.2	−15	+6,481	927	24,833
Missouri	12,452	+2,444	+7,904	67	64,521	6.5	+2,480	+33,418	1,783	66,304
Montana	825	−391	+91	39	12,993	10.5	−1,301	+4,311	327	13,320
Nebraska	669	−123	+9	9	9,388	4.2	−1,083	+1,968	341	9,729
Nevada	771	−262	+364	13	6,408	9.0	−33	+3,692	96	6,504
New Hampshire	2,515	+48	+1,095	24	15,991	11.0	+653	+9,052	214	16,205
New Jersey	21,387	+3,785	+10,096	145	152,974	9.7	+2,102	+77,830	2,082	155,056
New Mexico	1,162	−148	+527	44	7,334	4.7	−384	3,060	375	7,709
New York	62,550	+900	+12,631	467	399,047	7.8	+6,049	+215,481	4,136	403,183
North Carolina	13,628	+617	+6,388	129	67,839	7.9	−4,079	+21,965	1,954	69,793
North Dakota	199	−136	+6	10	5,632	8.3	−720	+1,810	320	5,952
Ohio	31,195	−718	+21,873	335	222,803	8.4	+5,644	+157,758	5,321	228,124
Oklahoma	3,458	−718	+1,614	36	28,358	6.9	+582	+14,469	955	29,313
Oregon	3,856	−49	+1,303	67	31,915	8.5	−4,054	+10,536	1,286	33,201
Pennsylvania	47,553	+2,202	+22,656	316	346,779	10.6	+3,821	+179,998	3,618	350,397
Rhode Island	4,206	−568	+1,129	37	27,081	10.6	−524	+8,208	593	27,674
South Carolina	3,329	−246	+1,101	76	23,854	5.7	+844	+8,602	1,337	25,191
South Dakota	165	−100	+27	4	3,028	4.0	−468	+502	338	3,366
Tennessee	6,723	−2,897	+3,390	152	61,546	9.2	−164	+22,893	2,590	64,136
Texas	11,091	−333	+6,079	271	80,244	4.4	+2,488	+46,488	3,044	83,288
Utah	775	−491	+166	26	10,769	5.6	−1,126	+5,691	337	11,106
Vermont	516	−151	+185	16	6,110	8.1	−329	+3,297	238	6,348
Virginia	3,828	−964	+2,192	131	31,982	4.4	−57	+19,969	1,730	33,712
Washington	6,783	+53	+3,018	208	51,904	8.1	+662	+23,481	1,971	53,875
West Virginia	4,735	−713	+3,083	120	51,791	13.6	+2,443	+38,855	1,938	53,729
Wisconsin	5,697	−412	+2,979	142	53,151	6.2	−2,835	+29,334	2,058	55,209
Wyoming	350	−84	+199	7	4,429	6.8	+327	+2,314	163	4,592

Mr. REED of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CEDERBERG].

Mr. CEDERBERG. Mr. Chairman, I appreciate the time to discuss this matter because I believe it is just about time that we set the record straight on a few issues. Certainly, we Republicans are interested in the unemployed workers in Michigan and want to do everything we can humanly and possibly do to be of assistance to these people who are unemployed. Now I respect the Governor of the State of Michigan and I respect his right to change his mind. But, he should at least in his telegram have been honest enough to repudiate his testimony before the Committee on Ways and Means because it is in direct contrast to the telegram that was read by my colleague, the gentleman from Michigan [Mr. MACHROWICZ]. I want to read this record again and certainly it cannot be misconstrued. Mr. Baker of the Committee on Ways and Means asks the question:

Mr. BAKER. Do you have a definite formula as to what to do about them?

That was referring to those who have exhausted their unemployment benefits.

Governor WILLIAMS. There are tens of thousands in my State.

Mr. Baker said:

Do you have a formula as to what to do about these people who have exhausted their benefits?

Governor WILLIAMS. If the Congress were to ask me—

Now, he is speaking as the Governor of the State of Michigan and not as the leader of the Democratic Party of the State of Michigan who evidently through their hierarchy must have inspired this telegram in which he switches his position because here is what he said:

Mr. BAKER. Do you have a formula as to what to do about these people who have exhausted their benefits?

Governor WILLIAMS. If the Congress were to ask me, I would be willing to suggest a 50–50 participation, the Federal Government 50 percent and the States, plus the local communities, whatever way they wanted to take up the other 50 percent.

Then the testimony goes on further:

Mr. BAKER. Would you administer that through unemployment compensation channels or through State welfare channels? I am talking about these people who were not covered or were covered prior to January 1 and exhausted and will not get anything under any of these bills.

Governor WILLIAMS. I would administer it under the welfare, sir, because I think this should be on a needs basis rather than on a particular number of dollars.

And there is no need basis in title II.

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

Mr. CEDERBERG. I yield.

Mr. MACHROWICZ. If the gentleman listened when I read the telegram, he would know that there was absolutely no difference between what he said then and now. He said in the telegram, "I would still urge Federal grants for general assistance for those not covered by unemployment insurance or by title II of H. R. 12065." All of us recognize that no matter how much we try, we will not be able to cover all even under title II. And to those he said he agrees there should be special grants for Federal assistance.

Mr. CEDERBERG. That is not what the Governor said at all, if I may beg the gentleman's pardon. He said, in response to Mr. Baker's question: "Would you put it under unemployment compensation or under State welfare channels?" He is talking about those who were not covered under any program or title II or who were covered prior to January 1 and exhausted their benefits. Let me read to you what the Governor said:

Governor WILLIAMS. I would administer it under the welfare, sir.

Now that is just about as plain as anything can possibly be. It is plain to read. Of course the Governor has the right to change his mind, but he ought to be honest enough to come in here and say I repudiate my statement before the Committee on Ways and Means made just 5 weeks ago.

Mr. MACHROWICZ. Mr. Chairman, will the gentleman yield further?

Mr. CEDERBERG. I yield.

Mr. MACHROWICZ. The gentleman recognizes that at the time the Governor made this statement, title II was not in the bill.

Mr. CEDERBERG. That is right—he got trapped—I will admit that.

Mr. MACHROWICZ. I disagree with your conclusion. And he still says that those who are not covered by this bill under title II should get a Federal grant.

Mr. CEDERBERG. We are talking about unemployment compensation and administering it under unemployment compensation. Let me read just a little here. He said:

Mr. BAKER. You would take it out of the insurance end of it?

Governor WILLIAMS. Yes, sir.

Now, how much plainer can you get it than that?

I want to say again I respect the Governor's right to change his position, but I feel that when he appeared before the Committee on Ways and Means he was appearing as Governor of the State of Michigan and probably taking as statesmanlike position as he could take, and yet I recognize now when this testimony is read back to him, he is probably getting some orders from Solidarity House and the hierarchy of the Democratic Party and has had to change his position. I say he ought to be honest and say, "So far as I am concerned, I repudiate my previous testimony."

The CHAIRMAN. The time of the gentleman has expired.

Mr. REED. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

THE REMEDY FOR THE MICHIGAN UNEMPLOYMENT SITUATION THROUGH THE ENACTMENT OF UNEMPLOYMENT COMPENSATION LEGISLATION

Mr. HOFFMAN. Mr. Chairman, early this morning it was my privilege, as it was that of other Republican Members of the Michigan Congressional delegation, to have breakfast with George M. Van Peursem, of Zeeland, Mich., who is the speaker of the Michigan House of Representatives; with John P. Smeekens, State senator from Coldwater, Mich.; and Walter G. Nakkula, a member of the Michigan State Legislature. These gentlemen, because of their ability and their long experience as Michigan legislators, are thoroughly familiar with the unemployment situation in Michigan, with the Michigan laws on unemployment compensation, and with conditions generally in Michigan.

Very generously, they later went to my office, and there dictated a summary of the actual situation as it exists in Michigan today, and of the program which has been adopted by the Michigan Legislature.

To those views, may I most respectfully request your attention.

By those gentlemen we were advised that Michigan has recognized the need for the establishment of an Unemployment Security Commission to cover unemployment-compensation benefits for a considerable period of time—and that, in 1939, the Michigan Legislature first adopted a program.

Program became effective in 1939—enacted in 1938—provided there would be benefits of $16 per week for 16 weeks. Since that time, we have increased our benefits to $20 per week in 1942; $28 per week in 1945; $32 in 1949; $35 per week in 1951; $42 per week in 1954; $54 per week in 1955—and, as late as 1957, recognizing the cost-of-living index, upped it to $55.

Michigan has been identified and recognized nationally because of the number of forward-looking amendments that have been periodically incorporated into our unemployment-compensation bills to meet the needs of the State—one of which includes an escalator clause to increase the benefits on the basis of the national figures on the cost of living.

During this same interval period of now 20 years, our benefits have been extended from the initial 16 weeks' program to the current 26-weeks' program.

The legislature, in the early hours of the 1958 session, recognizing the critical nature of the unemployment situation as was being experienced within Michigan, introduced a legislative proposal to further expand the duration of benefits to those participants of the Michigan unemployment-compensation program.

This emergency extension as passed in the Michigan Senate and sent to the House during early March of this year, provided for an additional 9 weeks of benefits—extending on an emergency basis the total duration of benefits weeks to 35. This action was prompted by the fact that Michigan today has some 36,000 unemployed who have exhausted their benefits—and it is forecast that a total of 70,000 such participants will have exhausted their benefits by May 30.

Let me here add that I have been advised that Michigan is now sending 20,000 unemployment checks to people from Tennessee. Apparently the idea is "Come up to Michigan and get our money and go down and enjoy themselves." My own opinion is that the figure is fantastic—cannot be accurate—I will endeavor to ascertain and report the fact.

Consideration of the latter legislative proposal was postponed as a result of Congressional deliberation on the administration's proposal to federalize the State's unemployment compensation programs which, historically, have been identified and recognized as a responsibility of the States.

As early as 1935, in a report to President Roosevelt as made by the Committee on Economic Security, on which Mr. A. J. Altmeyer served as chairman of the technical board, it is said on page 4: "We believe that the States should administer unemployment compensation."

This principle has been steadfastly advanced in numerous studies encompassing this same responsibility, and has never heretofore gained any favorable consideration by the Congress of the United States, although a number of proposals have been presented to the Congress for action.

This being an election year, we can understand why some candidates will outbid the opposition a little bit. But, if the practice is continued we will all find ourselves in hot water.

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

Mr. HOFFMAN. I yield to the former Speaker of the Michigan House who also served for many years as an able member of that body. For the good of the State I hope he may long continue to serve here.

Mr. KNOX. I would like to say, if this legislation had never been initiated in Congress, Michigan today would have the distinction of being the first State to enact legislation for additional unemployment compensation benefits and the unemployed who had exhausted their benefits would now be receiving additional weekly benefits.

Mr. HOFFMAN. I thank the gentleman.

Mr. KNOX. Mr. Chairman, I request unanimous consent to revise and extend my remarks.

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

There was no objection.

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

Mr. HOFFMAN. Very briefly; I have only 10 minutes.

Mr. DINGELL. I should just like to set the gentleman straight on the bill pending in the Michigan Legislature. In the first place that provided for——

Mr. HOFFMAN. I cannot yield for a speech, I must finish my own.

Mr. DINGELL. Let me finish my remarks, if the gentleman please.

Mr. HOFFMAN. Mr. Chairman, I cannot yield further. Later I will yield to the gentleman if he requests.

We understand what some of the CIO fellows will be trying to do to the gentleman and it is a dirty trick after the gentleman and his father served them so faithfully and so well for so many years here in the House, but the minute some of the union officers find they cannot use a Member as a mouthpiece they throw him overboard. You Democrats and some Republicans should take warning.

Mr. DINGELL. Let me set the gentleman straight.

Mr. HOFFMAN. I cannot yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. HOFFMAN. If I can get some more time I will be glad to yield. The gentleman will like this. I think it is, as I said, a dirty, mean, measly trick for them to throw the gentleman over after he has served them so faithfully and so well.

Looking again, it seems I have been yielding to the gentleman from Michigan [Mr. DINGELL], instead of to our colleague likewise from Michigan [Mr. LESINSKI], whose father also served as has the son with ability and sincerity. It is the gentleman from Michigan [Mr. LESINSKI], against whom the CIO has entered a candidate in the primary.

One cannot trust Reuther, Mazey, or any one of that small, tight, ruthless socialistic group, either out of or within your sight.

But our delightful colleague, the gentleman from Michigan [Mr. DINGELL], need not worry; if not next in line for opposition by a CIO official, he may be on the list—unless, of course, Reuther thinks it is not politically expedient.

But back to the statement of the speaker of the Michigan House and his two associates.

In the history of the Michigan Legislature, we have always met those problems which were presented by the economic and labor conditions of the State, promptly and effectively. We are determined that this total responsibility is one that is encompassed in the sovereign rights of the State, and should not, under any circumstances, be federalized.

Federalization of the unemployment compensation program, as is presently proposed before the Congress, would serve only to ultimately disregard in its entirety the tremendous progress which has been experienced by the individual States in recognizing and effectively combating a situation which, prior to 1938, represented a grave deterrent to the economic stability of the community.

The pattern which the Congress is proposing to establish is one which is conspicuously similar to that action experienced in the Parliament of the British Empire some 38 years ago, when the Crown extended all unemployment compensation benefits, irrespective of any "needs" consideration. The futility of the program as provided at that time by the Crown was resolved in a matter of less than 3 years, when the program, in its entirety, experiencing complete insolvency, created a dilemma the like of which the nation has yet to recover from.

The Michigan Legislature is prepared to act to extend the duration of benefits and would do so immediately were there any assurance that the Congress would not act in that area. On the other hand, the Michigan Legislature is not disposed to take any action to extend the duration of benefits so long as it appears the Federal Congress is disposed to act in that area.

The Michigan Legislature has developed a program under which duration of benefits would be extended on the basis of two considerations:

First, the length of time the beneficiary has been in the labor market; and

Second, the number of dependents which the beneficiary has.

That is one thing we still have in Michigan, Republican—not Walter Reuther—control of the legislature.

Mr. Reuther, or Governor Williams, I do not know which, testified before the committee the other day—it was the voice of Governor Williams, but the thought was Reuther's—a modern version of: "The voice is Jacob's voice but the hands are the hands of Esau." Though who is Esau I do not know.

The Michigan Legislature is prepared to act as early as May 15—in case the direction in which the Federal progress intends to go can be determined by that date.

Michigan, at the present time, pays the highest average benefit check of all industrial areas.

Our average benefit check is higher than the maximum benefit check paid in 32 out of 48 States.

We have actually in Michigan complied with the President's request that the average employee in the State, if unemployed, be entitled to approximately 50 percent of his wages.

We are the only State which has complied with the President's request in that area.

The current recessionary conditions prevalent within the United States, as are being discussed by the Congress at this time, must, of necessity, be recognized as encompassing only one phase of our total national economy. That phase, which has brought with it a tremendous degree of unemployment and a sharp curtailment in earning power, productivity accomplishment, and tax revenue receipts, is confined to the automotive industry and its principal supplier—the steel industry.

By and large, short of the steel industry and the automotive industry setbacks of the past 8-month period, all other phases of our economy have been progressing favorably under conditions normal to that economy, which we have recognized as wholesome during the 10-year period.

The automotive industry's demands on skilled labor talents have compelled this industry to restrict its productive facilities to approximately one-quarter of the States of this Nation. These, then, are the States which are currently experiencing the unemployment difficulties, the economic recession, while the remaining three-quarters of the States of the Union are progressing under favorable and normal progressive conditions.

It is our considered judgment that the current recessionary trends experienced in the States dedicated to automotive production are the direct product and the direct outgrowth of the Reuther ultimatum to industry of some 8 months ago, encompassing additional wage demands, fringe benefits, and share-the-profit program which, by his statement, were to be accomplished before the extension of a renewed union contract with the automotive industry.

General Motors has called his hand on that one. There is no strike now, not until they sell those 600,000 plus cars.

Kohler called Mr. Reuther and his goons. That is apparent to the public even though some on the McClellan committee strewed roses in his path. And again Reuther has been made to realize that occasionally he is a hot-air artist as well as a demagog.

Prior to the time of this ultimatum, the automotive industry had been experiencing a steady and progressive growth, and the consumer-buyer reaction had been sufficiently favorable to merit a total utilization of all automotive productive facilities.

Shortly after the Reuther demands were made known to the American public, a wave of concern surrounded this Nation which, during these ensuing months, has now curtailed the sale of automobiles to a point where productive facilities in the steel industry are operating at approximately 49 percent of capacity and the automotive industry,

including the manufacturers themselves and their allied and related suppliers, are operating at less than 40 percent of capacity.

We hold that this recessionary trend, isolated as it is to the automotive industry, is directly attributable to a planned program on the part of Walter Reuther to accomplish his objectives of totally socializing America.

Now, permit me to give my version of how this present situation came about. Reuther, as you know, is the successor to Homer Martin, which takes him back to the sit-down strikes of 1936 and 1937 and to the days when he and his brother were writing back from Russia while working there, to their comrades in Detroit to "Fight for a Soviet America."

Let me read you something. This is from Homer Martin, former president of the CIO, given on February 19, 1938:

> I don't know where they are going to get the money for relief and I don't care. "We are on a relief problem again." All I say is that we want it now and we are going to have it. They can worry about the money later.

How do you like that? Somewhat similar in thought to the statement of comrade Earl Browder the Communist, who said:

> We industrial unionists are going to take over the industries some day for three very good reasons:
> 1. Because we need them.
> 2. Because we want them.
> 3. Because we have the power to get them.

The man, Homer Martin, once one of Reuther's buddies but later liquidated by Reuther, in February 1937, referring to Douglas Aircraft factory at Santa Monica, Calif., said:

> If Douglas expects people to ride in his airplanes with a feeling of security, he should have good will in his plant.

In other words, if the American public want to ride in planes with safety they had better see the Communists.

November 27, 1937, Martin stated, at Rochester, N. Y.:

> The worker has a right to participate in the direction and functioning of industries and finance. Likewise, he must have the right to participate in government.

Did you ever hear anything more wicked?

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

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

Mr. MACHROWICZ. Would the gentleman advise the House if Homer Martin is now a member of the Republican Party?

Mr. HOFFMAN. I do not know about that. But Jimmy Hoffa is or was. You have Walter Reuther. They both ought to be in jail; you know that and so do I. I have just been advised that, while Martin once was a Republican, at present he is a candidate in a primary election as a Democrat.

And if you fellows would do your full duty, which you will not do, even though in full and complete control of Senate and House, Hoffa and Reuther should be. The Democratic Party has covered up for Reuther, perfumed him, and put a flower in his button hole. You went along with Reuther, Mazey, the Ferrazza brothers, and the UAW-CIO goons, not knowing what they were doing then, and some are going along with them now.

You cannot win an election in Michigan except in Wayne County, and perhaps Genesee County, without Reuther—the dollars he squeezes out of workers. Otherwise you cannot expect to win except by CIO financing and CIO direction—too high a price to pay, for they will get you in the end. Your party in Michigan has been doing that for the last 10 years. Just as sure as time rolls on, they will get you in the end—you and your colleagues are just too decent, too honest, too patriotic to go with them all the way when you learn their purpose.

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

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

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

There was no objection.

Mr. BARRETT. Mr. Chairman, I rise in support of H. R. 12065, the Temporary Unemployment Compensation Act of 1958 because I believe it will be most beneficial to every State in the Union. I know it will give relief to over 80,000 workers in our great State of Pennsylvania who have exhausted their unemployment-compensation benefits and will immeasurably help another 172,000 additional workers whose benefits will become exhausted before the end of 1958.

We all have talked and talked and talked about the current recession and a majority of us have our own ideas on how to again bring prosperity to this Nation. Many plans have been detailed and published in the newspapers throughout the country, but unless definite action is taken to put them into effect we have no hope for beating the recession.

It is very unfortunate that the workers of America must suffer and struggle through the period of uncertainty and unemployment that now exists in America. It is up to us, their Representatives in the Congress of the United States, to restore their hope and faith in us by enacting logical and sensible legislation to combat this business slump. Some say we are in a recession, but in my opinion we are heading for a full-fledged Hoover-type depression.

This bill before us today will fill a very acute need for individual families hurt by this recession. It will help sustain the purchasing power so necessary to our small-business men.

Pennsylvania has been very hard hit economically as has the Philadelphia metropolitan area. Hundreds, yes thousands, of people in Philadelphia are out looking for work every day, but to no avail because there are not any jobs available.

The branch offices of the State unemployment compensation division in Philadelphia are overcrowded from morning until night with applicants waiting to draw their benefits. Long lines of men and women form every morning when the offices open and there is no letup until closing. Many of these people are drawing their last checks and wonder as they leave the counter what tomorrow will bring inasmuch as they know they are not entitled to additional compensation benefits.

These are the people we must help. We must give financial assistance to those who many months ago withdrew the last of their compensation and we cannot forget those who shortly will exhaust their rights to benefits.

The bill before us will financially help these people so let us forget politics and pass it. Let us start the ball rolling to defeat the recession and restore our Nation's economy.

Our Governor and his administration urge that this bill be enacted into law. The Pennsylvania Federation of Labor favors its passage. All the unemployed men and women in Pennsylvania hope it will become law. What better or more proof must we present to prove that this is a good, sound, workable piece of legislation? None whatsoever.

Gentlemen, I urge your wholehearted support of H. R. 12065 and hope it will pass the House today or tomorrow.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Chairman, I rise in support of H. R. 12065.

About 600,000 employees throughout the United States have exhausted their unemployment insurance since the beginning of this year. It is estimated that current exhaustions run in excess of 50,000 each week. An additional 3½ million workers throughout the country are presently collecting unemployment insurance and many of these are facing the immediate exhaustion of their benefits. More than 2 million unemployed are not getting unemployment benefits and many are dependent upon charity for their support. The recent hearings before the Ways and Means Committee showed conclusively that the burden of public assistance has increased in most American communities in recent months. Personally, I feel that the Congress should face up to its responsibility and pass this legislation and disregard the administration spokesmen who say that the bill will be vetoed in its present form. It is our duty to provide for the needs of the people which the administration keeps ignoring.

I am sure we recall that administration spokesmen promised action if spring should fail to bring an upturn in economic activity. Well, the much awaited and hoped for spring upturn has not materialized, and we cannot permit suffering and misery to continue without acting on behalf of these people.

Insured unemployment is now at the 8 percent level, the highest since the big depression of the thirties. We must further recognize that in this case our grave unemployment situation is in a large part due to the unfortunate economic policies of this administration. The administration has refused to support the type of legislation that the people of this country need and instead has furthered high interest rates, tight money and a

tax policy that benefited the wealthy corporations.

Just 2 years ago, Congress was ready to pass effective legislation to aid depressed areas throughout the country. I fully believe that had this legislation been enacted, part of our present troubles would have been avoided. The administration sabotaged this legislation.

It is up to Congress to act quickly and forthrightly in order to prevent the suffering and misery and to reverse the economic downturn from which the country is now suffering.

The committee bill, H. R. 12065, providing temporary unemployment compensation payments for a period beginning 15 days after the approval of the act through October 31, 1959, constitutes a major step in our effort to alleviate the effects of the current recession. It provides for payments totaling 16 times the weekly benefit amount for all unemployed workers who have exhausted their benefit rights since June 30, 1957, and prior to June 30, 1959. It also provides payments to unemployed workers who have had sufficient earnings during the base period in noncovered employment or in both covered and noncovered employment to qualify for benefits in accordance with the laws of the State in which they were employed.

The supplemental payments shall be made from the Federal Treasury and are nonreimbursable by the States. This plan is intended to cover the current emergency only and is simply an extension of the State laws which have been in operation for the past 20 years.

It does not, as some of its critics assert, change or limit the laws of a single State, and payments can be made only in States which enter into agreements with the Federal Government. The State agencies will supervise and make the payments as agents of the Federal Government. Let me repeat for emphasis, that all these payments will be subject to the same limitations including both the amount and the eligibility that are now in effect in the various States, under the State laws, except that they provide for additional payments beyond the limitations set by the State laws and provide for payments to the unemployed workers who have earned substantial wages in noncovered employment.

In my own State of Kentucky, these wages must be $450 or more during the first 4 of the preceding 5 quarters with at least 8 times the weekly benefit amount earned during the last 2 quarters of the base period.

By no reasonable stretch of the imagination can these payments be considered a part of a relief program or a dole. They follow the sound basic insurance principles which have been followed for the past 20 years by all States and Territories now paying unemployment-insurance benefits. The payments are based on base-period earnings and the amount is computed on these earnings following the same formula now in effect in the various States.

For those workers whose earning have been in noncovered employment, the administrative problems to be overcome are not too different from the current problems faced by States such as Maine and Wisconsin who make extensive use of wage and separation reports in lieu of wage records. A major portion of these problems could be eliminated by providing for an agreement between the State agencies and the Social Security Administration which would allow the latter to provide the wage records to the State agencies of those unemployed workers who have been employed by small firms not now covered by certain States. Of the remainder, many will have W–2's showing their earnings for the past calendar.

The problem is similar to that in the case of claimants whose covered employers failed to make reports and payments of wages paid. In other words, a claimant's eligibility depends on his base-period earnings and not on taxes paid on such earnings. The Labor Department estimates that there are 600,000 unemployed workers with substantial base-period earnings on noncovered jobs.

The number of unemployed workers continues to increase as illustrated by the number of eligible claimants for the past 3 months. The current total at 3,443,600 is an all-time high.

	1957	1958
Feb. 16	1,808,000	3,200,800
Mar. 23	1,607,200	3,361,300
Apr. 13	1,526,100	3,443,600

The 1957 pattern follows the normal seasonal downward trend expected during the spring pickup, while 1958 totals reflect a contraseasonal upward trend this spring. This upward trend would be more marked except for the fact that the exhaustion of benefit rights is removing some 200,000 claimants from the rolls each month. In normal times, the number of exhaustees is much lower and their opportunities to obtain new jobs, now almost nonexistent, is much better.

In summary let me say, first, this bill does not depart from the insurance principle underlying unemployment compensation insurance; second, it follows the State laws in making the payments in each State and for that reason imposes no threat on the State systems; third, it adheres to the original principle of the unemployment insurance program that base period earnings shall be used to compute the benefit amounts, and the determination of eligibility; fourth, it is strictly an emergency measure and automatically expires October 31, 1959.

Mr. Chairman, I am hopeful that the legislation will pass in its present form. We must not ignore the needs of the country. This legislation should be enacted without any further delay and without any changes.

Mr. REED. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I take this time because there has just come over the news ticker a statement by one of the leaders of the Democratic Party to the effect that President Eisenhower used deceptive figures in setting forth the unemployment statistics for April, and asserting that the recession is leveling off on the basis of these statistics; stating that the people are entitled to the facts about the economic situation and that they did not get them yesterday. Then he sets forth what the unemployment figures are, the actual figures against the seasonally adjusted figures, maintaining that these Department of Commerce figures were inaccurate because they had not been seasonally adjusted.

I have in my hand the statement from the Office of the Secretary of Commerce in which it makes very clear that the figures that are listed are not seasonally adjusted although they are related to the April figures of 1957. In the body of the statement it states that as a result the seasonally adjusted rate of unemployment rose to 7.5 percent. But here is the principal thing to which I wanted to call attention. Just who has been juggling figures? Here are the seasonally adjusted figures that the spokesman for the Democratic Party listed in his press release:

December, the adjusted figure, 3.4; January, the adjusted figure, 3.9; February the unadjusted figure, 5.17, but the adjusted figure was 4.5; March the unadjusted figure 5.198, or 5.2. The seasonally adjusted figure for March 1958, 4.8.

I leave it to the decision of the House what figure they have been hearing on the floor of the House day after day. It has been the 5.2 figure, which is the March and February unadjusted seasonal figure. Of course, in unemployment, the figure that is important is the seasonally adjusted figure. But it certainly has not been this administration that has been using the unadjusted figures, but rather the spokesmen who are trying to spread gloom and doom throughout the country. They just cannot stand the idea that there were 500,000 more people employed in April above March. Those are the facts; and also that there is a figure of 78,000 people who have gone off the unemployment rolls. Seasonally adjusted, of course, we cannot use that as a basis for predicting a great rise in our economy, but certainly it is an encouraging sign, and it was accurately stated not out of context. I set forth the full statement of the United States Department of Commerce:

Secretary of Commerce Weeks announced today that employment continued upward by 600,000 to 62.9 million in April, while unemployment—at 5.1 million—did not change significantly from the 5.2 million level reported for March.

Nearly all of the employment gain resulted from the customary spring pickup in agriculture and other outdoor activities. The increase in employment without a corresponding drop in unemployment occurred because most of the additional farm workers were housewives and students who had been previously outside the labor force.

Many previously unemployed men were rehired in seasonally expanding outdoor activities over the month, but these improvements were largely offset by further layoffs in other sectors and an unusually early influx of students into the labor market in search of jobs. As a result, the seasonally adjusted rate of unemployment rose to 7.5 percent.

These summary figures of the Bureau of the Census are being issued in advance of

the combined employment and unemployment release of the Departments of Commerce and Labor because these estimates were available at an unusually early date this month. The combined release, to be issued next week, will present a detailed analysis of the job situation, incorporating the statistics of the Bureau of Labor Statistics and the Bureau of Employment Security as well as those of the Bureau of the Census.

The summary estimates are shown in the following table:

Summary of estimates: March and April 1958 and April 1957

[Thousands of persons 14 years of age and over]

Employment status	Apr. 6–12, 1958	Mar. 9–15, 1958	Apr. 7–13, 1957
Total noninstitutional population	121,656	121,555	120,057
Total labor force including Armed Forces	70,681	70,158	69,771
Civilian labor force	68,027	67,510	66,951
Employed	62,907	62,311	64,261
In agriculture	5,558	5,072	5,755
In nonagricultural industries	57,349	57,239	58,506
Unemployed	5,120	5,198	2,690
Not in labor force	50,975	51,397	50,286
Seasonally adjusted rate of unemployment	7.5	7.0	4.0

Source: Bureau of the Census.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the bill that is before the House for consideration. I have listened to quite a number of the speakers here on the floor, particularly from the other side of the aisle, in which they have claimed that the speakers on this side of the aisle have been prophets of gloom and doom.

I have in front of me on the desk the Wall Street Journal of Wednesday, April 30. If this be a Journal of doom and gloom, make the most of it. I want to read some of the headlines in this Journal which is usually considered the spokesman of business in America.

On page 5: "United States Steel First Quarter Net Fell to $1.04 a Share From $2.03 in 1957."

A notation is made that the company made no pension fund payment during the first quarter. If it had, the figure would have been 24 cents less than that.

On page 7: "Major Building Awards Fell 12 Percent, the Fourth Drop in a Row From 1957 Rate."

The next headline is as follows: "Analysts Blame New Car Slump on High Prices, Credit Excesses."

The next headline on page 8 is the following: "Mine Operators Hit Administration Plan for Price Props on Metals."

The next headline we read in the Wall Street Journal is this one: "Ohio Oil Profits, Sales Fell in First Quarter."

Then we pass over to page 10 where we find four items.

The first two: "Olin Mathieson Profits Fell Sharply in Quarter; Sales Drop Slighty" and "W. T. Grant Says Sales in First Fiscal Period Fell a Bit from 1957."

Then the next one: "Socony Mobil Earnings Fell Sharply in Quarter From Like 1957 Period."

The next one: "Atlantic Refining Sees Second Quarter Earnings Trailing 1957 Period."

Then we turn to page 11 where we find another headline as follows: "IBM Reports Its Decline in Orders Ended in March."

Then we turn to page 15 and we find another headline: "Eastman Kodak Profit Fell in 12 Weeks to March 23."

The next one is: "Skelly Oil Profits Fell Sharply in First Period From Like 1957 Quarter."

The next headline is: "Phillips Petroleum Says Quarter Net Fell; Cities Cut in Oil Output, Prices."

And so on, and you could go on through the Wall Street Journal and you will find only one or two optimistic items in the entire issue.

Oh, yes, here on page 19 we have another item: "Columbian Carbon Net in First Quarter Fell Sharply From 1957."

On page 21, there is this headline: "Cities Service Says Profit Fell Sharply in the First Quarter."

Well, I could go on through this issue and give you all the rest of the gloom and doom predictions which you find in the Wall Street Journal.

Here back on page 28, there is this headline: "GM Quarter Net Fell to 65 Cents a Share From 93 Cents a Year Ago."

A 33⅓-percent drop.

In the face of all these reports, how can some of the people on the other side of the aisle say that we are prophets of gloom and doom. We are merely recording what is happening in America today. When I was home during the Easter recess, and my District includes downtown Los Angeles, and the area east of Los Angeles which is the industrial section of that city, I found out that the people there, and I am not speaking just of the people who are unemployed, and incidentally we have the highest unemployment that there has been in many years, I am talking about the small-business man and the big-business man and the automobile dealers and the other people that I am talking about—they were interested in one subject and that was the subject of unemployment and what the Congress was going to do about it. I say it is high time that this Congress recognized the facts. You do not have to be a prophet of gloom and doom to read the thermometer or barometer and see that they are falling. So we are recognizing the facts of our industrial system. We are recognizing the fact that it is on the decline and that it has been going down steadily. Although there was a small increase in employment during the month of April, which just passed, it is not the kind of increase in employment which ordinarily occurs during this time of the year. So when anyone points to the figures of rising employment in April and does not point to the comparative rate for 1957 showing how employment ordinarily rises at this time of the year, it is entirely irrelevant.

So, Mr. Chairman, I am glad this committee has recognized these facts and has brought in a bill which will help to some extent to remove the doom and gloom that is in the homes of millions of people who are unemployed in America today, and those millions run closer to 6 million in my opinion than they do to 5.2 million which is the official figure. I want to bring up one point at this time which has not been considered, and it is a point that is very important. That is the number of employees in America who are working on a short week and who are working on short time. These people are not listed as being unemployed. But, in my own District, many industrial workers are working 3 days or 4 days a week and they are still listed as employed although they are unemployed for part of the week. The reduced purchasing power of part-time workers is also an important factor in the business recession, although it is not recognized in the unemployment figures as issued by the Federal Government.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, I rise in support of the bill, H. R. 12065. The more than 5 million workers who are unemployed and the more than 500,000 unemployed workers who have exhausted their benefits under existing legislation do not want to hear speeches or to receive press releases. They do not want to hear any threats of a veto of legislation which is designed to help them. They want affirmative action now.

Mr. Chairman, I have been appalled during the last 2 days to hear speeches stating that there is no need for this legislation, that there is no need for help. Looking through the record, I note that every State in the Union, except Vermont, has at least 1,000 people who have exhausted their benefits since January 1958. Four of five States have over 30,000 workers who have exhausted their benefits since January. The Secretary of Labor has stated that 500,000 have exhausted their benefits since the beginning of January, and estimates that in 1958, 2,300,000 will exhaust their benefits. In view of these facts, can anyone say there is no need for help from us at this time? I was very fortunate, indeed, Mr. Chairman, in the State Legislature of my State of New York to have been on the Joint Legislative Committee of Labor and Industrial Conditions. It was the concern and domain of this committee to study the unemployment insurance system in the State of New York. We have a pretty good system in our State of New York. Despite the resistance and the opposition of the chambers of commerce and the opposition of associated industries, we have gone forth and extended generous benefits to the workers. Yet, with every advance for the worker, we have some preclusions, we have had some resistance so that today instead of probably having 7 categories of exclusions, we have about 17. Imagine, in the State of New York, and I venture to say it exists throughout the United States, the workers who administer the unemployment insurance systems are not covered by unemployment insurance. It is ironical. They enjoy neither tenure or unemployment benefits. After 5 months of work these temporary employees are released and they do not receive unemployment insurance benefits from the very

State which administers it. That condition exists in almost every State of the Union. Postal employees who are on a temporary basis, substitutes who are working for 5 or 6 or 8 months on a temporary basis, find that when they are let go they receive no unemployment benefits from the Federal Government.

Title II of this bill is designed to take care of those people. This bill H. R. 12065 proposes to take care of those people and at the same time take care of those who have exhausted their benefits.

I would like to bring to your attention one news item that is of interest to me. I read the President's answers to questions put to him by the press this morning. He says it might be wise for himself and for some people to go back home and find out what is going on. I suggest that many of the Congressmen who live far away from home, and live in their ivory towers here in Washington go back to their neighborhoods and find out what is going on, to find out how many people are unemployed and what their problems are.

I live in the State of New York. My District is populated mainly by people who work and toil. In my Congressional office I interview 50 or 100 people every week. I see skilled employees, carpenters, plasterers, and plumbers saying, "I cannot support my family because work has stopped." I have seen temporary postal employees released to make way for civil-service employees, ask for jobs which they cannot get because there is no available work. Carpenters 59 years of age cannot qualify for social security because they are not yet 65 and they are not so disabled that they can qualify under disability sections. They cannot find gainful employment and if they did, they are usually rejected because of their advanced years.

I have seen mothers come in my office trailed by their children, having to go out and get menial work because their husbands are out of work and they must have food and milk. Have you seen these situations in your district?

I suggest you come down from your ivory towers and find out in your districts what is taking place.

Is this program administratively practicable? As far as feasibility of this bill is concerned, may I say this: The industrial commissioner of the State of New York says it is administratively feasible, and yet we have an unemployment system which includes all firms having one or more employees.

This result was not accomplished overnight.

Finally, after 10 years, we have adopted the principle that every employee who qualifies shall have the advantages of these benefits. Our New York system does not cover the casual employee. It does not cover the State employees. Many States still have a system which includes firms having four or more employees. Workers in firms having less than four employees are not covered in many States. It makes no sense. That is why I say that a uniform standard should be adopted by the Federal Government. We do not have it in this bill but it will come.

This program is a joint partnership between employees and employers. I was pleased to hear the gentleman from Louisiana [HALE BOGGS], state that this is a venture between industry and labor. In my Congressional office I have seen people come in with judgments. They have lost their jobs, they have lost their frigidaires, they have lost their automobiles and in addition to losing their chattels they have deficiency judgments against them. The worker has no car, no frigidaire, and the merchant has no customer.

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

Mr. SANTANGELO. I yield.

Mr. HOFFMAN. You say they have lost their jobs and they have lost their refrigerators. Do you know why?

Mr. SANTANGELO. Yes, because they are out of a job and you have done nothing about it.

Mr. HOFFMAN. Because you cannot ruin a business and pay them too.

Mr. REED. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY. Mr. Chairman, millions of Americans are watching this Chamber today. To most of them, in one way or another, the Congress of the United States is on trial.

All of us, regardless of personal views or partisan persuasion, can take comfort in the fact that whatever the conclusion of our deliberations, we are demonstrating here the goodness of our political system. There is no hindrance to free expression, thorough debate, or parliamentary probing. Faced with a controversial question of far-reaching impact, we are, in the best tradition of representative government, seeking a solution worthy of our high place in the American scheme of self-rule.

I want to say to colleagues on both sides of the aisle that I have heard from the people back home and I am proud of the right to represent them here today. Above all, let me assure those representaing other sections of this great Nation that the 10th District of Indiana is neither isolated nor insulated from the country at large. It is typically American, and in this recession, it is experiencing its share of hardship, for much of its manufacture is intimately bound up with the automotive industry. But in recent weeks as we approached this very day, I have paid increasing attention to the returns in my District's public-opinion poll. Today the poll is closing with nearly 11,000 marked ballots on hand. Fully one-third of that number have been accompanied by letters or bluntly worded messages.

I would do the people of my area a disservice if I were to vote for the committee bill. They do not contend that nothing should be done for the unemployed, but they make plain that they—and I include most unemployed—do not approve a Federal dole, nor do they seek any other thinly guised form of political charity. They favor honorable employment for those wishing it, and they are properly concerned with the outlook of the neighboring family that has lost its livelihood. But against the temptations of tax-paid relief, they have said in effect: Do not let our Government lose direction in an hour of stress. Uncle Sam must stand firmly by those principles of moral integrity that will keep our country sound and solvent, today, tomorrow, and always.

Striving together in good faith, we of the Congress can contribute historically to national economic recovery. Toward that end we must devote our best efforts without deserting or betraying our responsibilities to constitutional government.

Mr. REED. Mr. Chairman, I ask unanimous consent that the gentleman from Maryland [Mr. DEVEREUX] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. DEVEREUX. Mr. Chairman, I would like to call to the attention of the House that May 3 is the anniversary of Poland's Constitution Day, the Polish national holiday, which for 167 years has been celebrated on that date.

I have known many Polish people and admire their fortitude. It is my sincere hope that the people of Poland will continue their friendship with the citizens of this country.

Mr. REED. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I think all of us recognize that we have unemployment in this country today, and the figures show a degree of unemployment that is higher than any of us condone. We also feel in our hearts, I am sure, each and every one of us, a desire to do anything reasonable, anything consistent, anything sound to relieve the situation of the unemployed; but as we approach the problem, Mr. Chairman, let us keep our heads.

We in the Congress, it seems to me, hold the responsibility to set some examples by our action and conduct here; and one example we must set is to act reasonably and responsibly. If we are going to act responsibly in this matter we cannot put the stamp of approval on the bill presented to us by the majority of the Ways and Means Committee. To adopt that bill would be irresponsible.

I am not going to ask anyone to take my word for it or the word of anybody who is on the committee and has heard the testimony; I would ask rather that you take the word and the authority of experts in the field. You are going to turn this program over to administration by State agencies, by State unemployment compensation administrators. If you are going to trust them to administer this program, trust them also then in their advice as to whether this program presented by the committee is a sound program.

These administrators have recently been requested to advise as to whether they can administer the program we are presenting to them, what would be entailed in it, what the problems would be. Word has been received from 38 of the State administrators, the very

people, mind you, whom you are asking to administer the program. What was the information? Six of the 38, 6 say that in their particular State they believe they can administer it, but in each case they say with difficulties, with serious difficulties, difficulties such as the additional personnel which is going to be difficult to get and train in the short period of time available; difficulty in acquiring new equipment which they must have in some areas; difficulty in getting new facilities in the way of floor space and office space. Six say that even with some of those particular problems they can cope with the situation and they can make it work.

Mr. Chairman, when we get back into the House I am going to ask unanimous consent to have the replies from all of these administrators put into the RECORD so you will have before you the complete statements made by those who say they can administer it and those who say they cannot. But 32 said they could not administer it. They said the difficulties and problems were insurmountable and we should avoid adopting the committee bill at all cost.

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

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

Mr. BYRNES of Wisconsin. Mr. Chairman, the questions asked and the administrative opinions expressed by State employment security administrators on title II of H. R. 12065 are as follows:

ADMINISTRATIVE OPINIONS EXPRESSED BY STATE EMPLOYMENT SECURITY ADMINISTRATORS ON TITLE II OF H. R. 12065, 85TH CONGRESS, 2D SESSION

On April 29, 1958, Mr. William U. Norwood, Jr., president of the Interstate Conference of Employment Security Agencies, sent the following telegram to the administrators of the 51 member State agencies of the conference:

APRIL 29, 1958.

To All State Administrators:

Disregarding policy issues raised by both title I and II of H. R. 12065, this interstate conference poll, authorized by the executive committee, requests for Congressional use your administrative opinion by wire, Bill Curtis, on (1) workability of title II (which authorizes benefits for individuals employed in noncovered employment) as to promptness of payment, obtaining needed supporting records, and fraud; (2) impact on regular program. Replies will be quoted without identifying States. Urgently need your reply by noon (12:00 e. d. t.) tomorrow, April 30.

WILLIAM U. NORWOOD, Jr.,
President.

Attached are the verbatim replies, without identification of State, thus far received from State employment security administrators:

"9. Benefits to noncovered wage earners cannot possibly be prompt. Many instances wage information will not be readily obtainable, especially instances of agricultural workers. In some cases it is presumed we will be required, if title II becomes law, to pay benefits on claimant affidavit entirely. Chance for fraudulent filing of course great. Passage of title II could have serious effect on insurance aspects of regular program.

"10. (1) Title II workable. Payments as prompt or better than UCFE, or any other wage request basis program. Would anticipate better results obtaining supporting records than UCFE because wage sources predominantly local. Can see no fraud problem. (2) Impact on program should be good. Will dramatize present deficiencies in coverage and tend to force corrective action.

"11. Leaving policy issues aside we believe that title II program of jobless benefits for noncovered workers would be difficult and costly to administer, with many payments delayed, with needed employment and separation data unavailable in many cases, especially from farmers and housewives, and with less control as to fraud and other abuses, thereby tending to discredit State jobless laws and administration.

"12. Unemployed persons eligible for benefits under —— law who have exhautsed benefits since April 1, 1957, to date, 14,480, or 11.6 percent of total drawing benefits. In order to withstand impact of unemployment —— is in favor of supplemental benefits. Provision to give benefits to persons not covered by —— law is contrary to basic principles of unemployment insurance and would associate unemployment insurance with general welfare program. Tremendous difficulties of administration would result in excessive delays in payment of benefits. Because of inability of establishing base wage, either accurately or promptly, seriously interfere with the operation of unemployment insurance program for covered workers and undoubtedly many persons would obtain benefits improperly or fraudulently which would be difficult to detect.

"13. Believe title II proposed bill covers matter properly within jurisdiction of public welfare field. Not unemployment compensation at all.

"14. Title II would impose most difficult operating problem in determining monetary eligibility. Anticipate substantial numbers overpayments and fraud. Impact on regular program would be great.

"15. ——— would find no unusual administrative problem as a result of title II, H. R. 12065. Claims could be processed promptly. Our request reporting system would provide necessary wage and employment information and fraud problems would be no different from those under current operations. Impact on regular program would be no different from that caused by any other increase in workload.

"16. Title II of H. R. 12065 unworkable in ———. Anticipate great difficulty in obtaining accurate wage data from noncovered employees. Lack of employer ability and incentive to cooperate in preventing unauthorized payments serious obstacle in preventing and detecting fraud. Attempt to expand present overtaxed facilities to administer title II bound to have deleterious effect on regular program.

"17. Believe title II highly impractical. Would require this quarterly reporting State to adopt request reporting from employing units, majority of whom could not be relied upon for accurate reporting. We feel only practical way to assure any reasonable promptness in making payments would be to take affidavits from nearly 100 percent of claimants. Door would be wide open to fraud and number of improper payments would be excessive. Increased load would be a strain on our present staff and equipment and no doubt would adversely affect normal program operations.

"18. State agencies have too many different programs already. In many places space and facilities are already insufficient. Anticipate procedural difficulty obtaining reports from noncovered employers, numerous inaccuracies and resulting delays. Lack of employer financial responsibility will remove principal deterrent to fraud.

"19. We are absolutely opposed to H. R. 12065 and any other bill for Federal supplementation of benefits. We believe that the coverage of noncovered employment will delay payment of claims. It will be almost impossible to obtain needed supporting records and this will tend to fraud. This bill has a tendency to weaken State programs and will eventually lead to federalization.

"20. Handling backlog of exhaustees and noncovered unemployed would create a difficult problem at commencement of program. However thereafter act would appear workable. Wage request States are in a fairly good position to handle this type of legislation in obtaining needed supporting records. Fraud obviously a problem but can be handled properly if sufficient funds are allowed for efficient policing. Space and machine production limitations may offer a considerable problem.

"21. Title II is entirely unworkable on following basis: (A) Added workload composed primarily of ineligibles will necessitate unreasonable expansion of staff, equipment, and quarters. (B) The obtaining of wage records in most instances will be a slow and costly process, and all benefit payments will be unreasonably delayed. The obtaining of such records in a primarily agricultural State will be impossible of achievement. In the absence of proper and valid wage record fraud will be rampant and uncontrollable. Administration of title II would entail expenditure of funds for expansion of staff, equipment, and quarters entirely unreasonable in terms of effective workload produced. By this we mean that eligible claims filed as percentage of total claims filed would in no sense justify such vast expenditures. Also, the low ratio of eligibility among claims filed would totally wreck public confidence in State U. I. agencies.

"22. Additions to State job insurance neither administratively feasible nor workable. Would seriously impair present State-Federal system.

"23. Obtaining wage information on agricultural workers and domestic servants will be impossible in the majority of cases as no record is kept about earnings. Obtaining wage information from others would be simplified if we could place a penalty upon the employer for refusing to reply to our request. If benefits are based on affidavits concerning wages the amount of fraud in this program will be a national scandal. We should not experience any difficulty in getting wage information on schoolteachers out of work during the summer months. In order to handle the additional claimants reporting to our offices it would require paying our present claimants every other week rather than weekly and would delay payments. The estimate of the administrative cost of title II is far below the actual money needed for this purpose.

"24. Re H. R. 12065 our opinion item 1 no legal authority to require employers to submit base period wage record. Such records would have to be obtained by request from employers or OASI. Response from employers on wage records would be slow, inaccurate, and in many cases such records would not be available or would not be furnished. Promptness of payments would depend on promptness of employers response and availability of trained personnel to handle program. Fraud would be far more prevalent than under regular program due to lack of means for policing this group of claimants and item 2 we anticipate considerable adverse criticism in the administration of this title; also, delay in processing of payment under regular program.

"25. Workability of title II doubtful. Promptness of payment hard to determine. We are an agricultural State and would receive large number of seasonal claims. We cannot predetermine how promptly payments could be made, but are sure there would be delay. We would need to nearly double our unemployment insurance and

local office staff. Fraud problems would be multiplied. Title II claimants would definitely interfere with regular program and overtax our present facilities.

"26. Regarding workability title II, H. R. 12065, irrespective of policy issue, in ———, because of coverage one or more only minor number workers excluded from normal coverage. Such noncovered employers have high business mortality rate and general lack of records. Other excluded coverage consists principally of agricultural workers of whom large segment is composed of interstate migrants. No possibility verifying earnings records. Processing benefit claims would be cumbersome, slow, and inaccurate with little safeguard against collusion and fraud. Payment of such benefits would establish precedents that would ultimately undermine entire employment-security system.

"27. (1) Workability of title II of H. R. 12065 as presently written exceedingly difficult due to problem in obtaining needed supporting records. The difficulty in securing wage records and other necessary information would be accentuated with respect to agricultural workers. Due to inadequate records and suddenness of program it would be difficult to make payments promptly and there would doubtless be a greater instance of fraud. (2) We estimate that due to sudden and heavy increase in workload, payments of benefits under the regular program would be slowed down to an extent not determinable at present.

"28. Promptness questionable and could affect promptness of State program. Difficult, time consuming, and very expensive to obtain needed supporting records and in numerous instances would have to take only claimant's unsupported statement. Considerably more opportunity for fraud and more conducive for claimant to attempt fraud than the conditions under which regular program is operated. Fraud detection in instances would be practically impossible. In many instances lack of proper supporting records and consequently no opportunity for necessary checking and investigation would have considerable impact on regular program. Public opinion would associate the proposed program with a giveaway and become critical with the present acceptance and good reputation of the regular program being destroyed. Could bog down operations of regular program to a damaging extent and delay regular program payments.

"29. Difficulty with proof of earnings would somewhat depend on stringency of Secretary's regulation but would appear almost insuperable at best in the case of agricultural and domestic workers. If regulations were relaxed sufficiently to facilitate obtaining supporting records, high incidence of fraud would be inevitable. Forty-five-day effective date impossible to meet because both local and central office space, staff, and equipment are presently inadequate to handle proposed program. Effect on regular program most deleterious mechanically and would destroy insurance aspect of regular program carefully nurtured since inception.

"30. Title II is workable. However, inclusion of agricultural and domestic labor will present administrative problems in obtaining wage data, reasons for separation and in application of law. With respect to these two groups promptness of first payment would undoubtedly not be assured to the same extent that it is under the regular program. Inclusion of the other exclusions will increase the claims load.

"This will not present any insurmountable administrative problems. Under wage request reporting system wage records should be obtainable with reasonable accuracy and promptness. Without experience there is no reason to believe that the incidence of fraud will be greater than under the regular program.

"Impact on regular program (exception noted above) will have no different effect than would any other increase in workload.

"31. It is our administrative opinion that: (1) Pattern of noncovered employment is such as to make prompt payment and the obtaining of needed supporting records under title II highly improbable. Title II would seem to present immeasurable opportunities for fraud. (2) Impact of title II on regular program would probably seriously impair efficient and effective administration as required by State and Federal laws and regulations.

"32. Delay inevitable in promptness of first payments, would encounter difficulty in gaining access to agricultural work records. Experience has shown no increase in fraud problem on previous increases in State coverage due to elections to coverage by State government and farm units. Administrative costs in an agricultural State would be extremely high and staffing difficult. Would necessitate a substantial increase in personnel and equipment to eliminate danger of injury to existing unemployment insurance program.

"33. I have already expressed to members of my State's delegation my opposition to H. R. 12065 and particularly to title II which I believe to be unsound and unworkable. My principal objection is that I believe it will tend to break down the unemployment features of the law by using the machinery of the Employment Security Administration to make payments which cannot be characterized in any way except as a dole. I favor H. R. 11697 and subsequent adoption of minimum standards on the subject.

"34. Title II would present many difficult problems in administration and for many claimants there would be considerable delays in payments. Difficulties encountered in securing supporting wage and employment dates would not be insurmountable with adequate administrative staff. See no reason why there should be high rate of fraud in view of basic honesty of most American people. There will be added problems in regular program but see no deterioration if adequate staff is made available.

"35. Title II would require additional staff of at least 50 persons. Payments would be delayed for lack of supporting records. Door opened wide to fraud. Regular program will be disrupted due to use of all personnel interviewing and securing pay records of all noncovered applicants.

"36. Provisions of title II of H. R. 12065 in our opinion will be difficult to administer but not impossible. Supporting records will be difficult to obtain. This will delay payment much longer than present payment. Fraud payments may be greatly increased. The present program will not be delayed by impact of this program.

"37. Payments would be long delayed because of extreme difficulty to obtain wage data, particularly with respect to agriculture and domestic employment. Fraud would be very difficult to control. Entire concept of unemployment insurance is being violated and in such a way as to destroy a heretofore good program.

"38. Workability title II: Promptness of payment would be adversely affected by necessity of obtaining wage and separation information from inexperienced claimants and employers. Difficulty expected in obtaining adequate supporting documents from claimants and employers. Possibility of fraud greatly increased by agency's inability to cross-match benefit payments against wages earned during claim period and inability to check wages reported by employers. Would affect unfavorably payments under regular program.

"39. Title II creates many administrative problems especially with respect to agriculture and domestic worker coverage problems with respect to other noncovered workers in title II not considered to be wholly insurmountable. Some delay in promptness of payments must be expected. Ability to obtain accurate supporting records for payments of benefits will be difficult in many instances. Fraud will likely increase due to lack of controls presently existing in established unemployment insurance program. Impact on employment service could be serious at first and continuing for estimated 2 months. Impact on regular unemployment insurance program will be limited if sufficient administrative funds are made available for additional staff, increased number of offices, itinerant points, visits to itinerant points, and training. Sufficient administrative funds must be available and not limited by unit times.

"40. Workability title II relatively impossible due to provisions of bill requiring compliance with State law involving the securing and determination of wage records that may be nonexistent or nonattainable which would preclude the possibility of any majority of prompt payments; delay in most payments estimated to be at least 6 months. Poll of farmers, and ranchers, and employers of domestics contacted shows prevailing absence of individual wage records and even total absence of dependable mediums for identification of workers. The problem is therefore not ways of processing claims rapidly and efficiently but how to do it at all. The alternative of accepting affidavits of claimants to establish wages already known from experience to be completely unreliable. W–2's frequently not issued. More frequently not kept, and lacking in all cases in detail needed for claims. Fraud and overpayments resulting from the above difficulties would reach proportions describable only as statewide pie in the sky. Not only that but the same difficulties would render most fraud virtually undetectable. No conceivable investigation machinery could handle one-tenth of the cases. Impact on regular benefit program and connected activities, which already strain our administration, would most certainly slow the taking and processing of regular claims and the payment of regular benefits to an extent that would destroy their effectiveness as a prompt remedy for the hardships of unemployment and would destroy the hard-earned acceptance now existing among the portions of the public we traditionally deal with, and would antagonize the new groups of employees of farm, and ranch, and domestic workers. These new antagonisms would render impossible for years any new forward looking legislative extension of our State program because of employer resistance to a program that is being completely disrupted and its whole concept changed by title II proposals.

"41. Promptness of payment to noncovered workers cannot be guaranteed. We estimate delay of several weeks in majority of such cases. Our opinion impossible to obtain needed payroll records of earnings during base period to compute claims for benefits, particularly agricultural and domestic workers, to assure validity of such claims. Lack of proper records will require payment of claims based upon affidavits from claimants as to estimated earnings during base periods. Such payments present potential hazard for improper or fraudulent claims. Cost of special payroll audits of noncovered employers and subsequent investigations to match earnings against those claimed in affidavits would be prohibitive. Our opinion is the inclusion of noncovered workers contemplated in title II would have adverse effect on regular program due to (1) substantial increase in workload which raises many new concepts and problems; (2) complexities of new program would require substantial training of present staff and addition of large number of new employees resulting in diversion of management and supervisory time of present trained workers;

(3) additional workload probably could not be absorbed without additional space, furniture, and other items; (4) widespread public information program would have to be undertaken.

"42. Re H. R. 12065 (bills) unemployment insurance extension proposal. Title I administratively feasible and can be put into effect immediately. For some workers with only limited work attachments extended duration would exceed original entitlement. Title II administratively cumbersome. Securing wage data for 1957, or earlier, would be difficult for such groups as agricultural, domestic, and casual workers. Payment to such groups would be time consuming and leave much room for error and possible fraud. Payment to be prompt would in many cases have to be made on basis of affidavits. Desire to get money into hands of unemployed workers not covered by regular insurance program by combining it with unemployment insurance program would dilute the insurance principle which we have fought so hard to maintain through the years.

"43. To administer title II would require requesting wage and employment information from noncovered employers. Neither the proposed act nor our State law authorizes us to enforce demand for such information from noncovered employers. Such employers furthermore may not have necessary information in absence of wage and employment records. Our law permits payment of benefits to covered workers based on worker's statement. This experience suggests that at least one-third of title II claims would be processed solely on claimant's statement, opening tremendous fraud possibilities. It would be difficult to adequately police this program to detect fraud by claimants or their collusion with employers. Further, noncovered employers have no incentive as do covered employers to police payments. Promptness of payment for regular and title II claimants would be adversely affected. Forty-five days for preparation of forms, obtaining additional space, recruiting and training additional employees, and purchasing or renting additional equipment presents an almost impossible deadline. Adding title II claimants and exhaustees to present load—approximately a quarter of a million and highest in history—would jump load to about 400,000. Nonpersonal and personal administrative costs will of necessity increase out of proportion to the load increase because everything would have to be in addition to present setup. We are now working at full capacity, both as to space and personnel, and 18 hours a day in our State office to maintain our record of prompt benefit payments. There is a minimum of at least 60 days under our bid-and-purchase system necessary to obtain supplies and equipment. In summary, we lack legal authority to enforce compliance by noncovered employers. The effective dates are unrealistic and impossible to meet. The potentiality for fraud and the difficulty of adequate policing could create a national scandal and bring the entire employment security program into disrepute. The impact upon our present program could be disastrous.

"44. Payment of benefits would be on same schedule as regular claims after wage credits are obtained. Chief problem would be with domestic and transient agricultural workers' wage credits. Example: Those who work short periods for many employers in different locations in State and across State lines. This constitutes high percentage on west coast. Obtaining wage detail would take much longer than minimum standard for regular program. Estimate average of 30 to 45 days. Many employers keep inadequate or no records as there is no requirement to keep such records for reporting purposes. Lapsed time on first payments would be increased by claimants' inability to give adequate work history including name and address of employers. Danger of fraud is great because many claims would need to be paid upon affidavit of claimant in cases of no reply from request for wage detail from employers. Restitution unlikely in cases of migrants. Administrative impact on regular program not too great except for large increase in staff, estimate initial claimstaking and determinations would be three times normal cost. Continuations and payments would require increased staff in proportion to increased workload. As to title I we see no difficulties in administration if program follows same pattern as UCFE on reimbursement. We are prepared to administer title I as soon as it may be effective.

"45. We have endorsed H. R. 12065. We believe that this bill is workable and that we can do a workmanlike job in administering it. There will be considerable impact on the program in terms of workload but analysis at the local office level indicates that we are well able to handle it.

"46. It is our opinion that title II of H. R. 12065 is workable but that serious problems would arise in administration. Difficulty would arise in obtaining some supporting records, payments would be delayed beyond the time required for our present program and there would be more opportunity for fraud to develop. Additional personnel would, of course, be required to prevent disruption of present program."

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Rhode Island.

Mr. FORAND. Will the gentleman identify the States?

Mr. BYRNES of Wisconsin. No; I cannot do that. I am sorry. I wish I could.

Mr. FORAND. All right.

Mr. BYRNES of Wisconsin. I may say this for the information of the gentleman that in making the survey they were advised that the individual opinions would not be publicized so that they would have full freedom to give an honest answer without any question of pressures they might otherwise be subject to.

Mr. FORAND. Anyone who makes a statement of that kind ought to be able to stand up and acknowledge it.

Mr. BYRNES of Wisconsin. Some of them have sent wires to their individual Congressmen and their identity is known.

Mr. FORAND. The RECORD should show them.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from South Dakota.

Mr. BERRY. I received a telegram that I put in the RECORD yesterday from our State chairman in which he says:

It would entail additional staff in South Dakota of from 50 to 100 people. If enacted it will be the first step toward destruction of State-Federal unemployment insurance program.

Mr. BYRNES of Wisconsin. I thank the gentleman. Mr. Chairman, I could go on and on. But, let me suggest that I would be on a much sounder basis to take the advice of these people whom the majority of the committee show confidence in by providing that they shall administer the program—I think I am on much sounder grounds to take their advice than the advice of the gentleman from Kentucky [Mr. PERKINS], or the gentleman from Michigan [Mr. MACHROWICZ], who says the proposed program is administratively feasible. Mark you this. These are the people who must administer it, and they are talking about how they can administer it, not nationwide but in their particular States.

Mr. Chairman, let us follow sound advice.

Mr. DINGELL. Mr. Chairman, I favor this bill. I will vote for it.

I do not discuss the features of the bill which are well explained in the report and by the various previous speakers.

This country and Detroit and the State of Michigan are in serious straits. Unemployment is running at the highest rate since the early 1940's. For example, Michigan has 450,000, or 16 percent, out of work. Detroit has 268,00, or 18 percent, unemployed. The Nation has 5,120,000 unemployed—seasonally adjusted to 7.5 percent—the highest in 16 years. This is up one-half of 1 percent from last month.

In the first quarter of 1958 auto production was down 25 percent from the same quarter of 1957.

The auto industry buys one-fifth of the Nation's steel, two-thirds of the rubber, one-seventh of the copper, aluminum, and fabric in the country.

Further layoffs were announced last week and are not shown in the statistics.

Other industries are hit. Steel operates at less than 50 percent of capacity. Russia outproduced us in steel for the first time in our history.

President Eisenhower yesterday said the slump is now expected to bottom out by late summer or fall.

Secretary of Commerce Sinclair Weeks said the same thing yesterday.

What is to happen to our hungry and unemployed during this period of waiting? Their expectation is set back from March to sometime still later—6 months later—and we do not know how much more. When will they go back to work? How are they to live until then?

The people of my State are leaving the unemployment compensation rolls at a record pace. Citizens of other States face the same bleak situation.

What are these people to do? One answer is that they go on welfare.

Let us look at that:

First, many are ineligible for welfare (a) because they have some small assets and savings; (b) because of relatives who are working; (c) because they have someone who is physically able to work although unable to find work, while sincerely trying to find employment; and (d) because of residence requirements or other technicalities.

Now what does this bill do?

It provides $1.47 billion. Where will it be spent? It primes the pump, it feeds the hungry, it helps the manufacturer, the merchant, the farmer, and those who need it most—the unemployed.

I hear talk of tax cuts, of public works, from the very people who oppose this bill.

Now many States are affected. Michigan is in a bad way, of course.

However, according to statistics of the Department of Commerce:

Seventy-odd major cities are classed as areas of substantial unemployment.

Forty-odd minor cities are to be added which have a substantial unemployment.

Thirty-seven of our 48 States are in this category of extreme hardship.

This is not Michigan's problem; it is everyone's problem.

Substantial unemployment in one area affects us all, and what was only called a recession by many now may be called a depression by them.

Even the President called this a depression in his press conference of a few weeks back.

After all, it is a recession when your neighbor is out of work. It only becomes a depression when you lose your job.

Now let us look at the two proposals:

The administration proposes to loan money on almost the same basis as the bill before us makes grants.

If one expenditure is socialistic so is the other, in precisely the same way and for the same reason.

We hear it is socialistic to spend money to make Federal grants to feed the hungry and the unemployed.

The same people who now cry socialism here, cried socialism when the original unemployment compensation legislation was before the Congress.

Most of the opponents of this unemployment compensation bill have always opposed this sort of legislation, so their present position comes as no surprise.

Their argument is that it is better to preserve our unemployed, their wives and children as hungry, needy capitalists, destitute and hopeless, free from the taint of anything so socialistic as a stomach full of food bought by the grants of our Federal Government.

I have heard no cries of socialism for giveaways of Federal money and property to other interests.

No one cried socialism when we voted to give two shipping companies a hundred million dollars this very week—or to give other subsidies to shipping.

No one cries socialism to grants to farmers for not planting under the Soil Bank program.

No one says farm subsidies are socialistic—indeed, we hear that farm subsidies are necessary to aid our economy by maintaining purchasing power. If this bill is socialistic, so are farm subsidies. Both help our people at a time of real need.

A number of opponents of this bill came to us for funds for public power and they never called that expenditure socialistic.

I heard a Member of this body from the Washington, D. C., area speak against this bill. He never called proposals to make grants to laid off Federal employees socialistic. He made speeches for that. He is one of the foremost advocates for all manner of Federal spending in the Washington area. Apparently, expenditures in this area are not socialistic but expenditures for grants to unemployed workers in other parts of the country are.

Opponents of this legislation have rarely been heard to raise their voice against bonanzas for the big periodicals, like Time, Life and Fortune, and the newspapers under the present postal laws.

Federal expenditures for grants to the unemployed who have exhausted their unemployment compensation is socialistic. But apparently it is not socialistic to allow:

Federal spending for rivers and harbors works.

Fast tax writeoffs.

Subsidies to airlines.

Federal loans to small business.

Federal aids, loans, and subsidies to commercial fishermen.

The proposed Federal grants, aids, and so forth, to the railroads.

Now 40,000 workers per week leave the unemployment compensation rolls every week by exhaustion of their entitlement. Over 2 million will exhaust benefits this year.

You can slogan about States rights, about socialism, about dole. Those arguments answer themselves. People are hungry.

There are people who are in need, or are hungry, who must have help. I propose to give that help, now.

Mrs. GRANAHAN. Mr. Chairman, it is a good idea to have a nice academic debate on what a perfect unemployment compensation program should include, or on Federal-State relationships in the operation of the program. But we in Philadelphia—and the people in all of our major industrial centers almost without exception—are facing not an academic situation but a real and tragic problem.

We have widespread unemployment and distress. What is the Government of this country going to do about it? Are we going to continue sitting and waiting for the prosperity "around the corner"? Or are we going to carry out our responsibilities under the Full Employment Act to help bring about maximum employment and general prosperity?

Pennsylvania has one of the very best unemployment compensation laws in the country. I think our period of payment is the longest of any State. Yet we have thousands using up their benefits and with nothing further coming in. We have other thousands not eligible for compensation, even though they are without jobs and unable to find jobs.

Let us not indulge in the luxury of arguing the academic merits of the perfect system. Instead, let us pass a bill which will promptly and effectively get help to those eligible unemployed who have used up their unemployment compensation benefits or to those who were never eligible for unemployment compensation because of the accident of the kind of employment they happened to have had before.

Reform of the unemployment compensation system is long overdue. Standards throughout the Nation should be more uniform. I think some of the States with backward standards are in effect enjoying a subsidy from the States which take their responsibilities more seriously.

In Pennsylvania, we can only go so far in improving our own standards—and we have the best in many respects—without endangering the competitive position of our industry. Thus steps must be taken to raise standards throughout the country to more realistic levels. We are dragged down by the low standards in effect elsewhere.

This bill today does not meet this problem, except indirectly by providing emergency Federal grants to all States to extend their present periods of unemployment compensation coverage and temporarily bring into the system unemployed persons normally not covered.

It has been called a dole. I don't care what words are thrown around. A worker who loses his job in a small business not covered by the unemployment compensation program is just as hungry and distressed—if not more so—as one who lost his job in a bigger firm and has now used up all of his unemployment compensation.

Our problem today in this bill is to help meet real distress. It is to help provide desperately needed purchasing power to those whose distress is pulling down the whole economy. This recession is feeding on itself in the sense that the lack of purchasing power in the hands of the unemployed is further reducing demand for goods and services, making for more unemployed. It is a vicious circle. Let's break the circle—the chain of distress—and help these people who are on the unemployment rolls buy food and other necessities.

That alone won't solve and end the recession. But it is a humane necessity that we act quickly to help those people while also seeking more effective solutions to the basic problem of a sick economy.

Mr. CHELF. Mr. Chairman, as I have said several times here on this floor, my people in the Fourth District of Kentucky are suffering from lack of employment and also from the fact that my little farmers who have something to sell are securing little in return and everything that they have to purchase has advanced sky high. These little farmers that Mr. Benson drove off the farms and into the cities—especially in Louisville at the General Electric plant and other fine companies—are now being laid off and, much to their sadness, there is actual heartache and privation for their families because they have no farm nor a job to which they can return in the little county from whence they came. This condition exists not only in the great Fourth District but in many, many areas throughout the State.

As a concrete example, I have a letter that I hold in my hand from my good friend, J. Snead Yeager, who is the secretary-manager of the chamber of commerce, Glasgow, Barren County, Ky. This letter was addressed to Congressman NATCHER and myself in the interest of a flood-control project. I quote:

> We have had a poor agricultural season and are receiving many families who have run out of jobs in the North who have come back home and need employment badly. We have about 14 counties in this immediate neighborhood who are desperately seeking employment for their people and we know of nothing that would give this locality a better shot in the arm than the construction of Barren River No. 2.

I could go on with many other examples which would show conclusively that this slump, sag, recession or depression has gotten out of control. Five hundred people out of jobs may not sound so bad to you, but in my town of 5,000 it is a panic not a slump. I also read from a wire received this morning from Goldie Lemon, who lives in my hometown of Lebanon, Ky.:

I strongly urge you to support H. R. 12065 for the benefit of our 500 members that are out of work in Lebanon since the Handmacher-Vogel plants have closed.

Not since the 1930's have I seen so many vacant store fronts and watched so many little-business men hit the wall financially.

We Members have been trying to come up with some feasible solution to this most difficult problem. The Congress, therefore, has enacted into law this year the Federal highway construction program; a bill that would have frozen the income of the farmer at last year's level and a rivers and harbors bill. Unfortunately, the President saw fit to veto not only the rivers and harbors bill but, also, the legislation freezing the farmers' income at last year's figure. The President came very close to vetoing the Federal highway construction bill which will put several billions of dollars into the actual construction of our vitally needed highway system for the protection of the lives of all our people. In addition, this legislation will create jobs, it will stimulate the steel mills, it will also help the cement, the lumber and many phases of our industry. I am happy to say that I have voted for each and every one of these measures, including a liberalized housing bill.

Mr. Chairman, in addition to the above group of bills that have been passed by the Congress at this session, I have been very much in favor of a decent tax cut for our overburdened citizens. As far back as January 18, 1954, I introduced a bill to increase the yearly income tax exemptions of a dependent from $600 to $1,200. Later, on March 20, 1955, I introduced H. R. 2569 which changed this exemption from $1,200 to $1,000; then on January 3, 1957, I introduced H. R. 590 which again sought to allow at least a $1,000 tax credit to our hard-pressed taxpayers. Later on I introduced legislation to reduce the $1,000 exemption down to $900. This is why I have been so persistent in my fight to reduce Federal taxes—a person earning less than $1,200 a year or $100 per month has absolutely no business paying any income tax either to the Federal Government, or a State government. A person simply cannot live on $1,200 a year—especially since inflation has cut the dollar value to 48 percent of its former purchasing power. Why have I then offered legislation to give the taxpayers a $900 exemption instead of the $1,200 exemption that I sought for them under my first bill? Well, I am realistic enough to know that, in order to secure any help at all at this session for all of our taxpayers—especially the little taxpayer—I will just simply have to accept that which can be obtained. Frankly, I had hoped to get an exemption of $1,200; that having failed, I introduced legislation seeking a $1,000 exemption; when I became convinced that the $1,000 exemption request was getting nowhere, I decided to introduce a bill authorizing an exemption of $900 instead of the present $600 income tax exemption allowed by law. In my previous bills, I also sought an $1,800 a year tax exemption for each dependent child—under 21 years of age—who is attending any recognized college, university, or other legitimate institution of learning. Upon realizing that this too was making no headway, I reduced it to $1,200 exemption. If I cannot get a whole loaf for the taxpayer, I am willing to accept a half or even a quarter of a loaf which is far better than nothing at all.

Mr. Chairman, at the present time, I am advised by the Bureau of the Budget that the estimated revenue for the present year is placed at $74.4 billion. They estimate that the expenditures during that same period of time will be $73.9 billion. In other words, they figure that there will be approximately one-half billion dollars in the green—not enough, some would say, to have a sufficient margin of comfort or cushion between income and outgo.

Everyone knows that an income tax reduction would give an individual more take-home pay. He could certainly buy more food and clothing which would help tremendously to reduce our surplus stocks of food, fiber, and other commodities now stored in surplus supply and which depress our present farm prices. Our people would then be in a far better position to purchase the necessities of life and not be forced to stand in breadlines as they are in many places at the present time. Mr. Chairman, we all make much of the fact that there is a possibility of the Federal Government going into the red but no one seems to be worrying about the little individual family—the breadwinner, the head of a household—going into the red, borrowing in order to feed, to house, and to clothe his children. I contend that if there is an income tax cut the Federal Treasury in the long run would receive the bulk of this money back in the form of excise taxes—which also should be reduced from their wartime level—to such an extent that nothing actually would be lost through the medium of the raise in the income tax exemption. It is my belief that by giving income tax relief especially to the little fellow—the farmer, schoolteacher, white collar worker, laboring man, little-business man, our elderly people, our retired folks—our entire economic structure would be strengthened because it will enable the little fellow to pay his debts and to spend more; all of which will put more money in circulation, create more buying power and, in the final analysis, help the economy of the Nation. Those of us from the farm areas predicted this trouble when Mr. Benson fought for "the sliding scale." Unfortunately we were so right.

Mr. Speaker, everybody wants an adequate Army, Navy, Air Force, Marine Corps, and Coast Guard. We must have it if we are to survive. No one in their right mind wants to cut our defense program to where we might be in danger of attack. Nevertheless, I am of the sincere belief that we can appropriate the necessary amount of money actually needed by our Defense Department for our protection and, at the same time, I believe that we can cut taxes by prudently reducing the President's budget. I know that cuts can be made, I know that they ought to be made wherever possible.

The fair thing to do is to give my bill a chance—if it is good it ought to be retained as a permanent law—if it fails it ought to be promptly repealed—it is just that simple.

We simply cannot pull out of this nosedive by sitting idly on the back of our laps singing—"I'll be glad when you are dead you rascal you." We need action—it is L. P. D., long past due. If the White House does not act the Congress will. Frankly what this country needs in addition to a tax cut, more employment, and other antirecession remedies, is for the Congress to stand up and start overriding some Presidential vetoes—then business will pick up in more ways than one.

Mr. HOLTZMAN. Mr. Chairman, while we were back home during the Easter recess I am sure the vast majority of us discovered that the most talked about subject was rising unemployment. The concern of the people over the current recession is reflected also in the mail we receive each day.

The figures on unemployment are well known to us all, and we know too that even with the slight upturn in seasonal employment at this time of the year, the situation is still critical, and millions of those in our labor force are unable to find any work at all. This, of course, has had a drastic effect on our economy. We must end the recession, and quickly, if we are to restore economic strength and continued growth.

For several years I have urged the President to call a nationwide conference of leaders of industry, labor and the Government with a view toward investigating ways and means of combating unemployment, and of meeting the problems of an expanding labor force. Unfortunately, the President has not seen fit to consider this proposal favorably.

The problem of utilizing our manpower to the fullest extent is still with us, and as a result of this waste of manpower our productive facilities have also suffered a decline.

The Congress has recently taken substantial steps to inject Federal assistance into any recovery program. We have approved a housing bill, a highway construction act, a public works bill, and at the moment we have before the House a bill which will be a tremendous help and will bring immediate relief to thousands of unemployed by extending the period for paying unemployment compensation, and by permitting the payment of such benefits to many who are not now covered under the unemployment insurance program. The adoption of this measure would provide a prompt and direct means of getting money into the hands of those who so desperately need it, and would certainly add to our consumer

purchasing power, thus giving a "shot in the arm" to our entire economic system.

These unemployed have lost their jobs through no fault of their own. Their efforts to secure new jobs have failed because of the general business slowdown, and they have in many instances exhausted the benefits to which they are entitled. Others who have suffered by loss of work are not protected by an unemployment insurance, and find that they do not qualify for any assistance from public welfare agencies because they are considered employable.

Our Government has long recognized the fact that unemployment is a problem which must be dealt with on a nationwide level. The individual States were unable to cope with the problem over the years, and for that reason the Federal Government enacted a national unemployment insurance law in 1935.

The tremendous increase in the cost of living during the past decade, combined at the present time with the critical unemployment situation, brings to light the necessity for improvement in the current system. The bill now before us will provide immediate assistance and will do much to alleviate some of the hardship and suffering caused by the present recession. We must act favorably, and without any further delay.

Mr. HIESTAND. Mr. Chairman, I have here the latest statistics from the Bureau of Census, which offer an interesting comparison, in the light of all the hue and cry that is going on here today. These figures compare the unemployment situation of the first quarter of 1949, the first quarter of 1950 and the first quarter of 1958. You will recall that we had what was later, and please note that I said, later, called a recession, in 1949–50.

The figures show that, in the first quarter of 1949, 4.3 percent of the female work force was unemployed. In the first quarter of 1950, 6.7 percent were unemployed. Now, in the first quarter of 1958 the female unemployment was exactly what it was in 1950, 6.7 percent.

Of the male work force, in the first quarter of 1949, 5.3 percent were out of work. In the first quarter of 1950, it was 7.4 percent and in the first quarter of 1958, the male jobless amounted to 7.7 percent of the male work force.

In the aggregate, unemployment in the first quarter of 1949 was exactly 5 percent of the total. In the first quarter of 1950, it was 7.2 percent. And yet, back in 1949 and 1950, we had little or nothing from the purveyors of gloom and doom. In the first quarter of 1958 it was 7.4 percent—two-tenths of 1 percent higher.

We had no bill before us back in 1949 or 1950, to put a large part of the population on the dole. I respectfully suggest that unless our economy today were fundamentally sound, all of this noise would really have caused a depression.

I emphatically support this amendment and urge its adoption.

Mr. DENT. Mr. Chairman, I want to give my views on this important legislation. Let us consider the specific points of interest:

First. Need of Federal aid in this matter: Moneys collected by the Federal Government from the pocket of the taxpayers, individual and corporate, makes it mandatory for the Federal Government to step into a situation as acute as this has become. For instance, in Pennsylvania alone we have over 60,000 persons whose compensation payments have run out. This is particularly alarming when you realize that we have a 30-week benefit period in our State. You can imagine the plight of other States with much shorter benefit periods and in many cases much lower benefit payments.

Second. The responsibility of Congress in this matter cannot be questioned or doubted by any reasonable person. First of all politics as usual should be disregarded. To an unemployed family man the Members of Congress all look alike whether Democrat or Republican. To this man and his family the problem of meeting the payments on his home and its contents, his car and his life insurance premiums, providing the necessities of everyday living, keeping his children dressed for school and the many items that today are part of the way of life, are not political, they are essential.

Third. You and I cannot shirk our plain duty by using slogans or catch phrases. Some say they oppose the legislation because it is a dole. Some say it takes away from the State some of their prerogatives. Some say the State can hold special sessions and do the job for themselves. Some say its too costly and that this is just a beginning and the end is not in sight.

Yes; we can easily find reasons to oppose, but let us look at it from the viewpoint of the family man who listened to all of the soft-soap salesmen on radio, television, and in our daily press. He did exactly what we wanted him to do. Have faith in America; buy, buy, and buy some more. He bought that new home with low downpayment; why, Congress, put that tidbit right in front of him with Federal housing legislation.

And, of course, he had to trade in now to get the new car of his dreams—bigger, better, and brighter. A television would keep his family at home and, of course, he had to save his wife's back and legs so the new modern kitchen with the automatic dishwasher, dryer, clothes washer, mixer, and all the rest of our modern appliances had to be installed.

Now do not get any ideas of being blameless as a Congressional body for this situation.

How many of us have taken to the platform and to radio and television our comparisons of the American way of life. I will venture most of us at one time or another have told our people about how many cars, refrigerators, stoves we have compared to Russia and the captive countries.

Remember, that the boobytraps set for a man and his family are many, and let us not try to cover up by saying a man ought to know better and maybe he should not take that vacation to sunny climates and foreign lands on the time-payment plan. Maybe he should not, but perhaps it should not be offered to him either.

Maybe we have too many "attractive nuisances" in our modern scheme of things.

One thing I am sure of—it would not do anyone any good to repossess many of the items I have mentioned. Another sure thing is that if the people who still have income become panicky because of the dispossess proceedings in their neighborhood the economy will go downhill so fast that the legislation before us today would not be a drop in the bucket compared to what we will have to pass later, and not much later.

Fourth. The whole idea behind unemployment compensation is basically what we are voting on. To create by governmental processes a stabilized economy in time of need. The need is here and the economy needs stabilizing. It is not a question of numbers of weeks or of where the money is coming from. If suddenly your child gets an attack of appendicitis or is struck by an automobile, you do not look for money, you look for a doctor and a hospital. We are in a sense doing the same thing. Let me just give one simple set of figures for your information. In mid-April, there were 509,000 Pennsylvanians unemployed, the highest level in 17 years. This was an increase of 21,000 over the previous month of March. At the same time, 308,844 Pennsylvanians received unemployment compensation. Add to this the fact that over 61,000 workers have run out of benefits under State law and you get a rather dismal and disheartening picture.

Relief rolls in our State have risen 25 percent. This is no small matter when you figure that relief in Pennsylvania will probably pass the $300 million figure for this biennium.

As a former member of the legislative branch of government in Pennsylvania these figures represent to me more than just cold statistics.

They point out a significant fact that many of us are overlooking in this emergency.

That fact, my friends, is best illustrated by adding the 308,844 figure to the 61,000 figure and we have a total of 368,844 persons covered by unemployment compensation out of a total unemployment of 509,000.

In plain words, Mr. Chairman, and Members of Congress, this unemployment that has hit us today is mainly production worker unemployment.

Many nonproductive employers are holding on to their present number of employees, some out of faith in the future, some out of a sense of responsibility to old clerks and help and some out of a conviction that we, the Congress of the United States of America, will do something to back up their faith and judgment.

The whole situation demands more than passing attention. This legislation will help but I agree with many of you when you say it won't cure the situation.

We must consider the whole gamut of governmental, industrial and business operators of our Nation. We must go into the details, the background, and the problems of internal and external pressures; the relationship of foreign aid and trade to our economy; the need

for amendments to the overall social-security laws; the effect of local State and Federal taxes on materials, production and distribution costs; the proper place of the Federal Government in the grants-in-aid-to-States programs; public works, national, State, and local; interest rates and their effect upon our economy; our military needs and programs; our health and welfare programs and all of the numerous activities that go into our present-day existence.

In order that all of us have a better understanding of what this bill does I want to put the following analysis into the record.

I am also presenting a complete 48-State and territorial coverage of unemployment compensation payments and other pertinent facts:

AN ANALYSIS OF THE PRINCIPAL FEATURES OF H. R. 12065 BY CONGRESSMAN JOHN H. DENT NOW UNDER DEBATE IN THE HOUSE

The purpose of H. R. 12065 is to pay from the Federal Treasury 16 weeks of temporary unemployment benefits to persons who have exhausted benefits since July 1, 1957, or who have been recently employed in certain employments now covered by State unemployment compensation laws. Payments would be made under agreements between the Secretary of Labor and the agencies administering the State unemployment compensation laws, for weeks of unemployment before November 1, 1959. The detailed provisions are outlined below:

1. Title I relates to those who have exhausted rights to benefits under State unemployment compensation programs (including Korean veterans and Federal employees). Title II relates to those who had noncovered employment. Title III relates to administrative details.

2. Weekly benefit rate under title I will be that rate payable to the claimant when he exhausted his benefits. Under title II the claimant's rights are computed on all wages (including amounts over $3,000) in a revised list of covered employments, pursuant to the applicable State unemployment compensation benefit formula. If State benefits become available later, the State benefit rate would apply thereafter, but all other provisions of title II would apply.

3. Duration of benefits will be for 16 weeks for all who qualify and are unemployed that long before November 1, 1959.

4. First payments under title I would be made for weeks of unemployment which begin after an agreement with a State is made, and on or after 15 days following enactment of the law. Under title II, there is a lag of 45 days, rather than 15 days, after enactment.

5. Termination of payments under both titles will be with the payment for the last week beginning before November 1, 1959 (i. e., week ending October 31).

6. Eligibility conditions are as follows:

(a) Under title I, those unemployed persons would be eligible who have had benefit rights under a State unemployment compensation law, under the UCV program (unemployment compensation for veterans, title IV of the Readjustment Assistance Act of 1952) or under the UCFE program (unemployment compensation for Federal employees, title XV of the Social Security Act), and who have exhausted those rights (as will be defined by the Secretary (after July 1, 1957, and filed a claim under this title before July 1, 1959.

(b) Under title II, any unemployed person would be eligible who has no State unemployment compensation benefit rights but would have such rights if all his work had been in covered employment, and who files a valid claim before July 1, 1959. Employment for this purpose is extended to include these normally excluded employments, among others: agricultural labor (except imported foreign labor), employment in domestic service, for religious and charitable institutions, for State and local governments and fishing. Employment with small firms would be included. The only employments still excluded are employment on foreign vessels away from the United States or for a Communist government or agency, work for family members, employment subject to the railroad retirement program, and employment as a student nurse, intern, insurance agent, or newsboy. Except for covering additional employments, eligibility is to be based on the same conditions as if the claimant were filing a new claim under a State unemployment compensation law.

7. Administration will be by State employment security agencies pursuant to regulations of the Secretary of Labor, but under terms of State unemployment compensation laws. Conditions of each State law would apply with reference to registration for work, filing of claims, being able to work and available for work, and other eligibility and disqualification provisions, subject to settlement of disputed claims through the regular State unemployment compensation appeal procedures. The principal exception is that the penalty for fraud is a fine of $1,000 or imprisonment for 1 year, or both.

8. Federal funds for benefit payments and for administration would be advanced to each State on a monthly basis from the Treasury on certification by the Secretary. No special tax is provided to raise the money, and no State matching or repayment is provided.

9. Puerto Rico and Virgin Islands, having no unemployment compensation law within the meaning of the Federal Unemployment Tax Act, would pay the 16 extra weeks only to the Korean veterans and Federal employees, under title I.

10. Agreements are to be made by the Secretary of Labor with State unemployment compensation agencies, pursuant to which those agencies would disburse the Federal money. Separate agreements cover title I and title II. A State could elect to handle both, either, or none. Any additional State benefits which become available after payment under either title have begun are to be paid first, before continuing the Federal payments.

Unemployment insurance under State laws, Jan. 1, 1958

States and Territories	Average weekly benefit paid for total unemployment, January-June 1957	Maximum weekly benefit	Average weekly wages in covered employment, 1956	Maximum weekly benefit as a percentage of average weekly wages		Duration of benefits	Percentage of claimants who exhausted benefits, July 1956-June 1957	Average employer tax rate, 1957 (percent of taxable payrolls)	Concurrent supplementary unemployment benefits allowed
				1957	1939				
United States	$28		$81				22	1.3	
Alabama	20	$28	65	43	87	11.7-20	36	1.1	Yes.
Alaska	37	$45 to $70	138	33	41	15-26	15	2.7	No issue.
Arizona	26	$30	81	37	61	10-26	20	1.3	Yes.
Arkansas	20	$26	55	47	95	10-18	33	1.1	Do.
California	29	$40	90	45	50	15-26	13	1.4	Do.
Colorado	28	$35	80	44	62	10-26	21	.5	Do.
Connecticut	30	$40 to $60	86	47	56	8.6-26	23	1.2	Do.
Delaware	31	$35	90	39	58	11-26	25	.8	Do.
Washington, D. C	26	$30	77	39	59	11.5-26	35	.7	Do.
Florida	21	$30	67	45	81	5-16	42	.7	Do.
Georgia	22	$30	63	48	87	20	33	1.2	Do.
Hawaii	25	$35	62	57	85	20	19	1.0	No issue.
Idaho	28	$40	73	55	82	10-26	25	1.3	Do.
Illinois	29	$30 to $45	90	33	56	10-26	20	1.0	Yes.
Indiana	26	$33	85	39	58	5.6-20	38	1.0	No.
Iowa	26	$30	74	41	67	6.7-24	35	.5	Yes.
Kansas	27	$34	76	45	66	8.4-20	27	1.0	Do.
Kentucky	24	$32	71	45	69	26	26	2.0	Do.
Louisiana	22	$25	72	35	90	10-20	38	1.4	Do.
Maine	20	$33	66	50	74	26	16	1.6	No issue.
Maryland	27	$35 to $43	74	47	65	26	17	1.0	Yes.
Massachusetts	30	$35 and up	75	47	57	7.1-26	20	1.6	Do.
Michigan	34	$30 to $55	97	31	53	9.5-26	26	2.0	Do.
Minnesota	25	$38	79	48	62	18-26	20	1.0	Do.
Mississippi	20	$30	55	54	97	20	24	1.7	Do.
Missouri	22	$33	78	42	61	12.5-26	20	1.0	Do.
Montana	25	$32	75	43	60	22	20	1.3	Do.
Nebraska	25	$32	70	45	66	9-20	35	.9	Do.
Nevada	32	$37.50 to $57.50	86	44	57	10-26	21	2.0	No issue.
New Hampshire	23	$32	67	48	70	26	13	1.6	Do.
New Jersey	32	$35	87	40	55	13-26	26	1.7	Yes.
New Mexico	25	$30	74	41	73	12-24	22	1.2	No issue.
New York	30	$36	89	41	51	26	11	1.7	Yes.
North Carolina	18	$32	60	54	89	26	18	1.4	No.

Unemployment insurance under State laws, Jan. 1, 1958—Continued

States and Territories	Average weekly benefit paid for total unemployment, January–June 1957	Maximum weekly benefit	Average weekly wages in covered employment, 1956	Maximum weekly benefit as a percentage of average weekly wages		Duration of benefits	Percentage of claimants who exhausted benefits, July 1956–June 1957	Average employer tax rate, 1957 (percent of taxable payrolls)	Concurrent supplementary unemployment benefits allowed
				1957	1939				
North Dakota	$27	$26 to $35	$68	38	69	20	21	1.4	Yes.
Ohio	32	$33 to $39	89	37	54	9.2–26	16	.7	No.
Oklahoma	25	$28	76	37	61	6.7–26	41	1.0	Yes.
Oregon	31	$40	84	48	53	12.9–26	19	1.4	Do.
Pennsylvania	28	$35	78	45	60	30	17	1.5	Do.
Rhode Island	27	$30	70	43	70	7.9–26	30	2.7	Do.
South Carolina	21	$26	58	45	99	10–22	35	1.1	No issue.
South Dakota	22	$28	67	42	69	5.7–20	38	.9	No issue.
Tennessee	21	$30	66	45	78	22	33	1.7	Yes.
Texas	23	$28	75	37	65	8–24	38	.7	Do.
Utah	29	50 percent	74	50	70	15–26	19	1.3	Do.
Vermont	23	$28	68	41	66	26	17	1.3	Do.
Virginia	21	$28	66	42	74	8–18	31	.5	No.
Washington	30	$35	84	42	57	12–26	20	2.3	Yes.
West Virginia	22	$30	82	37	59	24	13	1.0	Do.
Wisconsin	30	$38	83	46	55	10–26½	40	1.1	Do.
Wyoming	29	55 percent to 55 percent plus $6	74	55	78	12–26	27	11	Do.

Workmen's compensation, Jan. 1, 1958

Jurisdiction	Temporary total disability		Death benefits		Maximum medical care		Workmen's compensation benefits for rehabilitation	Coverage of occupational diseases
	Intended benefits as percent of weekly wage	Actual maximum weekly benefit allowed	Maximum duration in weeks	Maximum total payments	Duration	Amount		
Alabama	55–65	$31.00	300	$12,400.00	6 months	$1,200	No	Limited.
Alaska	65	100.00		$9,000.00–15,000.00	4 years		Yes	Full.
Arizona	65	150.00	(1)				Yes	Limited.
Arkansas	65	35.00	450	12,500.00			Yes	Full.
California	61¾	50.00	250–312½	12,500.00–15,000.00			No	Do.
Colorado	66⅔	36.75	312	11,466.00	6 months	1,500	No	Limited.
Connecticut	60	45.00	(1)				No	Full.
Delaware	66⅔	35.00	400				No	Do.
District of Columbia	66⅔	54.00	(1)				Yes	Do.
Florida	60	35.00	350				Yes	Do.
Georgia	60	30.00	400		10 weeks	1,125	No	Limited.
Hawaii	66⅔	75.00	(1)	25,000.00			Yes	Full.
Idaho	55–65	28.00–48.00	400	12,000.00			No	Limited.
Illinois	75–97½	30.00–45.00	(1)	10,750.00–13,500.00			No	Full.
Indiana	60	36.00	400	15,000.00			No	Do.
Iowa	66⅔	32.00	300			1,500	No	Limited.
Kansas	60	34.00	(1)	12,500.00	120 days	2,500	No	Do.
Kentucky	65	32.00	400	12,000.00		2,500	No	Full.
Louisiana	65	35.00	400			2,500	No	Limited.
Maine	66⅔	35.00	300	10,000.00			No	Do.
Maryland	66⅔	40.00	500	10,000.00			No	Full.
Massachusetts	66⅔	35.00	400	10,000.00			Yes	Do.
Michigan	66⅔	33–57.00	450				No	Do.
Minnesota	66⅔	45.00	(1)	17,500.00			Yes	Do.
Mississippi	66⅔	25.00	450	8,600.00			Yes	None.
Missouri	66⅔	37.50	(1)	12,000.00			Yes	Full.
Montana	50–66⅔	28.00–42.50	500		36 months	2,500	No	Limited.
Nebraska	66⅔	34.00	325				No	Full.
Nevada	65–70	37.50–51.92	(1)				No	Do.
New Hampshire	66⅔	37.00	341	12,617.00			No	Limited.
New Jersey		40.00	350				Yes	Full.
New Mexico	60	30.00	550				No	Limited.
New York	66⅔	36.00	(1)				Yes	Full.
North Carolina	60	35.00	350	10,000.00			No	Limited.
North Dakota	80	31.50–45.50	(1)				Yes	Full.
Ohio	66⅔	40.25	416	12,000.00			Yes	Do.
Oklahoma	66⅔	35.00		13,500.00			No	Limited.
Oregon	50–75	30.00–66.92	(1)				Yes	Full.
Pennsylvania	66⅔	37.50	350				No	Do.
Puerto Rico	60	25.00	540	9,000.00			Yes	Limited.
Rhode Island	60	32.00	600				Yes	Full.
South Carolina	60	35.00	350	10,000.00			No	Do.
South Dakota	55	30.00		7,500.00–9,000.00	20 weeks	300	No	Limited.
Tennessee	65	32.00	(1)	11,000.00	1 year	1,500	No	Do.
Texas	60	35.00	360				Yes	Do.
Utah	60	35.00–47.25	313	10,206.70–12,552.65			Yes	Full.
Vermont	66⅔	30.00	330	9,900.00		2,500	No	Limited.
Virginia	60	30.00	300	9,000.00	60 days		No	Full.
Washington		28.85–56.77	(1)				Yes	Do.
West Virginia	66⅔	33.00	(1)			1,600	Yes	Do.
Wisconsin	70	49.00	400	13,000.00			Yes	Do.
Wyoming		30.00–46.15	(1)	7,000.00–13,000.00			No	None.
United States Federal employees	66⅔–75	121.15	(1)				Yes	Full.
Longshoremen	66⅔	54.00	(1)				Yes	Do.

[1] Workmen's compensation.

Mr. CURTIS of Missouri. Mr. Chairman, under permission to extend my remarks, I want to include some data in regard to the persons who are presently not included under the Federal-State unemployment-insurance laws as of April 1, 1958. These figures, of course, are approximation and are based upon the Department of Labor's statistics.

There are 3,500,000 people covered in unemployment insurance. The 1,700,000 people unemployed but not under covered insurance are composed of the following: 400,000 new entrants—this figure incidentally will probably rise to about 1 million by June; 500,000 persons who are disqualified under State employment for various reasons—no previous work history, malingering, fraud, and so forth; 100,000 employees with State and local governments; 180,000 agricultural—seasonal and casual workers; 160,000 domestics and employees of nonprofit organizations; 120,000 self-employed or unpaid family employees; 190,000 employed by employers of four or less employees.

It will be noted that 1 million of these 1,700,000 people not covered under State employment-insurance laws would not be included in title II of the Mills bill, and that the balance are persons who could not be covered primarily because of administrative difficulties.

I think it is also pertinent to point out that in the 1949–50 recession there were in March 1950, 1,918,000 unemployed people not claiming benefits under any public program compared to the 1,700,000 in March 1958. Just where were the sympathies of the Democratic Party leaders who are trying to put through title II of the Mills bill for these 1,918,000 people—200,000 greater than in March 1958? The answer, of course, is that was not and is not the question at all, either in March 1950 any more than it is in March 1958.

Mr. NEAL. Mr. Chairman, in passing the Herlong substitute for the leadership version of unemployment compensation legislation, the House rejected the policy of deficit spending as a means of correcting unemployment accompanying periodic adjustments of the national industrial and business activity.

In so doing, the Federal Government challenges the several States to assume their local obligation to the unemployed, whether covered by the State unemployment insurance programs or ineligible due to the failure of their employers to provide insurance, thus rendering them unable to participate.

The States need not further postpone action pending Congressional legislation. It now becomes clear that the Congress recognizes unemployment as a State responsibility amenable to Federal assistance in the form of loans if the need prompts a request therefor.

Mr. CRAMER. Mr. Chairman, I supported the Herlong amendment to the unemployment compensation dole bill—H. R. 12065—today in order to preserve the integrity of the whole unemployment compensation system; to retain the basics of the insurance system that has proven so successful throughout the country; and to prevent the Federal Government from going headlong into the welfare relief field that has by tradition been recognized as a responsibility of the States.

The proposal under title II of the bill, which was eliminated under the Herlong amendment, for a Federal grant to be doled out to all who are unemployed, although no contributions had been made to the compensation fund by them and with no possibility of establishing work records and standards which are essential to the administration of the program as it would relate to those who have no present coverage, was impossible to administer, would have been endless in cost, would have invaded the State welfare field, and had no place in a bill under the subject of unemployment compensation.

As was stated by the gentleman from Virginia [Mr. SMITH] at the beginning of the debate, the majority bill was one of the most dangerous bills, from the standpoint of furthering socialism in this country, that has come before the House in some time.

It is admitted that in some States the unemployment-compensation program needs extension, as in Florida where only 16 weeks is available when the time runs out. Of course, this is primarily a State problem and it is one that the Florida Legislature has never seen fit to come to grips with.

The Herlong amendment acknowledges primary State responsibility in this field; puts the bill on a voluntary rather than compulsory State basis; makes it a loan instead of a grant program; makes it retroactive to June of 1957 rather than January 1958 and preserves the integrity of the insurance concept as well as the trust funds established to administer the program consistent with the President's proposal, in the main, and I believe accomplished the desired result so far as Federal responsibility is concerned without running the risk of further Federal paternalism.

I include with my remarks certain editorials from newspapers in my District on this subject, which indicate public support of my position as well as the support of the chairman of the Florida Industrial Commission that administers this program:

[From the Tampa (Fla.) Times of April 22, 1958]

AFTER THE UPTURN

It would be unrealistic to brush off as inconsequential the impact of the national recession and the bad winter on Florida, yet the fact remains that Florida's economy has come through the miserable freezes and the first months of the recession in remarkably sturdy shape. Such is our confident appraisal of the economy, and we note similar views are held by Industrial Chairman James T. Vocelle, whose intimacy with employment and unemployment graphs gives his opinion more than ordinary weight.

Vocelle says the rate of unemployment has been about the same in Florida since January 1; it's measured at about 3 percent, half the Nation's 6 percent average. He believes that the effect of the national recession has "just about leveled off in Florida." He adds: "I am very much encouraged."

The industrial chairman, with due caution, does not go further than to see "encouraging" prospects. But businessmen will be watching the horizon for signs of an upturn, some of which—notably the return of tourists to catch the tail end of the season—are now in view. Meantime, the State can be thankful for new factors which have cushioned the blows of winter and recession.

The State can give thanks for the supporting tripod which makes its economy hard to upset. Industry has come to Florida in unprecedented volume, joining tourism and agriculture. The industrial plants have been of immense value in a winter which dealt severe losses to vegetables, cattle, nurseries and the tourist trade. New residents, too, many of them on pensions unaffected by business conditions, have helped stabilize the business level.

Time was, and not so long ago, when Florida could not have withstood so well the recent misfortunes.

There is consolation, too, in some healthy effects of the deceleration in the State's rate of development. Some say Florida has grown too fast, and a slowdown gives time to consolidate gains. In the citrus industry, the freezes not only raised prices but they also eliminated some marginal groves which experts say, candidly and without collousness, should never have been planted at all. Land values in undeveloped areas have become realistic, shaking out the speculators, leaving the solid investors and inviting more of them to put their money to work.

The point of upturn remains to be fixed, but as Florida slows for breath one thing seems sure: After the point is passed, Florida's wealth of resources assure an early surge of development, perhaps even more striking than the last 10 years of postwar boom.

EYE-CATCHING SALES

One of the brightest spots in Tampa's business picture continues to show itself in the weekly summaries of department store sales issued by the Sixth Federal Reserve District. In the last report, Tampa sales were up 33 percent over the same week a year ago. The city's showing was much better than Jacksonville's (up 7) or Miami's, (down 3), and was outranked only by Mobile and New Orleans. In the aggregate this year, Tampa has been leading the country; surely, such reports must be turning the eyes of northern capital in this direction.

[From the Tampa (Fla.) Tribune of April 23, 1958]

THUMBS DOWN ON THE DOLE

State industrial commissioner Jim Vocelle is a man who ordinarily thinks in terms of what's good government rather than what may be good politics.

He shows this trait in personally opposing the Democratic amendment to sweeten up the Eisenhower plan for extending unemployment benefits. Although he's a stanch Democrat, Vocelle has told Florida Congressmen that Eisenhower was right and the Democratic committee majority was dead wrong.

The President's plan would give a jobless worker who had exhausted his benefits a 50 percent extension of the payments period. The Federal Government would advance the money as a loan, to be repaid by the State.

The Democrats' proposal would double the period of unemployment pay and hand over the money as an outright gift. This, Vocelle pointed out, would change the businesslike unemployment insurance program to a straight Federal dole. And since Florida has relatively low benefits and low unemployment, the citizens of this State would be taxed to support unemployed in Michigan, Pennsylvania, and other industrial centers.

Vocelle's argument makes sense. We hope there are enough Members of Congress who also think first of good government to kill the dole bill. They might discover, when the recession pressures have faded away, that this will prove to be good politics, too.

Mr. BOLAND. Mr. Chairman, it is encouraging to all of us to learn that there has been a slight dip in the Nation's unemployment figures announced this week, but the issue here before us is one of maintaining at least subsistence level purchasing power for the countless number of families who have unfortunately felt the pinch of the current recession.

Some of the breadwinners in these families have been unemployed for nearly 26 weeks, the maximum number of weeks a person can draw unemployment benefit payments in my Commonwealth of Massachusetts. They have not been recalled to their jobs in the factories, and it is unlikely that they will be recalled in the next few months. Faced with a cutoff in unemployment benefits, these workers and their families will suffer great personal hardship unless benefit payments are extended for another 16 weeks. These people are

idle through no fault of their own. They would much rather work than draw unemployment benefits. We in the Congress must do something to help ease their burden, and the legislation before this body that has been recommended by the Ways and Means Committee will assist in resolving the problem.

This legislation will provide grants to the State and will not interfere whatsoever in the unemployment insurance standards of the respective States. Those unemployed who meet the State standards will be eligible for extended weekly benefits. And let me say to the critics of this proposal, this is no dole. We are just trying to stave off any possibility of undue hardship on these unemployed, and maintain purchasing power in their pocketbooks. One of the greatest stimulants to the economy in general is the maintenance of purchasing power. I agree with the distinguished gentleman from Arkansas [Mr. MILLS], chairman of the Ways and Means Committee, that history shows that whether Congress extends these payments in the form of a loan or a grant to the States, there will be no repayment. Under the administration proposal for a loan to the States, the respective States will have to increase their the employer's insurance tax to meet these loans. I am sure that the State legislatures will resist this action. The only recourse then left to the Federal Government would be to increase the Federal contribution from the present 3 percent tax. And I do not think that this will happen. So how can one say in justification that the grant proposal is a dole, but the loan proposal is not.

In closing, I want to say that I support the legislation recommended by the Ways and Means Committee and I certainly hope that it will be adopted by the House.

Mr. SHELLEY. Mr. Chairman, after having sat in session yesterday listening to the objections raised against this humanitarian measure, H. R. 12065, a nagging thought enters my mind. I am reminded of the immature, pathetic little Queen, Marie Antoinette, who at the start of the French Revolution learned that many of the people had no bread and naively suggested, "Let them eat cake."

I am not implying that all who are opposed to this measure are naive or immature. I am, however, strongly suggesting that some of the arguments I have heard against the bill are in my opinion farfetched, clutching at straws, alarmist, and certainly of little comfort to the more than 5 million unemployed persons in this country who have exhausted every means at their disposal and who continue to hear over their radios and read in their newspapers that we are not in a recession.

I refer specifically to the debate which included the fear that The Amalgamated and United Order of Hobos is being discriminated against because they have never worked and therefore would be, along with freshly graduated schoolchildren, ineligible for benefits because they too have never worked.

Everyone else, including retired millionaires and husbands of wealthy women, this critic warns us, would be engaged in a stampede with hands outstretched, to the office which would distribute checks to meet this emergency.

I do not find the remarks of this gentleman especially amusing. It is like a healthy visitor to a hospital patient on the critical list who jokes about death or the ineptness of doctors and nurses.

Remarks of this nature are neither constructive nor appropriate. And it is my opinion that quibbling over technicalities in the bill is like hesitating to bail a rapidly sinking boat for fear the pump might not work.

Mr. MADDEN, among other eloquent and compassionate Members of this body, has chosen a thought which the opponents of this measure have apparently overlooked or disregarded.

He has pointed out that the country is hovering very close to the dark days of 1930, 1931, and 1932.

Nobody maintains this bill is a cure-all—

He states—

but nevertheless its passage will give a message of hope to the millions of families who are worrying about food after their unemployment insurance terminates.

I feel that we owe the people at the very least a measure of hope. Hope that the Congress, we whom the people sent to Washington to represent them, would do just that, and in a manner a lot more concrete than prolonging the uncertainty of where the next check is coming from, if it will be forthcoming at all.

Hunger, worry, fear, and uncertainty are common to all men. It matters not what a man's politics are. It distresses me to see exhibited here in Congress the immediate reaction of one party in opposition to another when action, definite action to give this measure of hope for the future in terms of immediate cash for urgent necessities should be our most pressing concern.

Let the labor organizations propose or endorse this measure before us now and immediately the antilabor groups recoil in horror and warn of socialism.

Let any of us who are concerned with the people themselves whom we are pledged to represent, and the reactionary elements raise such objections as these by the gentleman from Virginia, [Mr. SMITH]:

It provides a dole for every person who is unemployed. It carefully refrains from any needs test. It does not make any difference whether you need the money or not, it is going to be dished out to you if you ask for it and if you are unemployed. Now, that is the only condition attached to this measure and nobody has denied that in the only hearings which have been held on this bill.

Now, let us see what will happen. I will give you a few examples of what can happen under this bill. Let us take a retired gentleman. We will say he is a millionaire; he has all the money he needs; his family has all the money it needs, and yet it was admitted before the Committee on Rules that that man could go and draw his unemployment insurance if he was retired * * *.

You could take a gentleman who is unemployed who has a very wealthy wife. All he has to do is to hold out his hand. All temporary and casual workers, such as domestics, farm labor, or workers in seasonal production can come in. Now, they do not have to be so particular about getting themselves another job. There are very few people that you can think of that are not taken care of in this bill.

There is one very important class that is discriminated against. Let us take the students, the boys and girls graduating from high schools and universities this year. They never have been employed. But, we are discriminating against them. They can graduate from school and starve to death, but they are not being taken care of at all. Then there is another class, the Amalgamated and United Order of Hobos. They never have worked. And, we are discriminating against them. They cannot get anything under this bill; but as to everybody else, all they have to do is to hold out their hands and your taxpayers and my taxpayers will have to put an unearned dole into their hands. Is that the kind of thing that this Congress was set up to do?"

Or this:

Mr. ALLEN of Illinois. That is my understanding.

In conclusion may I say, Mr. Speaker, that while we hear so much about the people starving, I have not received any letters to that effect. I spent a couple of weeks back in my District recently. I cannot conceive, having public assistance, unemployment compensation, social security, and all these measures—which, personally, I am happy we do have—that people are starving. We use such terms rather loosely around here.

Let me submit a letter I received this morning from my District in California. This man is not yet starving. You cannot work a typewriter and assemble your thoughts while you are starving, but he and his wife are living on $40 per week, after having already exhausted their savings and other resources.

SAN FRANCISCO, CALIF.

To Hon. Congressman JOHN F. SHELLEY,
Old House Office Building,
Washington, D. C.

DEAR SIR: I am not sure that you are familiar with the basic statistics of the present situation, in regard to those that are receiving the ultimate in unemployment insurance, thus the reason for this message.

The most anyone can receive in the State of California is $40 per week, as I am sure you know.

My wife and I live as conservatively as any couple can live under the present circumstances, after being unemployed for a little over 1 month we have gone through all of our savings and are now trying to live within our unemployment insurance, with the result that we arrive at the following statistics:

	Per month
Rent	$60.00
P. G. and E	11.00
Telephone	6.00
Drugs (soap, toilet articles, etc.)	26.00

All of these, I am sure you will agree are the bare necessities of present-day living.

Breaking the costs of these basic needs down to weekly expenses we have:

Rent	$15.00
P. G. and E	2.75
Telephone	1.50
Drugs, et cetera	8.50

Totaling $27.75 per week, allowing us $12.25 per week for food or $1.77 per day.

As you will note we did not mention clothing, medical expenses, transportation, recreation, reading matter, nor tobacco, plus a previously incurred debt.

What a terrible situation when people who are willing to pay taxes, income and various hidden taxes, when they can afford it, are reduced to conditions that are worse than being on the dole system such as the last depression.

My wife and I are fortunate in that we are only two people faced with an ultimate condition, what an appalling situation for those that have other mouths to feed and are not getting the maximum benefit.

One wonders just how long these unfortunate people will remain docile.

Your constituent,

ED. DAVIDS.

And may I take a moment to express my pride in the fact that this family in their present unhappy difficulties still have the compassion to include their concern for others:

My wife and I are fortunate in that we are only two people faced with an ultimate condition. What an appalling situation for those who have other mouths to feed and are not getting the maximum benefit.

And for the benefit of those who seemed concerned that unemployed retired millionaires will stand shoulder to shoulder with the dilettante husbands of wealthy women with palms outstretched, let me quote once more the final paragraph which raises a grave and disturbing question which is surely on the minds of more people than my San Francisco constituent:

One wonders just how long these unfortunate people will remain docile.

Mr. Chairman, my colleague, Mr. MCCORMACK, with whom I am proud indeed to be associated, has called with simple eloquence and great persuasion upon the progressive Members on the Republican side to join with us in a humanitarian act.

He recognizes this debate as the progressive outlook versus the status quo point of view. He is keenly aware of the need for urgency in the enactment of this legislation.

I am not adding my voice to those which have already been raised in defense of this measure just for the sake of hearing myself speak.

I am not maintaining that everything the progressive Members of the House have done or encouraged has been 100 percent right and everyone else is wrong.

I am adding my voice to this debate because it saddens and discourages me to see people with the authority and ability to meet and make decisions which affect the entire country and the welfare and the happiness of the people, dig in their heels and shy away from approving legislation which is frankly and openly of an emergency nature for reasons such as the following:

One Member, for example, deplores this measure because, he states, it could become a racket. He uses the example of the 52–20 Club and observes, as though he were the secretly proud parent of a mischievous boy, that some of the returning GI's simply did not have the incentive to go out to look for a job when they were receiving their 20 bucks. Big deal. Gentlemen, we are not concerned with GI's home from the war—who for my money deserved many times more than they received in readjustment time and a little money to go with it—but with men with families, debts and obligations who are desperately in need of work, primarily, unable to find it through no fault of their own, and money to tide them over.

The word "recession" is something the semantics experts can bandy around. Perhaps they can come up with another word which will not offend sensitive Republican ears. Whatever this period in our life can be called it spells more than 5 million men out of work. It spells economic disaster to millions of families. It spells another day gone by in debate over technicalities. It spells another day shot for the man who has exhausted his resources, and another night in which he must plan arguments which will persuade the landlord, the corner grocer, and the light company to let him ride just a little bit longer.

The administration tells us to put money into circulation. The paid-up bills of 5 million people would represent a staggering amount of money which would be put to practical and useful ends.

Let us not be a fire department which answers an alarm by saying they can't come right away unless its a really big fire and they'd also like to have assurance that the water used to fight it will be returned.

Let us remember instead that we are representing the people. They have sounded the alarm. In your own home a kitchen fire is a holocaust. There are more than 5 million houses throughout the country going up in very big flames.

Someone has asked what the Democrats' reaction would be if the administration's bill was the only one put forth. I would say that we should vote for that, in that case, but I want to make it very clear that I am wholly behind the bill as it came from committee.

I would not be against the administration bill if it were the only one submitted, but on the other hand I am not satisfied at all that this is the answer. It does not go far enough. There are too many technicalities.

I would consider it as something which is better than nothing at all. I would say that we should vote for it and then continue to work for more and better provisions for the people who are looking to us for help and leadership.

Mr. O'HARA of Illinois. Mr. Chairman, I have said many times from this well and in public addresses that I have devoted my life to fighting against discrimination. I have not been so much concerned in the targets of discrimination as in discrimination itself. It is discrimination that is the poison that destroys individuals and destroys states. It unbalances the mind, dethrones reason, and stupifies the thinking processes.

The substitute bill I can judge only on this basis. It is a bill of discrimination against the unemployed worker whose employment was with a company or firm employing less than the minimum number of workers. It says, in substance, that if you worked for an employer who had numerous workers you can receive aid in the time of your distress when through no fault of your own, but because of a sad economic situation, you were thrown out of your job. But you cannot receive any help at all if you did the same kind of work, and performed it well and faithfully, but your employer was a little fellow who had only a worker or two. That, Mr. Chairman, is discrimination in its lowest and cruelest form.

That is not discrimination alone against our Negro fellow Americans, although it will affect many thousands of them, because in these sad economic times unfortunately many of them are the first to be thrown out of employment. But it will not affect them alone, nor will it discriminate alone against anyone of a minority religion. It strikes at every worker in America, white, Negro, of all religions and of all kinds, whose misfortune was that their employer had been a little employer and not a great big employer or a giant corporation.

The issue is as clearcut as Toledo steel. It cannot be hidden in a cloud of fine language. There is no economic question involved. The issue is one strictly of being for or against discrimination. He who votes to give a helping hand to an unemployed fellow American who worked for a big employer and gives an icy stare to an equally fine American who worked for a little employer is voting for discrimination and nothing else. It will be interesting to note the alinement when the rollcall is taken. Mr. Chairman, for my part I shall be striking against the ugly head of discrimination.

Mr. VANIK. Mr. Chairman, as a member of the Banking and Currency Committee which is now conducting extensive hearings relative to relieving the current unemployment in the United States, and as a representative from one of the largest labor-surplus areas in the country, I feel particularly close to the related problem of the extension of Federal unemployment compensation benefits which is today before us for our consideration in the debate on H. R. 12065.

In my judgment there is no room for any controversy whatsoever over the basic principle that it is our responsibility to fill the breach with quick decisive action when our economic structure shows signs of deterioration and partial collapse. The Full Employment Act of 1946 is a mandate for action.

Supplementing the Federal Government's legal responsibility to provide full employment for its citizens is the corollary responsibility to provide tangible assistance when the wheels of our economy slow down and when thereby millions of persons become helplessly unemployed. It is with this purpose in mind that this bill authorizes at least temporary unemployment benefits for individuals who exhaust their benefit rights under existing unemployment compensation laws.

It is simple economic justice and commonsense to help offset the loss of purchasing power by unemployed workers, to restore idle productive capacity and to help relieve the toll of human misery and family life by continuing unemployment benefits.

In my city of Cleveland, Ohio, hundreds of able-bodied persons are exhausting State benefits each day. For these people who are eager to work, whose savings are depleted, whose bills

continue to mount, there is no place to turn—there is only despair. In good conscience we cannot fail them. We are legally and morally bound to come to their assistance with at least a continuance of the State benefits which are no longer available to them.

It is indeed regrettable that the proposal for direct Federal contribution was substituted by the loan proposal of the Herlong amendment. Many States will be reluctant to extend expired and expiring unemployment benefits under circumstances in which the funds will have to be repaid at a future date. Some States will make a loan and distribute the funds while others will refuse to act.

Mr. Chairman, can the unemployed of Ohio expect any relief from this proposal? I doubt it. A State administration which refuses to permit unemployed workers to receive supplemental unemployment benefits agreed to in private contracts between employer and employees is not likely to possess the basic humanity required to accept an interest-free loan from the Federal Government for this purpose. A State administration which defers in the courts the distribution of $10 million of urgently needed supplemental unemployment benefit funds in which the State has no interest is not likely to have much "heart" for the worker who thought he was protected with his supplemental unemployment-benefit contract.

There is no limit to the stupidity and irresponsible concept of social justice by the present Ohio administration. Supplemental benefits provided by private agreements are not supplemental at all—the State administration deducts the supplemental payment from the basic compensation award. In Ohio, it is also the longstanding policy of the Bureau of Unemployment Compensation to deduct Ohio National Guard drill pay from State unemployment benefits paid members of the National Guard who have lost their civilian jobs.

In view of the cruel indifference of the present Ohio administration to the realities of the unemployment problem, there is every likelihood that the present administration in Ohio will choose not to borrow unemployment-benefit-extension funds from the Federal Government. Nor are benefits likely to be extended in any other way. Under present management, Ohio is unfortunately distinguished among the States of the Union as being most likely to do nothing for its citizens in unemployment distress. It is indeed a pitiful situation.

Mr. ANFUSO. Mr. Chairman, I think most of us agree that unemployment compensation is a necessity at this time in helping to check the recession and in aiding the more than 5 million who are unemployed. It is over the degree of extension of these benefits that we do not see eye to eye.

The bill, as reported out by the Ways and Means Committee, seeks to provide temporary unemployment compensation to those who have already exhausted these benefits to which they are entitled, as well as to those who are not covered under the unemployment insurance law. Figures just issued for the month of April show that unemployment has not decreased to the extent as expected by the administration. Within a few weeks many college and high-school graduates will be entering the labor market, perhaps as many as 1½ million young men and young women.

It is quite clear that unless there is a successful effort to halt the current recession and to expand the economy of the country, we may shortly be faced with an unemployment of some 6 million persons. The bill reported out by the committee is such an attempt and will accomplish that purpose, namely, help to halt the recession and add to the purchasing power of the unemployed.

The cost of this program, as we already know, is estimated at $1.47 billion. I think it is erroneous to consider it a dole, as some of us unfortunately do, but rather to look upon it as an investment in an economy whose recovery we are seeking in the best and quickest way. Economic depression has a way of feeding upon itself. If we ignore the plight of the 5 million unemployed, we may be confronted with a much more serious situation in the near future which will require much more drastic steps.

By substituting the so-called Herlong amendment to the committee bill we are ignoring the plight of the unemployed in two major respects. In the first place, the unemployment compensation benefits are more limited as to the number of weeks and also because of the fact that the funds are in the nature of loans to the States, and some States will hesitate to proceed with this program if the funds are to be repaid.

The second and perhaps greater objection is the fact that under the Herlong amendment nearly 2 million unemployed workers will not be entitled to unemployment compensation because they work or have worked in noncovered or uninsured industries. In accepting this amendment we are actually discriminating against these 2 million unemployed and their families, which may mean perhaps as many as 8 or 10 million individuals. Is their degree of suffering any less than that of the other unemployed? This, to me, constitutes a clear case of gross discrimination.

Mr. Chairman, I am strongly opposed to substituting the administration bill for the much more liberal committee bill. The former is entirely inadequate. It is merely another holding act, a wait-and-see attitude. It will be of little help and it will solve nothing. Our failure to take adequate action now may cost us a great deal more later. I urge you to vote against the amendment and to support the bill, H. R. 12065, the measure as reported out by the committee.

Mr. LANE. Mr. Chairman, no economist can agree on one single reason as the cause of the current recession, or on one factor that will guarantee economic recovery.

The first victims of any slump are the unemployed.

Their predicament is immediate and clear.

For those covered by unemployment compensation, the benefits they receive are considerably less than the wages they once earned, and there is a definite limitation on the number of weeks that this insurance will provide them with some purchasing power.

For those not covered by unemployment compensation, the loss of a job means instant deprivation.

It is generally agreed in the Congress that we must extend, temporarily, the number of weeks to which an unemployed person is entitled to benefits as the first line of defense that will absorb the immediate shock of this recession.

When the jobs of over 5 million people disappear, we have a situation that affects not only the unemployed, but everyone in the Nation. The repercussions extend to all the world.

When 5 million people are forced to curtail their buying, then use up their savings, and finally fall back on the charity of relatives or the welfare provided by the community, you have 5 million personal tragedies and 5 million customers out of the market.

This is temporary legislation, but it also points up the fact that we have delayed in modernizing our unemployment-compensation system.

I hope that, apart from this emergency measure, we will proceed to enact permanent legislation that will extend coverage to include those who presently have no protection whatever when they lose their jobs.

H. R. 12065 provides up to 16 weeks of additional unemployment compensation for those who have exhausted their benefits, and the extension of coverage up to 16 weeks to those who did not come under any State or Federal unemployment-insurance program.

The unemployment-compensation laws of the States are adequate to meet the needs of normal unemployment, but they cannot cope with a situation like the present. When benefits are exhausted and there are no jobs available, how are these unemployed going to survive?

Even worse are the immediate hardships suffered by the 600,000 unemployed who had sufficient wages to qualify for benefits, but had the misfortune to work in noncovered employment. The discrimination operating against them demands correction.

The simple and expeditious way to provide aid is by a grant from the general funds of the Federal Treasury. Otherwise, there would be no relief in time to avert acute suffering.

This is temporary unemployment legislation designed to meet an emergency problem.

It would be self-defeating if it became mired in technicalities.

And it will give us a breather, during which we can explore and advance those fundamental changes that are required to modernize and strengthen our whole unemployment-compensation system.

If this bill is to succeed in its humane and economic objectives, it will have to be passed swiftly and without any crippling amendments.

In fact this bill, by reversing the loss of purchasing power, will help to regenerate the demand that will create jobs and thus stimulate economic recovery.

Among all the antirecession measures that have been suggested, the Temporary Unemployment Compensation Act of 1958 clearly merits top priority.

Mr. MILLS. Mr. Chairman, I yield the remaining time to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, at least there is one ground upon which we can all agree, and that is that we have a recession. There is also another ground that we can all agree on, and that is that there are about 5.2 million persons out of employment, with many hundreds of thousands of others who are only working part time. Another ground upon which we can agree is that, despite the reduction of 78,000 unemployed in recent months, if we take into consideration the time of the year and the employment factors involved at this time of the year, unemployment has actually increased 150,000 to 200,000, because between March and April there is usually a reduction in unemployment of from 200,000 to 300,000. The interesting fact remains that unemployment increase from March through April on a percentage basis is from 7 percent to 7.5 percent after adjustment for seasonal factors.

Now, shortly there will be a substitute offered for the committee bill. When that substitute comes up, those who vote for it will be voting not only for the loan idea, which in fact is not a loan; it is a grant; you and I know that the money will never be paid back. No State is going to pay back the payments made in accordance with the substitute bill if it becomes law. Furthermore, after 4 years this Congress will never see to it that an additional tax is imposed. Now, let us face realities. In practical effect, the substitute proposal is a grant just as is the proposal which came out of the Committee on Ways and Means. It has another name, but the effect is identically the same. Furthermore, the substitute proposal differentiates between those who are fortunate enough to be covered under State unemployment laws and those employees who are not fortunate enough to be covered. It discriminates against the latter class. It places an inequity upon them and imposes an injustice upon them. And anyone who votes for the substitute bill will be imposing an injustice upon hundreds of thousands of persons who are unemployed and whose only crime is that they are not covered by their State law.

This bill is not a relief bill. It is a bill aimed at trying to get our economy back on an affirmative basis again. It was only the other day this House passed a bill authorizing the construction of two superliners. The Government will give over $100 million to the two companies affected. I do not consider that a dole. That is connected with our merchant marine and our national defense. But I could charge that that is just as much a dole, if I wanted to do as those do who charge this bill is a dole.

I do not consider our payments to the farmers as a dole. That is connected with our national interest. On the other hand, those who oppose the committee bill on the ground that it is a dole, if they were completely honest, would take the same position with respect to the benefits that we give the farmers under our law. And they could do the same in connection with the subsidy that we give newspapers and magazines, if they were sincere. I do not consider that a dole because it is connected with the dissemination of information and an informed public opinion. We have to do that to some extent. If those who oppose this bill on the ground that it is a dole were honest, they would take the same position with respect to that. I do not claim that what we pay our airplane companies as subsidies is a dole, because it is necessary in connection with our national interest. Other policies come into operation. And yet those who oppose the bill from the Committee on Ways and Means would be honest if they took the floor and said that the payment of such subsidies were a dole and should not be made by our Government.

This morning the Washington Post, which is not a Democratic paper, came out for a tax reduction. That shows how alarmed they are. The Washington Post remembers, while they did not read it into their editorial, that President Eisenhower only last September urged the people "not to buy"—remember that?—as a means of meeting inflation. And in March he urged the people to buy.

There are hundreds of thousands of persons and they live in everyone's district who are going to watch this vote and they will be justified not only in watching it but in remembering it.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. McCORMACK] has expired.

All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.,

SHORT TITLE

SECTION 1. This act may be cited as the "Temporary Unemployment Compensation Act of 1958."

Mr. HERLONG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HERLONG: Strike out all after the enacting clause and insert:

"SHORT TITLE

"SECTION 1. This act may be cited as the 'Temporary Unemployment Compensation Act of 1958.'

"TITLE I—INDIVIDUALS WHO HAVE EXHAUSTED THEIR RIGHTS

"Payment of compensation

"Eligibility

"SEC. 101. (a) (1) Payment of temporary unemployment compensation under this act shall be made, for any week of unemployment which begins on or after the 15th day after the date of the enactment of this act and before April 1, 1959, to individuals who have, after June 30, 1957 (or after such later date as may be specified pursuant to section 102 (b)), exhausted (within the meaning prescribed by the Secretary by regulations) all rights under the unemployment compensation laws referred to in paragraph (3) and who have no rights to unemployment compensation with respect to such week under any such law or under any other Federal or State unemployment compensation law.

"(2) Except as provided in section 103, payment of temporary unemployment compensation under this act shall be made only pursuant to an agreement entered into under section 102 and only for weeks of unemployment beginning after the date on which the agreement is entered into.

"(3) The unemployment compensation laws referred to in this paragraph are:

"(A) Any unemployment compensation law of a State.

"(B) Title XV of the Social Security Act, as amended (42 U. S. C. 1361 et seq.).

"(C) Title IV of the Veterans' Readjustment Assistance Act of 1952, as amended (38 U. S. C. 991 et seq.).

"Maximum Aggregate Amount Payable

"(b) The maximum aggregate amount of temporary unemployment compensation payable to any individual under this act shall be an amount equal to 50 percent of the total amount (including allowances for dependents) which was payable to him, under the unemployment compensation law or laws referred to in subsection (a) (3) under which he last exhausted his rights before making his first claim under this act, for the benefit year with respect to which this last exhaustion occurred. The term 'benefit year' means the benefit year as defined in the applicable State unemployment compensation law; except that, if such law does not define a benefit year, then such term means the period prescribed by the Secretary.

"Weekly Benefit Amount

"(c) The temporary unemployment compensation payable to an individual under this act for a week of total unemployment shall be the weekly benefit amount (including allowances for dependents) for total unemployment which was payable to him pursuant to the unemployment compensation law or laws referred to in subsection (a) (3) under which he most recently exhausted his rights. The temporary unemployment compensation payable to an individual under this act for a week of less than total unemployment shall be computed on the basis of such weekly benefit amount.

"Application of State Laws

"(d) Except where inconsistent with the provisions of this title, the terms and conditions of the unemployment compensation law or laws referred to in subsection (a) (3) under which an individual most recently exhausted his rights shall be applicable to his claims for temporary unemployment compensation under this act and to the payment thereof.

"Agreements with States

"In General

"SEC. 102. (a) The Secretary is authorized on behalf of the United States to enter into an agreement with a State, or with the agency administering the unemployment compensation law of such State, under which such State agency—

"(1) will make, as agent of the United States, payments of temporary unemployment compensation to the individuals referred to in section 101 on the basis provided in this act; and

"(2) will otherwise cooperate with the Secretary and with other State agencies in making payments of temporary unemployment compensation under this act.

"State May Select Latter Date for Exhaustions Under State Law Which Qualify Under This Act

"(b) If the State so requests, the agreement entered into under this section shall

specify, in lieu of June 30, 1957, such later date as the State may request. In any such case, an exhaustion under the unemployment compensation law of such State shall not be taken into account for the purposes of this act unless it occurred after such later date.

"Amendment, Suspension, or Termination of Agreement

"(c) Each agreement under this act shall provide the terms and conditions upon which the agreement may be amended, suspended, or terminated.

"No Denial or Reduction of State Benefits

"(d) Any agreement under this act shall provide that unemployment compensation otherwise payable to any individual under the State's unemployment compensation law will not be denied or reduced for any week by reason of any right to temporary unemployment compensation under this act. This subsection shall not apply to a State law which temporarily extended the duration of unemployment compensation benefits, if such State law provides for its expiration by reason of the enactment of this act.

"Veterans and Federal employees

"In States Which Do Not Have Agreements, and So Forth

"SEC. 103. (a) For the purpose of paying the temporary unemployment compensation provided in this act to individuals—

"(1) who have, after June 30, 1957, exhausted their rights to unemployment compensation under title XV of the Social Security Act or title IV of the Veterans' Readjustment Assistance Act of 1952, and

"(2) in a State, if there is no agreement entered into under section 102 which applies with respect to the weeks of unemployment concerned,

the Secretary is authorized to extend any existing agreement with such State. Any such extension shall apply only to weeks of unemployment beginning after such extension is made. For the purposes of this act, any such extension shall be treated as an agreement entered into under this act.

"In Puerto Rico and the Virgin Islands

"(b) For the purpose of paying the temporary unemployment compensation provided in this act to individuals—

"(1) who have, after June 30, 1957, exhausted their rights to unemployment compensation under title XV of the Social Security Act or title IV of the Veterans Readjustment Assistance Act of 1952, and

"(2) in Puerto Rico or the Virgin Islands, the Secretary is authorized to utilize the personnel and facilities of the agencies in Puerto Rico and the Virgin Islands cooperating with the United States Employment Service under the act of June 6, 1933 (29 U. S. C. 49 et seq.), and may delegate to officials of such agencies any authority granted to him by this act whenever the Secretary determines such delegation to be necessary in carrying out the purposes of this act; and may allocate or transfer funds or otherwise pay or reimburse such agencies for the total cost of the temporary unemployment compensation paid under this act and for expenses incurred in carrying out the purposes of this act.

"Review

"(c) Any individual referred to in subsection (b) whose claim for temporary unemployment compensation under this act has been denied shall be entitled to a fair hearing and review as provided in section 1503 (c) of the Social Security Act (42 U. S. C. 1363 (c)).

"Repayment

"In General

"SEC. 104. (a) The total credits allowed under section 3302 (c) of the Federal Unemployment Tax Act (26 U. S. C. 3302 (c)) to taxpayers with respect to wages attributable to a State for the taxable year beginning on January 1, 1963, and for each taxable year thereafter, shall be reduced in the same manner as that provided by section 3302 (c) (2) of the Federal Unemployment Tax Act for the repayment of advances made under title XII of the Social Security Act, as amended (42 U. S. C. 1321 et seq.), unless or until the Secretary of the Treasury finds that by December 1 of the taxable year there have been restored to the Treasury the amounts of temporary unemployment compensation paid in the State under this act (except amounts paid to individuals who exhausted their unemployment compensation under title XV of the Social Security Act and title IV of the Veterans' Readjustment Assistance Act of 1952 prior to their making their first claims under this act), the amount of costs incurred in the administration of this act with respect to the State, and the amount estimated by the Secretary of Labor as the State's proportionate share of other costs incurred in the administration of this act.

"Repayments in Excess of Amount Owed

"(b) Whenever the amount of additional tax paid, received, and covered into the Treasury under subsection (a) with respect to wages which are attributable to a State exceeds the sum of the amounts described in subsection (a), there is hereby appropriated to the Unemployment Trust Fund for crediting to the account of such State an amount equal to such excess. The amount so credited shall be used only in the payment of cash benefits to individuals with respect to their unemployment, exclusive of expenses of administration.

"TITLE II—GENERAL PROVISIONS

"Definitions

"SEC. 201. For the purposes of this act—

"(1) The term 'Secretary' means the Secretary of Labor.

"(2) The term 'State' includes the District of Columbia, Alaska, and Hawaii.

"(3) The term 'first claim' means the first request for determination of benefit status under this act on the basis of which a weekly benefit amount under this act is established, without regard to whether or not any benefits are paid.

"Review

"SEC. 202. Any determination by a State agency with respect to entitlement to temporary unemployment compensation pursuant to an agreement under this act shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in such manner and to such extent.

"Penalties

"False Statements, and So Forth

"SEC. 203. (a) Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment under this act shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

"Recovery of Overpayments

"(b) (1) If a State agency or the Secretary, as the case may be, or a court of competent jurisdiction, finds that any person—

"(A) has made, or has caused to be made by another, a false statement or representation of a material fact knowing it to be false, or has knowingly failed, or caused another to fail, to disclose a material fact, and

"(B) as a result of such action has received any payment under this act to which he was not entitled,

such person shall be liable to repay such amount to the State agency or the Secretary, as the case may be. In lieu of requiring the repayment of any amount under this paragraph, the State agency or the Secretary, as the case may be, may recover such amount by deductions from any compensation payable to such person under this act. Any such finding by a State agency or the Secretary, as the case may be, may be made only after an opportunity for a fair hearing, subject to such further review as may be appropriate under sections 103 (c) and 202 of this act.

"(2) Any amount repaid to a State agency under paragraph (1) shall be deposited into the fund from which payment was made. Any amount repaid to the Secretary under paragraph (1) shall be returned to the Treasury and credited to the current applicable appropriation, fund, or account from which payment was made.

"Information

"SEC. 204. The agency administering the unemployment compensation law of any State shall furnish to the Secretary (on a reimbursable basis) such information as he may find necessary or appropriate in carrying out the provisions of this act.

"Payments to States

"Payment on Calendar Month Basis

"SEC. 205. (a) There shall be paid to each State which has an agreement under this act, either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this act for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical sampling, or other method as may be agreed upon by the Secretary and the State agency.

"Certification

"(b) The Secretary shall from time to time certify to the Secretary of the Treasury for payment—

"(1) to each State which has an agreement under this act sums payable to such State under subsection (a), and

"(2) to each State such amounts as the Secretary determines to be necessary for the proper and efficient administration of this act in such State.

The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the funds appropriated for carrying out the purpose of this act.

"Money To Be Used Only for Purposes for Which Paid

"(c) All money paid a State under this act shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this act, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this act may be made.

"Surety Bonds

"(d) An agreement under this act may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from funds for carrying out the purposes of this act.

"Liability of Certifying Officers

"(e) No person designated pursuant to an agreement under this act as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States,

be liable with respect to the payment of any compensation certified by him under this act.

"Liability of Disbursing Officers

"(f) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this act if it was based upon a voucher signed by a certifying officer designated as provided in subsection (e) of this section.

"*Denial of benefits to aliens employed by Communist governments or organizations*

"SEC. 206. No person who is an alien shall be entitled to any benefit under this act for any week of unemployment if, at any time on or after the first day of his applicable base period and before the beginning of such week, he was at any time employed by—

"(1) a foreign government which, at the time of such employment, was Communist or under Communist control, or any agency or instrumentality of any such foreign government, or

"(2) any organization if, at the time of such employment (A) such organization was registered under section 7 of the Subversive Activities Control Act of 1850 (50 U. S. C. 786), or (B) there was in effect a final order of the Subversive Activities Control Board requiring such organization to register under section 7 of such act or determining that it is a Communist-infiltrated organization.

"*Regulations*

"Sec. 207. The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this act.

"*Authorization of appropriations*

"SEC. 208. There are hereby authorized to be appropriated, out of money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act."

Mr. HERLONG (interrupting the reading.) Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it may be printed in full in the RECORD.

Copies are available to the Members. It is the bill, H. R. 12244, that I introduced, and it has been explained.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. McCARTHY. Mr. Chairman, reserving the right to object, the gentleman says that it is available.

Mr. HERLONG. It is available at the desk.

Mr. McCARTHY. How many pages does the bill cover, may I ask the gentleman?

Mr. HERLONG. Fifteen pages.

Mr. McCARTHY. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HERLONG. Mr. Chairman, this amendment which I have presented in the nature of a substitute for this bill has been explained already on the floor of the House.

I will not take the time to comment on many things that have been said about the honesty of some of the proposals in the amendment as far as the repayment provisions are concerned except to say that I have a great deal more confidence in the integrity of our States than apparently some other people have.

This amendment says that any State which wishes to do so may enter into an arrangement with the Federal Government whereby funds are advanced to that State for the purpose of defraying, in whole or in part, the additional benefits that a State may provide for those individuals who have exhausted their State benefits under regular provisions of State law. It provides that these benefits will be paid at the same rate provided by the State law for a period equal to half of the time that they were entitled to be paid under the State law. It makes qualified all of those people who have exhausted their benefits since July 1, 1957, with the exception that if the situation in a particular State would be better served by setting a later date, then the State does have the right to select such later date.

It provides that the funds that are advanced by the Government to the States are not an outright grant or gift and the State must ask for the money and the bill makes specific provision for its repayment.

This money may be paid back in one of two ways. Either a State may within 4 years pay this money back without interest from State funds generally or it may be paid back from unemployment compensation reserves that the State has accumulated. If, at the end of a 4-year period, the State has not paid this money back which has been advanced to it, the Federal Government collects from the employers of that State by progressively reducing the amount of credit an employer gets on his 3 percent Federal unemployment compensation tax at the rate of 5 percent a year. In other words, today an employer pays to the Federal Government .3 of 1 percent of his payroll up to $3,000 per year per employee. At the end of 4 years, if the State has not paid this money back by one of these methods that I mentioned, the employer instead of paying to the Government the .3 of 1 percent, he would pay instead .45 of 1 percent and the additional .15 would be credited by the Government to that State's account until the account is paid. If this first year's additional tax which would be paid in 1963 does not cover the advances to the States, then the employer would pay an extra .6 of 1 percent instead of .45 of 1 percent and so on and progressively until the total amount is paid. This would not affect in any way the amount that is paid to the State unemployment compensation fund by the employer as that is a tax that is fixed and levied by the State and it is based on the individual experience rating of the individual employer.

This provision of repayment, as I have stated before, is exactly the same provision of repayment and was lifted bodily from title XII of the Social Security Act which, as I have stated, is the provision of law, as you know, which now provides for a revolving fund of $200 million from which the State may today get advances if their reserve fund is not sufficient to meet their normal requirements for 1 year.

Mr. Chairman, this amendment preserves the principle of insurance. You may say it provides extended insurance. It adheres to the principles upon which our unemployment compensation system is predicated, and it preserves the integrity of the State system.

I urge the adoption of this amendment.

The CHAIRMAN. The time of the gentleman from Florida [Mr. HERLONG] has expired.

Mr. MILLS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have now the issue before the Committee of the Whole that we had before the Ways and Means Committee.

A majority of the members of the Ways and Means Committee felt when they reported the bill H. R. 12065, in lieu of a loan and repayment system, that the loan and repayment system was nothing in the world but a camouflaged grant. The very people on the outside who would support this approach in lieu of the approval of the committee bill will be the very first people who will come to the Congress sometime between now and January 1, 1963, and demand that the Congress take back today's action and not provide for an increased tax on the employers if we accept this amendment. But aside from that, let us admit for the purpose of argument that there will be repayment. Let us see which plan it is that tends in direction of destroying the State systems. What is there about this system that we have in the States that smacks of insurance? It is the payment by the employer within the State to provide against the possibility of unemployment of his employees at some future time.

What does my friend's suggestion contemplate? That the State is to make a repayment in 1958, 1959 and 1960 to the Federal Government out of the State insurance funds that are today held in trust for the benefit of those who are now employed but will find themselves perhaps unemployed in some future year. It works just exactly like social security. We have $20 billion now. Can we say in all fairness, in justification of our act, that we are maintaining the insurance principle on old-age and survivors insurance if we dip into that $20 billion in order to accomplish the objective of increasing benefits this year without regard to the fact that that fund also is there for the purpose of providing benefits later on, to people who are not now retired? I ask you in all fairness, which system is it that offers the greatest possibility of destruction of the present insurance system? To me there is no answer but the amendment offered by the gentleman from Florida. If it is going to be repaid through this method of dipping into the funds, you are taking money that is there to insure somebody else's unemployment and not those who are unemployed today.

Then the gentleman says if the State does not repay out of that fund, we are going to tax the employers, beginning January 1, 1963. We do not know whether they will be the same set of employers that we have today. It may be that he can look into a crystal ball and say whether business then will be in better position to take on new taxes than business is today. I can reach only one

conclusion about this amendment. In the first place the possibilities are greater that it will not be repaid. In the second place, if it is repaid, that in and of itself tends more to destroy the insurance feature that exists with respect to compensation laws of the various States than does the program produced by your committee.

But, then, what are you going to do about the people who are left out entirely under this amendment? No proposal even for a 50–50 relief proposition in it.

Some have thought that would be better than the provisions of title II. But remember that at almost any time 35 percent of the unemployed do not come under any State unemployment system. Are we going to turn our backs on them? If we are looking at this situation on the basis of doing something to stimulate purchasing power in the hands of those who do not have it and perhaps to guard against misery and want, how can we turn our backs completely on the claim of any unemployed person?

Are we to take that position today? I do not believe this Committee will desire to do so and I hope this substitute is defeated.

I would like now to set forth a comparison of H. R. 12065 with the Herlong amendment:

(NOTE.—The text of this amendment appears to be identical to the text of H. R. 12243 [Mr. HARRISON], H. R. 12244 [Mr. HERLONG], H. R. 12245 [Mr. SIMPSON] and to the amendment printed in CONGRESSIONAL RECORD, p. 7675, Tuesday, April 29, 1958.)

I. IN GENERAL

The amendment printed in the RECORD has two titles.

Title I relates to individuals who have exhausted their rights. This title, except as noted below, follows (in general) the language and arrangement of title I of H. R. 12065.

Title II of the amendment contains general provisions which (except for section numbers and conforming changes) follow the language and arrangement of title III of H. R. 12065.

The amendment does not contain provisions comparable to title II of H. R. 12065.

II. POLICY DIFFERENCES BETWEEN H. R. 12065 AND PROPOSED AMENDMENT

1. Weeks of unemployment covered

Both H. R. 12065 and the proposed amendment apply only to weeks of unemployment beginning after the agreement is entered into (but not to any week of unemployment beginning before the 15th day after the date of the enactment of the legislation).

H. R. 12065 applies to weeks of unemployment beginning after the date the agreement is entered into and before November 1, 1959, if the first claim is filed before July 1, 1959.

Proposed amendment applies to weeks of unemployment beginning after the date the agreement is entered into and before April 1, 1959. (See p. 2, line 3, of H. R. 12243.)

2. Qualification based on when exhaustion of rights must have occurred

H. R. 12065 applies to individuals who exhaust their rights after June 30, 1957, and before July 1, 1959.

Proposed amendment applies to individuals who exhaust their rights after June 30, 1957, except that if the State so requests the agreement must specify such later date as the State requests. Since benefits cannot be paid for weeks beginning on or after April 1, 1959, the exhaustion of rights must occur before April 1, 1959. (See p. 2, line 4, and p. 5, line 3, of H. R. 12243.)

3. Maximum aggregate amount payable

H. R. 12065 provides a maximum amount of 16 times the last weekly benefit amount (including allowances for dependents) payable to the individual for a week of total unemployment under the law under which he last exhausted benefits.

Proposed amendment provides a maximum amount equal to 50 percent of the total amount (including allowances for dependents) payable to the individual, under the law under which he last exhausted benefits, for the benefit year with respect to which this last exhaustion occurred. (See p. 3, line 2, of H. R. 12243.)

4. Veterans and Federal employees

H. R. 12065 includes veterans and Federal employees in a State on the same basis as other employees in the State.

Proposed amendment permits the extension of existing agreements with a State to provide payments to veterans and Federal employees whether or not an agreement is entered into with respect to other employees. (See p. 6, line 4, of H. R. 12243.)

5. Repayment to Treasury

H. R. 12065 provides that the unemployment benefits and the administrative expenses under the bill shall be paid from the general fund of the Treasury.

Proposed amendment contains the language of the administration proposal under which the credits allowed under section 3302 (c) of the Federal Unemployment Tax Act will be reduced for each taxable year beginning on or after January 1, 1963, unless or until the Secretary of the Treasury finds (by December 1 of the taxable year) that there has been restored to the Treasury—

(1) the temporary compensation paid in the State under the bill (excluding amounts paid to veterans and Federal employees);

(2) the amount of costs incurred in the administration of the bill with respect to the State; and

(3) the amount estimated by the Secretary of Labor as the State's proportionate share of other costs incurred in the administration of the bill. (See p. 7, line 23, of H. R. 12243.)

(NOTE.—The amendment (see p. 5, line 20, of H. R. 12243) contains a specific amendment with reference to Connecticut. The policy, however, is identical to the policy of H. R. 12065 and conforms to the committee report on H. R. 12065.)

Mr. MARTIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we are debating a very important question. The substitute offered is similar, in many ways, to the proposal of President Eisenhower to bring aid and comfort to the jobless people of our country. The need for prompt action is obvious. This amendment can get that action, and if passed by the Senate, can become a law. We must not permit these people to do without the funds to eke out a living. Over a hundred thousand of folks on the unemployment rolls have reached the stage where they will soon have their claims canceled. That is a potent reason why we cannot afford to wrangle over features displeasing to the executive branch. We must be realistic. We must pass now a bill with a chance to become a law.

If the recession deepens, and I am sure there are none here who want that to happen, but if it should happen and the States find themselves unable to provide the relief funds, the Government stands ready to step in. Another bill can be passed which will not jeopardize our unemployment setup.

President Eisenhower is concerned over the problem. He wants a bill that is workable; he wants a bill that will help our deserving jobless.

The President is opposed to the Ways and Means Committee bill because he believes it to be unworkable, that it will bring delay and eventually cause harm to the unemployed setup.

We want no person to suffer in our country, but we also want to maintain the integrity of the law so that the more than 60 million people affected by this legislation can be given complete security.

This problem should not be determined on the basis of partisan politics. I am delighted to note that this amendment is offered by a Democrat. This should dispose of the suggestion that partisan politics enters into the picture, because we all recognize the needs. I have never heard anything to the contrary but that the gentleman who offers the pending amendment is a man of character and integrity, and throughout the years I have worked with him I have never known him to be accused of active partisanship.

Mr. Chairman, I cannot express too strongly the desirability of adopting this amendment. It means one step accomplished in the program against unemployment and distress, and we should take this initial step today.

We are in a recession, but let us not be panic stricken. The people of America are not the kind to cringe in an hour of emergency. They have faced graver problems and greater perils.

In my lifetime, I have gone through a number of recessions, but we have always overcome our difficulties, and we have gone on to higher heights than before. I believe we will do the same this time if we will forget about politics and devote our energies and best efforts to the problem.

One further word, if I may, Mr. Chairman. Over in the Kremlin there are people who hope for America to divide; there are people over in the Kremlin who would like to see this country go down into a deep recession. Why? Because they know that the Communists cannot take over America unless we have a division among our own people, when we are needlessly stampeded into a severe recession.

Mr. Chairman, we know that the President is not in favor of this committee bill. He has said so in public statements. I do not know what he will do if this bill should come to his desk. I would not want to make a prediction but I do believe if the Herlong amendment reaches him, he will sign it without much delay. Neither do we know what the other branch of our Government would do to the Ways and Means Committee bill. It could be delayed a long time.

Mr. Chairman, we are faced with realities. This is legislation offered by the gentleman from Florida that can become law. So why delay with words? Let us

not delay the workless people from getting this legislation promptly, or offer a mirage to others.

The relief problem of the States, if it gets out of hand, can be promptly met by another bill.

Mr. CHRISTOPHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it will be a pleasure for me to support the bill that has been brought to the floor by the Committee on Ways and Means. This administration is running true to form as it has always done and as Republican administrations have done as far back in history as I can read or remember.

The President wanted a gesture. The Committee on Ways and Means brought to the floor of the House a piece of legislation. The administration wanted to offer a skeleton. The Ways and Means Committee put meat on its bones so that people can eat.

I am for the committee bill and hope it prevails.

Mr. SADLAK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SADLAK: On page 3, line 5, strike out "dependents)" and insert "dependents, but excluding any temporary additional unemployment benefits)".

Mr. SADLAK. Mr. Chairman, I have another amendment and I would like to have the two of them considered en bloc.

The CHAIRMAN. Are these amendments to the amendment offered by the gentleman from Florida?

Mr. SADLAK. Yes.

The CHAIRMAN. The gentleman has two he wants considered together?

Mr. SADLAK. Yes.

Mr. MASON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MASON. Are these amendments to the substitute or the original bill?

The CHAIRMAN. The gentleman from Connecticut states they are amendments to the substitute offered by the gentleman from Florida. There is one other amendment to be reported. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SADLAK: Page 3, line 10, strike out the period and insert the following: ": *Provided, however,* That the amount so payable shall be reduced by the amount of any temporary additional unemployment compensation payable to him under the unemployment compensation law of any State."

Mr. SADLAK. Mr. Chairman, when I spoke during general debate I outlined the amendment which I expected to submit if we were perfecting the bill, H. R. 12065. Since we now have the substitute amendment proposed by our colleague from Florida [Mr. HERLONG], which is encompassed in H. R. 12244, I desire to submit these two amendments in order to conform with the action which has been taken by the Connecticut Legislature.

I now ask that we take and coordinate our action here with the action which has been taken in Connecticut, which extended its 26 basic weeks an additional 13 weeks. I desire by this amendment to conform the substitute bill pending before us to the Connecticut statute, and I ask for support of the amendments.

Does the gentleman from Arkansas wish to comment on the amendments?

Mr. MILLS. Mr. Chairman, I was endeavoring to understand the intent of the amendment offered by the gentleman from Connecticut. Let me see if my understanding of what this amendment actually does is in accord with what the gentleman wants to do. By offering the amendment to the substitute on page 3, line 10, the gentleman would be limiting the maximum amount that might be payable in the State of Connecticut to less than what is provided on page 3 of the bill, because the State of Connecticut has recently implemented its own former duration period by an additional period of weeks. Is that what the gentleman proposes to do?

Mr. SADLAK. That is right. If you have the substitute there, I believe it says 50 percent above the existing formula. Since it was 26 and now 13 additional, it makes it 39, which would make it 50 percent of 39.

Mr. MILLS. The gentleman's amendment would prevent that?

Mr. SADLAK. Yes, to conform with the Connecticut statute.

Mr. MILLS. Mr. Chairman, I would certainly have no objection to the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. SADLAK].

The amendment was agreed to.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Chairman, I rise in opposition to the Herlong amendment.

Mr. Chairman, it seems to me that we must attempt to debate both the bill and the Herlong amendment in the proper perspective. It seems to me further, Mr. Chairman and members of the Committee, that if you accept certain fundamentals, then by every test of fairness and logic, every test of sound legislative criteria, you must accept the Mills formula and reject the Herlong formula.

Now, Mr. Chairman, addressing myself to the first proposition, that is, whether or not legislation is needed in this field at all.

I believe that except for people who generally disagree with the theory, practice and principle of unemployment compensation, most people on both sides of the aisle accept the necessity for extending unemployment compensation. I might say that certainly President Eisenhower has accepted that proposition. As a matter of fact, near the end of our recent Easter recess he chided those of us here for not having acted sooner on the program which he recommended.

In addition to that, practically all of the people who make a business of studying, of diagnosing, of analyzing our economic system, believe that this program is absolutely essential. As I pointed out on yesterday many of these economists feel that this is a minimum and a very bare minimum at that. As a matter of fact, since yesterday I noticed that the Washington Post here in Washington which heretofore had opposed any reduction in taxes, this morning endorsed a tax reduction program.

I cited on yesterday the economic indicators for the month of April. I cited the indicators for the month of March. I read what I thought was a very thoughtful piece written by Mr. White of the Christian Science Monitor. I mentioned the discussion of Mr. Nelson Rockefeller and his group of economists; Dr. Burns, the first chairman of President Eisenhower's group of advisers, and the Committee on Economic Development.

So, Mr. Chairman, I think we stand on rather firm ground when we say that most economists recognize the necessity for extending unemployment compensation. Now why do they say this? No. 1, unfortunately unemployment is not decreasing. Unfortunately, our rate of expansion has not kept up. Unfortunately, during the first quarter of 1958, for the first time Russian expansion equaled ours. That is because ours decreased so tremendously.

In addition to that, this is the first day of May. During this month and early next month our colleges and high schools will be putting into the labor force trained young men and women numbering about 1.5 million. So that unless there is some expansion in the economy it can very well be predicted that the number of unemployed will undoubtedly jump beyond 6 million come the month of June.

Looking at the other side of the picture, the Federal Reserve figures show that almost $50 billion in consumer credit is outstanding in this country. What does that mean? That means for refrigerators, dishwashers, gadgets of one type or another our people have gone into hock to the extent of $50 billion, and the studies further show that something over 50 percent of these people have nothing other than their wages, their pay, their salaries, to meet these installment payments. So if unemployment continues to grow and multiply, we face the dire prospect of billions of dollars in consumer items being turned back. You can imagine the type of situation this would create in credit institutions all over the United States.

So I think, Mr. Chairman, that if you will examine the nonpolitical statements of nonpolitical economists before the Joint Committee on the Economic Report, if you will examine the reports to which I have referred, you must come to the conclusion that in order to bolster our economy unemployment compensation must be extended. So we get down to one fundamental consideration and that is, how do we go about doing it?

As I understand the administration plan, and I presume that is the plan embodied in the bill of the gentleman from Florida [Mr. HERLONG], it says that we

shall say to the States that we will make certain advances to you over a period of X number of years over which period you can repay them.

But, what does this mean? You talk about discrimination. No. 1, it means that future employers must repay this money along with present employers. In addition to that, it says that if you work at one type of employment and you are unemployed, you will qualify for these benefits. If you work in another type, you will not qualify. Or to put it more simply, if you are employed by an employer who employs 4 or more people, then you will receive these benefits. If you are employed by an employer who employs less than 4 people, you will not receive the benefits.

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

Mr. BOGGS. I will be happy to yield to the gentleman.

Mr. HALLECK. That has always been true ever since unemployment compensation was enacted into law.

Mr. BOGGS. Evidently the gentleman does not accept my premise that this is an antirecession measure. This is the way I understand this matter. Does the gentleman have some other reason for voting for this?

Mr. HALLECK. Why, certainly, I do.

Mr. BOGGS. What is the reason?

Mr. HALLECK. It has to do with unemployment compensation.

Mr. BOGGS. Yes, and why do you have to deal with unemployment compensation? Because you have unemployment and you have unemployment because you have a recession.

Mr. Chairman, I must refuse to yield any further.

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

Mr. BOGGS. I yield.

Mr. McCARTHY. I think the question that should be asked of the gentleman from Indiana is that if this is just an unemployment-compensation bill, is he ready to support a permanent improvement of unemployment compensation?

Mr. BOGGS. Of course, the gentleman from Minnesota has made a very significant point. You know the strange thing about some of the people who are opposed to title II is—and I do not know whether this applies to my very dear friend the gentleman from Indiana or not—but some of the people who are shedding these crocodile tears today were opposed to unemployment compensation in its inception and have opposed it all along.

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

Mr. BOGGS. I yield.

Mr. HALLECK. I was here when the social-security legislation was enacted, and I voted for it.

Mr. BOGGS. I am happy to have that on the record. I commend the gentleman.

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

Mr. BOGGS. I yield.

Mr. McCORMACK. How did the gentleman vote on the motion to recommit which was to strike out the important part of the law?

Mr. MARTIN. If the gentleman will yield to me so that I may correct my distinguished friend from Massachusetts, the motion to recommit was the one that would liberalize social security.

Mr. McCORMACK. That is the biggest joke of the century.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I am very happy to yield briefly to the gentleman, but I would rather not get into this political thing, and I mean that.

Mr. BYRNES of Wisconsin. The gentleman has suggested that those who are opposing the committee bill are opposed to unemployment compensation. I wonder if the gentleman is saying, in effect, then, that the 32 administrators who say that the program, as presented by the committee, is a bad and unsound program are also against the programs they are administering in the States.

Mr. BOGGS. May I say to the gentleman, if I did the gentleman an injustice in making the suggestion, then I apologize to the gentleman. I think it may be said generally, though, that there has been more inclination on my side of the aisle, and as I said before I do not want to be political about this, to support this kind of program than there has been on the gentleman's side of the aisle.

Let me continue for a moment with reference to title II, if I may.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOGGS. Mr. Chairman, since I have yielded all my time, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

Mr. MASON. Mr. Chairman, I object, and if I had not been caught napping, I would not have permitted the extra 5 minutes which the gentleman has already used.

Mr. BOGGS. I thank the gentleman very much. I appreciate it.

The CHAIRMAN. Objection is heard.

Mr. McCARTHY. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. McCARTHY. I yield.

Mr. BOGGS. I wish the gentleman from Illinois, whom I dearly love and who is really one of the closest friends I have, had not said that because it did not do him any good. I had already finished but I would like to leave just one thought with you. If this program can be justified as an antirecession measure, and I know of no other way to justify it, then how in the name of all that is fair and just and equitable can you make a distinction between one type of employee and another type of employee?

When you vote against title II, that is what you are doing, and you are saying the man who had worked at a grocery store that employs 3 people will not qualify, but the man who had worked across the street in a store where they employ 5 people, will qualify. I hope we will not be led down that alley.

Mr. McCARTHY. Mr. Chairman, I can add a little to what the gentleman from Louisiana [Mr. BOGGS] has said. However, since reference has been made to the 30 administrators and their opposition to the committee bill, these 30 administraors, as far as I know, are more strongly opposed to the Herlong amendment. What they are in favor of is a permanent amendment of the unemployment compensation bill. That is what I am in favor of. We introduced legislation to accomplish that. We offered amendments in the committee which really set forth what President Eisenhower has been recommending to the States every year since 1953. We gave the members of that committee, and this includes the Republican members, a chance to vote on the question of permanent amendment of the unemployment compensation law. Those proposals were voted down. I consulted with the Parliamentarian today as to whether an amendment to establish national standards for permanent unemployment compensation would be in order and he says it would not be out of order.

This brings me to H. R. 12244. It is the intention to provide for temporary additional compensation and for other purposes. This, it seems to me, brings us to the very point in the bill, which is to provide for temporary additional unemployment compensation. If I listened to the argument made to us by Secretary Mitchell, it was argued that the unemployment which we have today is not normal or natural. This is something unusual. He says the unemployment compensation program should provide for what he would call normal unemployment. He said it did not intend to provide for the unemployment which we have now, which is unemployment resulting from a recession. If we push him one step further he would have to say that he would have to admit that these conditions arose outside of industries themselves, which now contribute to unemployment compensation. In other words, there is a social cause, arising from the general state of the economy. If he wants to stay with this argument, then he can take the next step and say that the responsibility for taking up the slack and taking care of this temporary unemployment is a social obligation and the cost should be borne out of the general revenue. This is what is proposed in the Mills bill, to take care of it out of the general revenue, and to take care of, not only those who have exhausted their benefits, but those who have not had coverage. This position should be supported and sustained by this Committee.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield.

Mr. BYRNES of Wisconsin. The gentleman suggested that the State administrators were opposed to the Herlong bill. I do not believe the gentleman meant to say that, because if he had read the compilation of their replies to the questionnaire which the chairman of the committee has, he certainly could not come to that conclusion.

Mr. McCARTHY. The administrators who testified before us——

Mr. BYRNES of Wisconsin. We did not have any before us.

Mr. McCARTHY. Some of them did speak for the administrators in the regular hearings and they did not support the Herlong bill.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. McCARTHY] has expired.

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

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Chairman, the able gentleman from Minnesota has amendments which are fundamental and farsighted. I can only wish they had formed the substance of the bill as originally reported.

It is a fact that the Federal concept of unemployment compensation originally was not in the frame of an emergency. Experience has proven its soundness and has indicated that the rate of compensation in ordinary periods can safely be advanced to the level suggested by the gentleman from Minnesota [Mr. McCARTHY].

Now, however, we are faced with the need of continuing compensation, or purchasing power, for workers who find that this is an abnormal period, or cycle, of unemployment.. They are still out of a job after 26 weeks of unemployment. Their plight cannot be ignored, for if it is the depression will indeed feed upon itself. The suggestion, therefore, that the purchasing power of these workers be partially sustained for another 13 weeks is just plain common sense for the sake of all of us—the whole economy. The evidence is clear cut that the cost of so doing can be borne 1 of 3 ways:

First. It can be left to the States to do. This we know to be impractical.

Second. The Federal Government can lend the money to the States. This we know to be an artful dodge for there is no Congress that will ever vote to try to get it back under any formula. So let us not kid ourselves or the people of the country.

Third. The Federal Government can and should pay, as a part of the program to meet and solve the temporary but emergency unemployment situation.

That is it in a nutshell. It does not violate States rights. It does conform to the facts. It is not a dole or a handout, except in the minds of those who refuse to recognize the duty of Government to those who want to work and cannot through no fault of their own. Payments at all times are based on proven rates of compensation so no objective person can put them in the same class as relief or public aid. The vital dignity of the worker is justifiably preserved.

This same logic is, of course, equally applicable to title II of the committee bill. The fact that some States have seen fit to ignore the plight of those arbitrarily eliminated from compensation coverage does not excuse us from our duty to them. An unemployed worker in a plant with less than four workers still has a drastic family problem. Their numbers are great enough to have great impact on the whole community. I shall not vote to forget them and I hope for their sakes and ours, too, that most of you will include them before we finish this job.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. HERLONG].

Mr. MARTIN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed Mr. HERLONG and Mr. MILLS as tellers.

The question was taken and the tellers reported that there were—ayes 194, noes 95.

So the amendment was agreed to

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. McCORMACK] having assumed the chair, Mr HAYS of Arkansas, 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. 12065) to authorize temporary unemployment benefits for individuals who exhaust their benefit rights under existing unemployment compensation laws, and for individuals who were employed in noncovered employment, pursuant to House Resolution 555, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 223, nays 165, answered "present" 1, not voting 40, as follows:

[Roll No. 50]

YEAS—223

Abbitt	Byrnes, Wis.	Gross
Abernethy	Carrigg	Gubser
Adair	Cederberg	Gwinn
Alexander	Chamberlain	Hale
Alger	Chenoweth	Haley
Allen, Calif.	Chiperfield	Halleck
Allen, Ill.	Church	Hardy
Andersen, H. Carl	Clevenger	Harrison, Nebr.
	Collier	Harvey
Andrews	Colmer	Haskell
Arends	Cooley	Hays, Ark.
Ashmore	Coudert	Hébert
Avery	Cramer	Hemphill
Ayres	Cretella	Henderson
Baker	Curtin	Herlong
Barden	Curtis, Mass.	Heselton
Bass, N. H.	Curtis, Mo.	Hess
Bates	Dague	Hiestand
Baumhart	Davis, Ga.	Hill
Beamer	Dawson, Utah	Hillings
Becker	Dennison	Hoeven
Belcher	Derounian	Hoffman
Bennett, Fla.	Devereux	Holmes
Bentley	Dixon	Horan
Berry	Dorn, S. C.	Hosmer
Betts	Dowdy	Hull
Blitch	Durham	Hyde
Bolton	Dwyer	Jackson
Bonner	Fallon	Jennings
Bosch	Fascell	Jensen
Bow	Fenton	Johansen
Boykin	Fisher	Jonas
Bray	Fiynt	Judd
Broomfield	Ford	Kean
Brown, Ga.	Forrester	Kearney
Brown, Mo.	Fountain	Kearns
Brown, Ohio	Frelinghuysen	Keating
Brownson	Gary	Kilgore
Broyhill	Gathings	Kitchin
Budge	Gavin	Knox
Bush	Glenn	Krueger
Byrne, Ill.	Griffin	Lafore
Laird	O'Hara, Minn.	Smith, Calif.
Landrum	Osmers	Smith, Kans.
Lankford	Ostertag	Smith, Miss.
Latham	Pelly	Smith, Va.
LeCompte	Pilcher	Springer
Lennon	Pillion	Stauffer
Lipscomb	Poff	Taber
McDonough	Preston	Talle
McGregor	Quie	Taylor
McIntire	Ray	Teague, Calif.
McIntosh	Reece, Tenn.	Tewes
McMillan	Reed	Thomson, Wyo.
McVey	Rees, Kans.	Tollefson
Mack, Wash.	Riley	Tuck
Mailliard	Rivers	Utt
Martin	Robeson, Va.	Van Pelt
Mason	Robison, N. Y.	Vinson
Matthews	Robsion, Ky.	Vorys
May	Rogers, Fla.	Vursell
Meader	Sadlak	Wainwright
Michel	St. George	Weaver
Miller, Md.	Schenck	Westland
Miller, Nebr.	Scherer	Wharton
Miller, N. Y.	Schwengel	Whitener
Minshall	Scott, N. C.	Whitten
Mitchell	Scudder	Widnall
Moore	Seely-Brown	Wigglesworth
Mumma	Selden	Williams, Miss.
Murray	Sheehan	Wilson, Ind.
Neal	Sikes	Winstead
Nicholson	Siler	Wolverton
Nimtz	Simpson, Ill.	Younger
Norblad	Simpson, Pa.	

NAYS—165

Addonizio	Flood	Norrell
Albert	Fogarty	O'Brien, Ill.
Anderson, Mont.	Forand	O'Brien, N. Y.
	Frazier	O'Hara, Ill.
Anfuso	Friedel	O'Konski
Aspinall	Fulton	O'Neill
Bailey	Garmatz	Passman
Baldwin	George	Patman
Baring	Gordon	Patterson
Barrett	Granahan	Perkins
Bass, Tenn.	Gray	Pfost
Beckworth	Green, Oreg.	Philbin
Bennett, Mich.	Green, Pa.	Poage
Blatnik	Gregory	Polk
Boggs	Griffiths	Powell
Boland	Hagen	Price
Bolling	Hays, Ohio	Prouty
Boyle	Healey	Rabaut
Brooks, La.	Holifield	Reuss
Brooks, Tex.	Holland	Rhodes, Pa.
Burleson	Holtzman	Rodino
Byrd	Huddleston	Rogers, Colo.
Byrne, Pa.	Ikard	Rogers, Mass.
Canfield	Johnson	Rooney
Cannon	Jones, Ala.	Roosevelt
Carnahan	Karsten	Rutherford
Celler	Kee	Santangelo
Chelf	Kelly, N. Y.	Saund
Christopher	Keogh	Saylor
Clark	Kilday	Shelley
Coad	King	Sheppard
Coffin	Kirwan	Sisk
Corbett	Kluczynski	Spence
Cunningham, Iowa	Lane	Steed
	Lesinski	Sullivan
Davis, Tenn.	Libonati	Teller
Dawson, Ill.	Loser	Thomas
Delaney	McCarthy	Thompson, La.
Dellay	McCormack	Thompson, N. J.
Dent	McFall	Thompson, Tex.
Denton	McGovern	Thornberry
Diggs	Macdonald	Trimble
Dingell	Machrowicz	Udall
Dollinger	Mack, Ill.	Ullman
Donohue	Madden	Vanik
Dorn, N. Y.	Magnuson	Van Zandt
Doyle	Mahon	Watts
Eberharter	Marshall	Wier
Edmondson	Merrow	Willis
Elliott	Metcalf	Withrow
Engle	Mills	Wright
Everett	Morgan	Yates
Evins	Morris	Young
Farbstein	Morrison	Zablocki
Feighan	Moss	Zelenko
Fino	Natcher	

ANSWERED "PRESENT"—1

Riehlman

NOT VOTING—40

Ashley	Grant	Kilburn
Auchincloss	Harden	Knutson
Breeding	Harris	McCulloch
Buckley	Harrison, Va.	Miller, Calif.
Burdick	Holt	Montoya
Cunningham, Nebr.	James	Morano
	Jarman	Moulder
Dies	Jenkins	Multer
Dooley	Jones, Mo.	Porter

Radwan	Scott, Pa.	Teague, Tex.
Rains	Scrivner	Walter
Rhodes, Ariz.	Shuford	Williams, N. Y.
Roberts	Sieminski	Wilson, Calif.
Rogers, Tex.	Staggers	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Dies for, with Mr. Walter against.

Mr. Harrison of Virginia for, with Mr. Montoya against.

Mr. Teague of Texas for, with Mr. Miller of California against.

Mr. Riehlman for, with Mr. Multer against.

Mrs. Harden for, with Mr. Staggers against.

Mr. Holt for, with Mrs. Knutson against.

Mr. Kilburn for, with Mr. Morano against.

Mr. McCulloch for, with Mr. Buckley against.

Mr. Jenkins for, with Mr. Ashley against.

Mr. James for, with Mr. Moulder against.

Mr. Williams of New York for, with Mr. Porter against.

Mr. Shuford for, with Mr. Sieminski against.

Until further notice:

Mr. Grant with Mr. Auchincloss.

Mr. Rains with Mr. Burdick.

Mr. Rogers of Texas with Mr. Cunningham of Nebraska.

Mr. Roberts with Mr. Dooley.

Mr. Breeding with Mr. Radwan.

Mr. Jarman with Mr. Scott of Pennsylvania.

Mr. Jones of Missouri with Mr. Rhodes of Arizona.

Mr. Harris with Mr. Wilson of California.

Mr. BARDEN and Mr. SIKES changed their vote from "nay" to "yea."

Mr. RIEHLMAN. Mr. Speaker, I have a live pair with the gentleman from New York [Mr. MULTER]. Had he been present he would have voted "nay." I voted "yea." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

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

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

The yeas and nays were ordered.

The question was taken; and there were—yeas, 372, nays, 17, not voting 40, as follows:

[Roll No. 51]

YEAS—372

Abbitt	Bates	Brown, Ga.
Abernethy	Baumhart	Brown, Mo.
Adair	Beamer	Brown, Ohio
Addonizio	Becker	Brownson
Albert	Beckworth	Broyhill
Alexander	Belcher	Bush
Allen, Calif.	Bennett, Fla.	Byrd
Andersen, H. Carl	Bennett, Mich.	Byrne, Ill.
	Bentley	Byrne, Pa.
Anderson, Mont.	Berry	Byrnes, Wis.
	Betts	Canfield
Andrews	Blatnik	Cannon
Anfuso	Blitch	Carnahan
Arends	Boggs	Carrigg
Ashmore	Boland	Cederberg
Aspinall	Bolling	Celler
Avery	Bolton	Chamberlain
Ayres	Bonner	Chelf
Bailey	Bosch	Chenoweth
Baker	Bow	Chiperfield
Baldwin	Boykin	Christopher
Barden	Boyle	Church
Baring	Bray	Clark
Barrett	Brooks, La.	Coad
Bass, N. H.	Brooks, Tex.	Coffin
Bass, Tenn.	Broomfield	Collier
Colmer	Hosmer	Pillion
Cooley	Huddleston	Poff
Corbett	Hull	Polk
Coudert	Hyde	Powell
Cramer	Ikard	Preston
Cretella	Jackson	Price
Cunningham, Iowa	Jennings	Prouty
	Jensen	Quie
Curtin	Johansen	Rabaut
Curtis, Mass.	Johnson	Ray
Curtis, Mo.	Jonas	Reece, Tenn.
Dague	Jones, Ala.	Reed
Davis, Ga.	Judd	Rees, Kans.
Davis, Tenn.	Karsten	Reuss
Dawson, Ill.	Kean	Rhodes, Pa.
Dawson, Utah	Kearney	Riehlman
Delaney	Kearns	Riley
Dellay	Keating	Rivers
Dennison	Kee	Robeson, Va.
Dent	Kelly, N. Y.	Robison, N. Y.
Denton	Keogh	Robsion, Ky.
Derounian	Kilday	Rodino
Devereux	Kilgore	Rogers, Colo.
Diggs	King	Rogers, Fla.
Dingell	Kirwan	Rogers, Mass.
Dixon	Kitchin	Rooney
Dollinger	Kluczynski	Roosevelt
Donohue	Knox	Rutherford
Dorn, N. Y.	Lafore	Sadlak
Dorn, S. C.	Laird	Santangelo
Dowdy	Landrum	St. George
Doyle	Lane	Saund
Dwyer	Lankford	Saylor
Eberharter	Latham	Schenck
Edmondson	LeCompte	Schwengel
Elliott	Lennon	Scott, N. C.
Engle	Lesinski	Scudder
Everett	Libonati	Seely-Brown
Evins	Lipscomb	Selden
Fallon	Loser	Sheehan
Farbstein	McCarthy	Shelley
Fascell	McCormack	Sheppard
Feighan	McDonough	Sikes
Fenton	McFall	Siler
Fino	McGovern	Simpson, Ill.
Fisher	McGregor	Simpson, Pa.
Flood	McIntire	Sisk
Flynt	McIntosh	Smith, Miss.
Fogarty	McVey	Smith, Va.
Forand	Macdonald	Spence
Ford	Machrowicz	Springer
Forrester	Mack, Ill.	Stauffer
Fountain	Mack, Wash.	Steed
Frazier	Madden	Sullivan
Frelinghuysen	Magnuson	Talle
Friedel	Mahon	Taylor
Fulton	Mailliard	Teague, Calif.
Garmatz	Marshall	Teller
Gary	Martin	Tewes
Gathings	Matthews	Thomas
Gavin	May	Thompson, La.
George	Meader	Thompson, N. J
Glenn	Merrow	Thompson, Tex.
Gordon	Metcalf	Thomson, Wyo.
Granahan	Michel	Thornberry
Gray	Miller, Md.	Tollefson
Green, Oreg.	Miller, N. Y.	Trimble
Green, Pa.	Mills	Tuck
Gregory	Minshall	Udall
Griffin	Mitchell	Ullman
Griffiths	Moore	Vanik
Gross	Morgan	Van Pelt
Gubser	Morris	Van Zandt
Gwinn	Morrison	Vinson
Hagen	Moss	Vorys
Hale	Mumma	Vursell
Haley	Murray	Wainwright
Halleck	Natcher	Watts
Hardy	Neal	Weaver
Harvey	Nicholson	Westland
Haskell	Nimtz	Wharton
Hays, Ark.	Norblad	Whitener
Hays, Ohio	Norrell	Whitten
Healey	O'Brien, Ill.	Widnall
Hébert	O'Brien, N. Y.	Wier
Hemphill	O'Hara, Ill.	Wigglesworth
Henderson	O'Hara, Minn.	Williams, Miss.
Herlong	O'Konski	Willis
Heselton	O'Neill	Wilson, Calif.
Hess	Osmers	Wilson, Ind.
Hill	Ostertag	Winstead
Hillings	Passman	Withrow
Hoeven	Patman	Wolverton
Hoffman	Patterson	Wright
Holifield	Pelly	Yates
Holland	Perkins	Young
Holmes	Pfost	Younger
Holtzman	Philbin	Zablocki
Horan	Pilcher	Zelenko

NAYS—17

Alger	Hiestand	Scherer
Allen, Ill.	Krueger	Smith, Calif.
Budge	McMillan	Smith, Kans.
Burleson	Mason	Taber
Clevenger	Miller, Nebr.	Utt
Harrison, Nebr.	Poage	

NOT VOTING—40

Ashley	Holt	Radwan
Auchincloss	James	Rains
Breeding	Jarman	Rhodes, Ariz.
Buckley	Jenkins	Roberts
Burdick	Jones, Mo.	Rogers, Tex.
Cunningham, Nebr.	Kilburn	Scott, Pa.
	Knutson	Scrivner
Dies	McCulloch	Shuford
Dooley	Miller, Calif.	Sieminski
Durham	Montoya	Staggers
Grant	Morano	Teague, Tex.
Harden	Moulder	Walter
Harris	Multer	Williams, N. Y.
Harrison, Va.	Porter	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Morano for, with Mr. Kilburn against.

Until further notice:

Mr. Walter with Mr. Auchincloss.

Mr. Harrison of Virginia with Mr. Dooley.

Mr. Buckley with Mr. Cunningham of Nebraska.

Mrs. Knutson with Mr. Radwan.

Mr. Teague of Texas with Mr. Scott of Pennsylvania.

Mr. Staggers with Mr. Williams of New York.

Mr. Roberts with Mrs. Harden.

Mr. Miller of California with Mr. Holt.

Mr. Multer with Mr. Burdick.

Mr. Moulder with McCulloch.

Mr. Dies with Mr. Rhodes of Arizona.

Mr. Porter with Mr. James.

Mr. Shuford with Mr. Jenkins.

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

The result of the vote was announced as above recorded.

Mr. MILLS. Mr. Speaker, I offer an amendment to the title of the bill.

The Clerk read as follows:

Amendment offered by Mr. MILLS: Amend the title so as to read: "To provide for temporary additional unemployment compensation, and for other purposes."

The amendment was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that Members desiring to do so may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

REPORT FROM COMMITTEE ON APPROPRIATIONS

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, May 2, 1958, to file a report on an appropriation bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ONE HUNDREDTH ANNIVERSARY OF ADMISSION OF THE STATE OF MINNESOTA

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution (S. Con. Res. 86) congratulating the State of

Minnesota upon the occasion of the centennial of its admission into the Union.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the congratulations and best wishes of the Congress of the United States are hereby cordially extended to the State of Minnesota upon the occasion of the 100th anniversary of the admission of the State of Minnesota into the Union.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

Mr. JUDD. Reserving the right to object, Mr. Speaker, and of course, I shall not object, I want to join my colleague from Minnesota in support of this resolution. I have introduced a somewhat similar resolution calling upon the President to issue a proclamation memorializing the 100th anniversary of the admission of the State of Minnesota to the Union. Naturally we are grateful for this action by the House in adopting a resolution congratulating the State of Minnesota on its centennial celebrations.

Mr. O'HARA of Minnesota. Mr. Speaker, further reserving the right to object, and I shall not object, I join my colleague, the gentleman from Minnesota [Mr. BLATNIK], and I wish to associate myself in the interest of the centennial celebration of our great State of Minnesota.

I assure the gentleman that in reserving the right to object I had no intention of objecting.

Mr. WIER. Mr. Speaker, reserving the right to object, I ask unanimous consent to extend my remarks and I congratulate the gentlemen.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, we appreciate the courtesy of our colleagues in joining us in commemorating the centennial of the admission of the State of Minnesota into the Union. On May 11, 1858, the Minnesota Territory became a State, and the 32d star was added to the American flag. At that time there were 152,000 people in the State. Today there are 3,313,000. Our total manufacturing payroll exceeds $1 billion. Our wholesale and retail businesses pay over $750 million in wages. We have a total farm income in excess of $600 million. According to the latest census on manufacturing, Minnesota ranks first among the 48 States in, first, volume of iron ore shipped; second, butter manufactured; third, sweet corn produced for processing; fourth, manufacture of calendars and calendar pads; fifth, production of window and door frames; sixth, manufacture of hoisting machinery; seventh, production of linseed oil. Minnesota's South St. Paul livestock market is the second largest in the world. The city of Minneapolis is the nerve center of the flour-milling industry. Both Minneapolis and Rochester are world-renowned for their superior medical facilities. A few square miles of northern Minnesota, the Mesabi, Cuyana, and Vermillion ranges, produce most of the Nation's iron ore, and provide the economic lifeblood for the great port city of Duluth. The mining companies are presently spending more than a billion dollars on new plants and facilities for the processing of taconite ore. Careful conservation practices and reforestation are adding to Minnesota's timber stand at the rate of 16 percent a year.

Nor is Minnesota oblivious to the human needs of her citizens. In total expenditures for higher education Minnesota ranks 7th in the Nation. It occupies 6th place in per pupil expenditures for public school education. Minnesota provides pensions for her older citizens which are 30 percent above the national average. She was the first State to establish a hospital for crippled children and one of the first to draw up a children's code, establishing the responsibility of the State toward dependent children.

Minnesota is a miniature United Nations. Members of many races, among them Yankees, Irish, Germans, Scandinavians, Poles, and Finns, have played a part in the unfolding of the saga of Minnesota. Her culture has been enriched and vitalized by a blending of their separate traditions and racial traits. Minnesota today looks toward the future with confidence in the ability of her sons and daughters to face up to the new and awesome responsibilities which they must bear as citizens of the nuclear age. Rich in resources, material and human, she points with pride to past accomplishments and envisages another 100 years of service to the ideals of human freedom and progress.

Mr. MARSHALL. Mr. Speaker, it is fitting that the Congress should send its official greetings to the State of Minnesota on the occasion of its 100th anniversary of admission into the Union.

When our State came into full partnership in the Union on May 11, 1958, it was already a thriving, progressive territory, rich in resources and richer still in the enterprise of its people.

The story of Minnesota's growth and development is really a story of the spirit. More than its resources, the thrift and hard work of its sturdy pioneers mark the reason it thrived and grew into a State of rich and varied opportunities.

All of its settlers—the Yankees, the Germans, the Irish, the Scandinavians—shared a deep-rooted respect for the land from which they wrested their livelihood. The descendants of these settlers still farm the land and work the factories with the same determination to make a home and a way of life out of the resources God has given them. They have preserved the same genius for thrift and hard work.

A hundred years is not a long time in the history of man. But the history of a State is the story of millions of men who lived there in a hundred years, each adding to the great heritage we are commemorating this year.

We are proud to be a part of this great country and are grateful to our colleagues for joining today in officially commemorating our entrance into the Union. I am sure that the people of my District and all of the people of Minnesota join in appreciation of this act.

We hope, too, that all of you will visit us during the centennial year to share more personally in this patriotic celebration to demonstrate our genuine gratitude to the United States as a proud member of the Union.

Mrs. KNUTSON. Mr. Speaker, pursuant to unanimous consent granted Congressman FRED MARSHALL, I am honored to join my colleagues from Minnesota in hailing the 100th anniversary of statehood for our beloved Land of the Sky Blue Waters.

The most valuable product of Minnesota was, in 1858, as in 1958, the people who made her great. These were of many nationalities, many religions, and of many walks of life. They sought to build a home in the virgin vastness of the North. That is what they seek today.

This occasion is memorable not only for Minnesota but for the entire country—a milestone in our development from the hard-won settlements of pioneers. No State has a history greater than our own. We yield to none in what we have done for the people who have chosen to become citizens of Minnesota. Our education system ranks high in the Nation. Our farming communities contribute toward its wealth and stability. Hundreds of great men and women from Minnesota have blended their enduring contributions by pouring their great gift into the bloodstream of the Nation.

Again I say that it is not Minnesota's wheat or Minnesota's mines which will write her glories on the pages of the capitol book of tomorrow. That honor exists only for the people. I have intentionally refrained from mentioning the name of any one man or woman because it is the family in the sod house on the prairie and the family in the house on the farm who teams with university professors and men of God in a vast work of mutual cooperation.

It is a hundred years since Minnesota began as a State. We, of today, are kin to those who founded the Land of the Sky Blue Waters. We are not distant from them or they from us. A century is only a second in the mind of God.

Mr. QUIE. Mr. Speaker, I would like to add my remarks to the resolution which has been introduced by the gentleman from Minnesota.

This year, Minnesota observes the 100th anniversary of its statehood. This is truly a banner year, not only for the North Star State, but for the entire Nation which has, on many occasions, recognized the contributions Minnesota has made to the spiritual, cultural, and economic heritage of our people.

This year, Minnesota is sparing no effort to mark this anniversary with pageants of color. Already one of the most famous tourist States of the Nation, Minnesota this year is readying an inspiring, colorful chain of festivals and major events to commemorate her entrance into the Union.

Communities in the First Congressional District of Minnesota will participate in such events by scheduling beautiful observances of the centennial.

Many events will take on a national importance. Statehood week in May will highlight visits by ambassadors,

ministers, and titled persons from foreign nations. Traditional events will be further heightened by special centennial pageants.

In short, the thousands of Americans who every year visit Minnesota for its tourist attractions, will be treated to a flurry of centennial events they will long remember. As a Representative from one great district of Minnesota, I would like to extend an invitation to every Member of the House to visit beautiful Minnesota during this centennial year. I am sure that the scenic beauties you see and the special centennial events will prompt frequent trips to the State.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. BLATNIK]?

There was no objection.

The Senate concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute in order to ask the majority leader the program for tomorrow and next week.

Mr. McCORMACK. There is no business tomorrow. I will ask permission later to adjourn over until Monday.

On next Monday there will be the Consent Calendar. There are two suspensions, H. R. 11414, the Public Health Service Act, which was under consideration about 2 weeks ago. Also S. 3050, increasing the allowance for rural carriers.

There will be the Private Calendar on Tuesday.

There is an urgent deficiency appropriation bill for 1958.

There is H. R. 12009 to increase appropriations for the Atomic Energy Act.

S. 728, to acquire additional property in the Capitol grounds.

There are rules out on those two bills.

I expect rules to be reported out later. I know there is a request for a rule on the bill H. R. 11078, the small boat safety bill; and H. R. 10459, the Export-Import Bank bill. No rules have been reported out on these last two.

Any further program will be announced later.

Of course conference reports may be called up at any time.

There will be no record votes on Monday, Tuesday and Wednesday on account of primaries in the States of Ohio, Indiana and Alabama.

Recognizing that Indiana is quite a distance from the Capital, as well as Ohio and Alabama, and the difficulty of men getting back the next day when they are at home in connection with primary contests or in connection with activities concerned with primaries, it would be unfair to call them back the next day. So in case of any record votes on these days, the leadership on both sides have agreed, with the consent of all members, that any roll calls on Monday, Tuesday and Wednesday, will take place on Thursday of next week.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of next week be dispensed with.

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

There was no objection.

ADJOURNMENT TO MONDAY, MAY 5

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. ENGLE. Mr. Speaker, reserving the right to object, and I shall not, I take this opportunity to inquire of the majority leader regarding the Alaskan Statehood bill, H. R. 7999, which has been pending before the Rules Committee a period of some 10 months. No rule has been granted. Although we would like to proceed in an orderly way under a rule, this legislation has a preferential status under clause 20, rule 11, and under direction of the House Committee on Interior and Insular Affairs I feel obliged to exercise the preferential status and call the bill up. I would, however, like to do so in harmony with the plans of the leadership, and I rise to inquire whether or not Wednesday, the 14th of May, would accommodate itself well to the legislative plans of the leadership?

Mr. McCORMACK. I think the gentleman has been very patient in connection with the matter of the request for a rule from the Rules Committee. With no criticism whatever, if action is to be taken this session by both branches of the Congress the bill will have to be brought up in the very near future. I had been hopeful that the Rules Committee long ago would have reported out a rule. I hope they will do so within the next week or 10 days, because it means that the bill would be brought up under more orderly conditions, with the dignity of Rules Committee action, and the better parliamentary situation which would obtain under a rule. The gentleman is certainly within his rights, but I feel sure that should there be an indication that a rule would be granted he would not mind waiting another 2 or 3 days, although I hope the Rules Committee will act before the 14th.

Mr. ENGLE. I am inclined to be patient about it, and if a rule were to be granted we would be glad to work out the time; otherwise I would like to call the bill up on Wednesday, the 14th of May. The Members are entitled to notice.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

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

Mr. MARTIN. I wish to inquire if the gentleman intends to bring up the Hawaiian statehood bill along with that for Alaska.

Mr. ENGLE. No, just Alaska.

Mr. MARTIN. Why discriminate against Hawaii?

Mr. ENGLE. The Alaska bill is the only one reported out. The Hawaiian bill has not been voted on.

Mr. MARTIN. But the committee could get it out very easily.

Mr. ENGLE. We have been working on it, but there are some difficulties confronting us.

Mr. McCORMACK. I am sure the gentleman from Massachusetts [Mr. MARTIN] is glad to cooperate in having this bill called up on May 14.

Mr. MARTIN. I would feel better if Hawaii were coupled with Alaska.

Mr. McCORMACK. I understand the gentleman would like to call up both.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE HONORABLE WILL M. WHITTINGTON

Mr. SMITH of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD in connection with the 80th birthday of the Honorable Will M. Whittington, and that all other Members desiring to extend their remarks on his life, character, and public service may do so at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, Sunday, May 4, marks the 80th birthday of my distinguished predecessor in the Congress, the Honorable William Madison Whittington. Mr. Whittington served in this body for 26 years and achieved the universal respect of his colleagues as one of the outstanding legislators of his day.

There is no way to express the great esteem for his services felt by the people of the Mississippi Delta. They know him to be the father of the flood control program that is the lifeblood of our region. The vast economic progress that has been made in the Mississippi Delta since Mr. Whittington came to Congress in 1924 is in good part due to his efforts. Without protection from the floods of the Mississippi and its tributaries, no such investment in material and human wealth would be possible.

A similar debt of gratitude is due him by people throughout the United States, for Mr. Whittington was the principal author of every flood control bill enacted during the period 1928–1950. As he said on the floor of the House in 1950:

> You will pardon me for saying this, but I have had something to do with the writing of every flood-control bill on the statute books. I am not a young man any longer. My eyes are toward the setting sun. I want to provide for the protection of the people in the State where I live, but will never ask my Government or your Government to provide for the district that I live in unless comparable relief is extended to every other Congressional district in the United States.

The first major flood-control legislation which Judge Whittington sponsored in the Congress was the Act of 1928, which followed the disastrous Mississippi flood of 1927. Although this act has been modified from time to time and of necessity will be modified in the future to meet changing conditions, the basic authorization still holds in effect. Thanks to the program which was authorized in 1928, there has been no major flood on the lower Mississippi since that time. Further floods can be prevented if the original program is prosecuted to the fullest and given adequate maintenance through the years.

The success of the Mississippi program made possible the Flood Control Act of 1936, which was written and guided through Congress by Mr. Whittington. This law for the first time established flood control as a Federal activity on a national basis. It established the policy of Federal investigation and improvement of waterways for flood control under the jurisdiction of the Department of the Army, under the direction of the Secretary and the supervision of the Chief of Engineers.

From this national policy has come, of course, not only the protection of the lives and property of our citizens from floods but many other vital byproducts. Most of our great hydroelectric projects would have been impossible without the foresight exhibited here. When the history of waterways development and conservation is written, the Flood Control Act of 1936 will rank as one of the major legislative milestones of our country's history.

Mr. Whittington was the author of perhaps a dozen other major flood-control laws during his service in Congress. The best known of these, of course, are the Flood Controls Acts of 1938, 1941, 1944, 1946, 1948, and 1950. Each new law marks significant new areas of worthwhile Federal activity in the waterways field.

Although Will Whittington was recognized as the Congressional authority on flood control, he played an important part in other legislative issues before the Congress during his service. As a representative of one of the great cotton-growing areas of the Nation, he had an active part in agricultural legislation. The Full Employment Act of 1946 was made into an acceptable piece of legislation which has an important effect upon our present efforts to achieve a sound economy thanks primarily to his influence.

In keeping with the tradition of great Mississippi leaders beginning with Jefferson Davis and extending through L. Q. C. Lamar, John Sharp Williams, and Pat Harrison, Mr. Whittington supported sound principles for American leadership in international affairs and was an eloquent advocate of liberal foreign trade policies. Although highly successful in his own personal business affairs, he has never deserted the basic principles of the Democratic Party in his outlook on basic issues.

On behalf of the people of the Mississippi Delta and his former colleagues in the Congress, I want to extend to him our heartiest best wishes on this occasion of his 80th birthday. It is a great privilege to extend this tribute to one who has made such a great contribution to his State and his country.

Mr. McCORMACK. Mr. Speaker, I wish to extend my warmest and most sincere congratulations to an old colleague and friend, Will M. Whittington, on the occasion of his 80th birthday. This distinguished legislator from Mississippi spent 13 faithful and fruitful terms in Congress. His achievements during those 26 years were of incalculable value to his district, his State, and his country. He compiled a record in this House which remains the envy of every man who aspires to the heights of public service.

Assuredly, Judge Whittington's name will always be associated with the great flood-control legislation enacted during the past half century. From 1937 through 1946 he served as chairman of the House Flood Control Committee and under his guidance the Mississippi River plan was repeatedly reviewed, modified, and improved. This, plus his leadership in the general flood-control program through which the Government came to recognize flood damage as a national problem, earned for him the well-deserved title of "Father of Flood Control."

His activities were not restricted to this field. The major credit for the passage of the Government Coporation Control Act in this House belongs to Will Whittington. In 1946 he carried the greatest burden in helping to bring forth, and assure passage of, the Employment Act of 1946. He, more than anyone else, was responsible for the authorization in that law of the Council of Economic Advisers. These enactments, and many others, are eloquent memorials to his services.

But we, who toiled with him in this body for so many years, remember him not only for his legislative achievements but also for the genuine courtesy of his manner. To us he personifies that courtliness for which southern gentlemen are justly famed. I wish Will Whittington many more years of life and happiness.

Mr. DAVIS of Tennessee. Mr. Speaker, I should like to join with my esteemed colleague FRANK SMITH, of Mississippi, in wishing for his predecessor in the Congress, the Honorable William M. Whittington, all of the happiness possible as he celebrates his 80th birthday on Sunday, May 4, next.

No man, who has served the House of Representatives has left a more profound imprint upon the national life of his country than has Judge Whittington.

As chairman of the Committee on Public Works, he continually amazed me with his eminent grasp of the overall water resources problem, the question of flood control, and the protection of our rivers and harbors. No detail seemed to escape him. On many occasions all of us witnessed his marvelous ability to correct men who were testifying before the committee on matters in which they had but one responsibility, against the great multitude of facts which the chairman had to keep in his mind. Veritably he knew the history of every stream, large and small, in the United States.

As author of the Flood Control Act of 1936, he placed for the first time flood control on a national basis. Through the direct control of the Corps of Engineers, he became known as the author of all fundamental flood control legislation. In subsequent years his bright mind brought into law the changes made necessary by the passing of time.

Judge Whittington is a man of very strong character, with an integrity unimpeachable. His word has always been his bond. He has been successful in business to a very marked degree.

At 80 he will be about the youngest man mentally and physically for those years that I have ever known. His devotion to his family, and the devotion of his children and his charming and cultured wife to him is refreshing. He speaks of Mrs. Whittington with a glint in his eye and a ring in his voice as Miss Anne Ward. Their long association has been one of complete happiness, and neither of them will ever realize the blessings they have brought to so many in so many places.

Mrs. Davis has always felt that Judge Whittington and Miss Anne Ward are two of the finest and most helpful influences we have ever had in our lives and she joins me in all of the good wishes we can bundle together for more years of activity and happiness on the Judge's birthday, and that the two of them may continue to enjoy the full blessings of life which they have already experienced and to which they are so justly entitled for many long days ahead.

Mr. ABERNETHY. Mr. Speaker, over the years Members of this body come and go. Some are long remembered and leave behind a record of service and accomplishments for the good of mankind that will live like stone monuments to their memory. One of those is the Honorable William M. Whittington who reached his 80th birthday on May 2. Mr. Will, as we all know him, had no equal in his chosen field, that of flood control and the improvement of our rivers and harbors. Today American commerce is enjoying good harbors and miles upon miles of navigable rivers, all because of the long service of this great man. Because of his service there are thousands of others who are tilling fertile farms and living in homes secure from dangerous flood waters which in previous years washed away their lands and destroyed their homes and business houses. He was concededly the greatest authority on flood control ever to serve in the Congress of the United States.

Since his retirement from the Congress a few years ago, he has continued to be the same busy man. It is pleasing to know that he is enjoying good health and living his usual active life.

On reaching this great day in his life, his 80th birthday, it is a pleasure to join with my colleagues in extending congratulations and wishing him many more years of active living, good health, and happiness.

Mr. COLMER. Mr. Speaker, I desire to join with my Mississippi colleagues in felicitating the Honorable Will M. Whit-

tington, a former and long-time Member of this House from Mississippi, on the occasion of his 80th birthday yesterday.

Will Whittington was a Member of this body when I came here in 1933. My friendship with him grew and profited until his retirement some 6 years ago.

In the quarter of a century that I myself have served in this House, I can truthfully say that in all of that service I never knew a Member who was more consistently dedicated to his work as a legislator. Moreover, I might add that in all of those years I have never known a Member who was more studious of the legislative proposals or devoted more hours to the job of legislating itself. In fact, he was a veritable encyclopedia on the contents and proposals of not one, but all bills pending.

His meticulous analysis of the various legislative proposals was amazing indeed.

Will Whittington was not only a man of knowledge and industry, but more than that, he was a man of high and unimpeachable integrity and character. So, Mr. Speaker, on this the 80th anniversary of the birthday of former Congressman Will M. Whittington, I should like as his long-time friend to salute him and his charming and intelligent lady; and to wish for them many more years of useful life in behalf of their community and Nation.

Mr. WHITTEN. Mr. Speaker, I am pleased to join with my colleague, Hon. FRANK SMITH, and other Members, in paying tribute to Hon. Will M. Whittington, former Congressman from Mississippi. I join with them in wishing him a most happy 80th birthday, and for both him and Mrs. Whittington many years of happiness.

Mr. Speaker, the Honorable Will M. Whittington is an outstanding man. His long years of service in Congress were devoted to hard work which, coupled with real ability, made him not only an outstanding representative from Mississippi but a national figure. While a specialist in the field of public works, by reason of his ability and his industry, Mr. Whittington was well informed on all matters in the Congress, as much so as any Member it has been my privilege to know.

Congressman Whittington ranks with the great men in Mississippi history who have served in the Congress. Truly, whatever our local, national and international problem may be, improvements to our own country which were brought about largely through his efforts are a monument which will last through the centuries.

Mr. Whittington is blessed with a wonderful wife and fine family, all of whom have many friends here. Mrs. Whittington, a most charming, intelligent and capable person in her own right, has been a great and major factor in the success that this fine couple has achieved in life.

Again, Mr. Speaker, we are pleased to join in these expressions of appreciation to Congressman and Mrs. Whittington; and we join in wishing them many happy years to come.

Mr. WINSTEAD. Mr. Speaker, I would like to join with others here today in congratulating the Honorable William M. Whittington, a distinguished fellow Mississippian, on the occasion of his 80th birthday, and in paying tribute to him as an outstanding Mississippian and one of the ablest, most honest, and courageous men who ever served in the Congress.

Mr. Whittington was first elected to serve the people of Mississippi in the 69th Congress, and remained in the House for the succeeding 26 years. At the end of this time he voluntarily resigned from Congress, but he has maintained his interest and active participation in the affairs of our State and Nation since his retirement.

Mr. Whittington enjoyed the friendship, esteem, and respect of every Member of Congress who served with him, and he has carried with him into his retirement the admiration and high regard of all of us. He was not only a man of unusual ability, but one who devoted his time and energy to the task at hand, finding no time to waste but ample time to counsel and advise with fellow Members, both young and old, on matters in which they were interested or needed help. It was my privilege to serve with him for several years, and our association was always most pleasant and his counsel most helpful. His career and notable contributions to the laws of our country remain as an example and inspiration to all of us. I sincerely wish for him many more years of happiness and contentment.

A DAIRY BILL TO PROTECT THE CONSUMER, THE FARMER, AND THE TAXPAYER

Mr. REUSS. 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 Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, I have today introduced for appropriate reference H. R. 12297, a bill to provide a program of direct payments to support the income of dairy farmers. The bill would permit dairy products to sell at reasonable prices to consumers, would assure fair overall income to family-sized dairy farmers, yet would cost taxpayers considerably less than the dairy price support program.

The bill puts into legislative form principles developed by Dean Rudolph K. Froker of the University of Wisconsin's College of Agriculture, and Prof. Harlow W. Halvorson of the university's department of agricultural economics. I am particularly grateful to Professor Halvorson for his invaluable assistance in working out the details of the bill.

NEED FOR EXPANDING MARKETS

H. R. 12297 is an effort to apply the Brannan plan to dairy products. The Brannan plan has already been applied to wool with considerable success. I believe that it can work as well for dairy products and for many other farm commodities.

Consumers need some relief from the ever-increasing cost of living. H. R. 12297 gives them that help by rejecting the high prices of both the price-support program and of the producers' combines which would be legalized by various self-help plans. Instead, H. R. 12297 would let the dairy farmer expand his market by lower prices and at the same time assure him of income adequate for his family needs.

The text of H. R. 12297 follows:

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the Dairy Income Support Act.

DEFINITIONS

SEC. 2. For the purposes of this act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "milk producer" means any person engaged in the production of milk for market.

(3) The term "cream producer" means any person engaged in the production of cream for market.

(4) The term "market" means to dispose of by voluntary or involuntary sale, barter, or exchange, or by gift intervivos, in interstate or foreign commerce or in a manner which affects interstate or foreign commerce.

(5) The term "manufactured milk" means butter, nonfat dry milk solids, cheese, and other manufactured dairy products.

(6) The term "cream" means farm-separated cream.

(7) The term "parity price" of manufacturing milk or of cream means that defined in section 301 (a) of the Agricultural Adjustment Act of 1938, as amended: *Provided*, That in the computation of prices received by farmers, there shall be included the income-support payments provided by this act.

(8) The term "payment period" means a period of a calendar year, quarter, or month, as prescribed by the Secretary, which is used for the purpose of computing the amount of support payments to which a milk or cream producer is entitled under this act.

(9) The term "agricultural stabilization committee" means a county committee elected under section 8 (b) of the Soil Conservation and Domestic Allotment Act.

(10) The term "person" means an individual, partnership, corporation, association, trust, estate, or any other business entity.

INCOME SUPPORT PAYMENTS

SEC. 3. The Secretary shall make income support payments to producers with respect to milk marketed for use as manufactured milk, and with respect to cream marketed in any manner, of no less than 80 or more than 100 percent of the "parity price" per unit of such milk or cream for the payment period, less the average national domestic market price per unit for such period, multiplied by an amount equal to the quantity of the milk marketed by the producer for use as manufactured milk (determined on the basis of the percentage of the total quantity of milk received by the plant, handler, or pool to which the producer delivers his milk which is used for manufactured milk) or the quantity of cream marketed, as the case may be.

APPLICATIONS—PAYMENTS

SEC. 4. Support payments shall be made on the basis of applications submitted by milk producers and cream producers, and producers' cooperatives, to their agricultural stabilization committee. The Secretary may by regulations require handlers, processors, and other persons to make available such of their records and other information as he may find necessary to enable him to make the support payments required by this act.

LIMITATIONS ON AMOUNT

SEC. 5. The aggregate amount of support payments to any person under this act in any calendar year may not exceed $2,000, except that, for the purposes of this section, support payments made to a producers' cooperative shall be deemed to have been made to the members thereof in amounts equal to the amount which they received by reason of such payments.

RESTRICTIONS ON EXPANSION OF PRODUCTION

SEC. 6. The Secretary may issue regulations requiring, as conditions to the receipt of support payments, that milk producers or cream producers restrict the expansion of their milk or cream production to the extent he determines necessary in the public interest.

ADJUSTMENTS FOR GRADE, ETC.

SEC. 7. Appropriate adjustments may be made in the support payment for milk or for cream for differences in grade, quality, location; for compliance by the applicant with official conservation and civil defense programs; and for other factors.

SUPPORT PAYMENTS THROUGH CCC

SEC. 8. The Secretary shall make the income support payments provided for herein through the Commodity Credit Corporation and other means available to him.

ADVANCE ANNOUNCEMENT

SEC. 9. The Secretary shall announce the estimated parity price, the estimated percentage, and estimated average national domestic market price, to be used in determining income support payments for milk and for cream under section 3 as far in advance of the beginning of each payment period as practicable, on the basis of the latest information and statistics available to him.

FINALITY OF DETERMINATIONS

SEC. 10. Determinations made by the Secretary under this act shall be final and conclusive, so long as the scope and nature of such determinations are not inconsistent with the provisions of the Commodity Credit Corporation Charter Act. The facts constituting the bases for any income support payment, or the amount thereof, authorized to be made under this act, when officially determined in conformity with rules and regulations prescribed by the Secretary, shall be reviewable only by the Secretary.

EFFECTIVENESS OF PROGRAM

SEC. 11. The Secretary shall, by regulations, provide for the time at which and the areas in which sections 3 through 10 shall take effect, except that such sections shall be in effect in all areas on the first day of the sixth month which begins after the date of the enactment of this act.

MARKETING ORDERS

SEC. 12. Before sections 3 through 10 of this act become effective in an area, the Secretary shall amend all marketing orders for milk or cream issued under section 8c of the Agricultural Adjustment Act, reenacted by the Agricultural Marketing Agreement Act of 1937, affecting such area, by increasing class I and II premiums or otherwise, to the extent appropriate in the light of the enactment of such sections.

HOW THE LAW WOULD WORK

It will be noted that the bill provides for income support payments to dairy farmers based on their output of manufacturing milk, and based on the difference between the parity price of manufacturing milk and the actual market price. Fluid milk would continue to be subject to the minimum price requirements of existing milk marketing orders.

Here is an example of how H. R. 12297 would work:

Farmer Jones ships 100,000 pounds of milk during a given period—month, quarter, or year—to plant X, which uses 70 percent of its milk for manufacturing purposes—making butter, cheese, powdered milk, and so forth.

Farmer Jones is therefore entitled to income support payments on 70,000 pounds of milk. The other 30,000 pounds goes into fluid milk subject to milk marketing orders.

The parity price for manufacturing milk during this period is determined, using the existing parity formula, to be $4 a hundredweight. The average market price is $3. The difference is $1 a hundredweight.

Under H. R. 12297, Farmer Jones would be entitled to a payment for the period of not less than 80 percent nor more than 100 percent of $700—the $1 difference between the parity price and the market price, multiplied by the 700 hundredweight.

ADVANTAGES OF INCOME PAYMENTS

Professor Halvorson has set forth the advantages of the income support payment approach over price support methods:

(a) Consumers would get the benefit of large supplies at lower prices.

(b) Income transfers to farmers out of Treasury funds would be borne by the general public more nearly in accordance with ability to pay principles.

(c) Situations in which high quality products were moved into Government storage and lower quality products were left for consumers would be avoided.

(d) There would be little or no interference with the marketing mechanism and no reduction in sales promotion activity by sellers of farm products.

(e) Program costs could be more readily determined and controlled.

(f) Extensive Government disposal efforts at home and abroad could be reduced, and relief measures could be appraised with less consideration to the price support aspects. Some problems of export dumping would be avoided."

According to Professor Halvorson, applying income support payments only to manufacturing milk, leaving fluid milk subject to marketing orders, would have this effect:

Prices would be maintained where little price response is likely (fluid milk), and would be reduced where demand is more responsive to lower prices (butter, cheese, powder, etc.).

CEILING OF $2,000 TO A PRODUCER

In order to confine the benefits of the program to the family-sized farmer, H. R. 12297 limits the payment to any one milk producer in any one year to a maximum of $2,000.

In order to prevent excessive milk production, farmers participating in the program would have to agree to certain limitations on expanding their production. Unlike other dairy bills, however, there would be no compulsory production controls on farmers.

The Secretary of Agriculture would determine the appropriate level of income payments within the limits of 80 percent to 100 percent contained in H. R. 12297. The Secretary would be empowered to pay a slightly higher percentage to farmers who complied with approved conservation programs—such as under the Agricultural Conservation Program and the Conservation Reserve of the Soil Bank, and approved civil defense programs—(such as the Wisconsin program for standing ready to furnish shelter to city people evacuated in an emergency.

FINANCED AS GENERAL TAXATION

H. R. 12297 would be financed by general taxation, rather than by any special taxes on consumers of dairy products, or on dairy farmers.

The annual cost to the taxpayers of the program set forth in H. R. 12297 has been computed by Professor Halvorson, on the basis of 1957 figures, at $232 million at the 80-percent level, to $444 million at 90 percent. These estimates compare with an average cost for the last 3 fiscal years for dairy price-support program of about $400 million annually—1955, $414 million; 1956, $397 million; 1957, $379 million. During most of this period, support prices have been at 82 percent of parity.

COST OF ONE PROGRAM

Expanded sales of dairy products, through lower prices to the consumer, will in themselves improve dairy farmers' income. To the extent that this occurs, it will reduce the cost of the program to the taxpayers below Professor Halvorson's estimates. This assumes, of course, that processors and distributors pass on to consumers the full benefit of dairy product price reductions.

Although I am a city Congressman, I believe that a constructive dairy program is essential to all. We in the city need dairy products at prices we can afford. We need prosperous farmers to buy the goods we produce in the cities. We need to keep the tax burden at a minimum consistent with these ends. I believe H. R. 12297 accomplishes all three purposes. I hope that it will be considered on its merits.

CONGRESSMAN THOMAS J. O'BRIEN, GREAT AMERICAN

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

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

There was no objection.

Mr. PHILBIN. Mr. Speaker, the 80th birthday of Hon. THOMAS J. O'BRIEN of Illinois, distinguished and outstanding Member of the House for more than a quarter of a century, is a very inspiring event to me.

Congressman TOM O'BRIEN has held many high positions in his long, useful life. He has been honored time and time again by many groups and organizations and by his party by selection to high posts of duty and responsibility.

In all of these distinctive callings, TOM O'BRIEN has measured up to the very highest standards. He is a great leader and a great American.

His sharp, penetrating mind seems to me to have become even sharper as he goes along in life and, thank God, at 80, he is a stirring example of a lively, enterprising octogenarian, for whom life indeed has begun at 80.

Congressman O'BRIEN's public contributions have been many and marked and

are well known to Members of the House. He has been an exceptional, valuable Member, as well as an exceptionally popular one, conspicuous for his loyalty to his convictions and his friends.

Congressman O'BRIEN has been notably successful in getting things done for his District and his State. He commands the deep respect of every Member of the House for his ability, for his forthrightness, and patriotism. He is beloved and admired by his colleagues. So long as America can develop men of his stamp and caliber, endowed with physical stamina, energy, dedication, and ability to serve our country unselfishly, we will be assured of truly devoted public servants in the Nation.

I can well understand that, after all his years and wealth of experience and many friendships and great honors, TOM O'BRIEN should be deeply touched by the encomiums and evidences of esteem and affection that he has received on his birthday. It is fitting that he should know that these expressions are heartfelt, that they come from those who honestly esteem and love him and highly prize his fellowship and his friendship and wish for him, from their hearts, continued good health and long service in the House and every measure of happiness.

I take great pleasure and pride in congratulating my valued and dear friend, TOM O'BRIEN, on his 80th birthday, and commending him for his outstanding contributions to his District, State, and Nation. May God grant him choicest blessings of future well-being and happiness.

ANNOUNCEMENT

Mr. WILSON of California. Mr. Speaker, I was unavoidably detained on business at the Pentagon when rollcall No. 50 was called. Had I been present I would have voted "yea" on that rollcall.

THE LATE ALVIN T. FULLER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was deeply grieved to learn this morning of the sudden passing of Alvin T. Fuller, a former Governor of Massachusetts, and a friend of long standing. He and his wife were close friends of my late husband and myself and we deeply valued their friendship. He was a true friend of the people of Massachusetts and took a great interest in their welfare. He was a very able businessman, he was an extremely brilliant Member of Congress and an outstanding Governor of Massachusetts. He combined businesslike qualities with humanity in his running of the Commonwealth of Massachusetts. He was never too busy to discuss legislation and State and Federal problems. He was dearly beloved for his kindness by thousands and thousands of persons and also for his generosity. I know of no two persons in the Commonwealth of Massachusetts who were more generous with their time and their money than the late Alvin T. Fuller and his gracious, lovely wife. He was blessed with a very fine family—and my heart grieves for them.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, I am very sorry to hear of the death of Alvin T. Fuller, who was really one of our great Americans and who, as the gentlewoman from Massachusetts said, was an outstanding public official. He was Governor of the Commonwealth of Massachusetts during the period that I served in the Massachusetts State Senate. He was a very charitable man, in addition to being a fine public official. More than that, he was a good man. He also had in his wife a very charming lady who was his guide and inspiration. I extend to Mrs. Fuller and her loved ones my profound sympathy in their bereavement.

Mrs. ROGERS of Massachusetts. I am sure the entire Congress of the United States would like to extend sympathy to Mrs. Fuller and her dear ones. May the good Lord comfort them. Governor Fuller's passing is a tremendous loss to our country today, when we need persons especially of his character and great stature, persons that put the country ahead of themselves.

May God rest his soul in peace.

ADMISSION OF MINNESOTA TO STATEHOOD

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that all members of the Minnesota delegation may extend their remarks immediately after the passage of Senate Concurrent Resolution 86 commemorating the 100th anniversary of the admittance of Minnesota to Statehood.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

WILLIAM J. "BILL" DONALDSON

Mr. McCORMACK. 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 Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, a very important part in the deliberations of any legislative body—and this particularly applies to the Congress of the United States—are the correspondents of the various news services who constitute what is termed the Press Gallery. We all know them, we respect them. We realize their importance in reporting the news and creating a sound public opinion as a result of reporting the news of the deliberations of the Congress to the people of the United States. We all know that each and every one of them functions in a sense within their own organization under the Superintendent of the House Press Gallery, our good friend, William J. "Bill" Donaldson.

It is a pleasure for me on this day, May 1, to rise in the House to pay my tribute to this fine gentleman who has given so many years of outstanding service to the press of the country and also to the Congress of the United States. Today, May 1, is the 45th anniversary of Bill Donaldson taking over his duties. In that connection there is only one Member of the body who was in the House of Representatives when Bill Donaldson took over his duties for the first time as Superintendent of the House Press Gallery, and that is Speaker RAYBURN, who began his service 2 months previously.

Since Bill Donaldson became Superintendent, membership in the House Press Gallery has grown from a mere handful to almost 1,000 accredited correspondents. Since 1912 he has attended every national political convention and has helped direct service for correspondents covering them. He is highly esteemed and in fact beloved by all, not only Members of the House but the correspondents who constitute the Press Gallery of the House and of the Senate. We congratulate Bill Donaldson on this 45th anniversary and sincerely hope that he will enjoy countless years to come and many similar anniversaries in the active service of the correspondents constituting the House Press Gallery.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I am glad to yield to the distinguished minority leader.

Mr. MARTIN. Mr. Speaker, I am glad to join the majority leader in expressing congratulations and best wishes to Bill Donaldson upon this anniversary day. Bill has always been thoughtful, courteous, and helpful. He is beloved by all. I hope he will continue in his position for many years to come and enjoy good health and prosperity.

Mr. McCORMACK. I thank the gentleman.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to say "Amen" 1 million times to what the distinguished majority and minority leaders have said about Mr. Donaldson. He has been endlessly kind, endlessly helpful. I do not know what we would do without him. Long life and happiness to him.

Mr. McCORMACK. I thank the gentlewoman.

OUR INTEREST IN LATIN AMERICA

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House the gentleman from Florida [Mr. SIKES] is recognized for 20 minutes.

Mr. SIKES. Mr. Speaker, an obscure dispatch published recently in the press came as a shock to many of us who are vitally interested in Latin American

affairs. The dispatch stated that President Carlos Ibáñez, of Chile, had abruptly canceled his plans for a state visit to the United States.

The official reason given for this hasty action was that pressing official business in Chile made it impossible for the President to come to the United States. But the general belief in Chile, borne out by the statement of a Chilean Cabinet member, is that the real reason for President Ibáñez's decision was displeasure and alarm over the possibility that the United States Government will reimpose its tax on copper imports. A recommendation to this effect was made to this Congress last week by the Secretary of the Interior.

Chile is the world's largest exporter of copper. Copper is the very lifeblood of that country. Declining world prices for the metal already have worked havoc with Chile's faltering economy. The placing of a United States excise tax on imported copper would cut still further the income of the Chilean Government and the Chilean economy. It is not surprising, therefore, that Chile is aroused by what it considers to be an unfriendly act of the United States Secretary of the Interior.

Chile is not the only country in Latin America that is in economic trouble. The other big exporters of metals—Mexico, Peru, and Bolivia—are suffering from low world prices and menaced by a further loss of income by our threat to impose duties on imported lead and zinc.

Many of the 10 coffee exporting countries are verging on crises as the result of an oversupply of their product on the world market. Argentina faces the prospect of being completely destitute of dollars by the end of the year.

One could go down the list and find that nearly all of our sister American Republics are in serious economic difficulties of one kind or another. And while it is only natural that we in the United States are concerned primarily by our own problem of recession, we cannot afford to lose sight of the dangerous situations developing among our neighbors.

The economic troubles of these neighbors of ours are giving local Communists a chance to step up their anti-American agitation, and they are taking advantage of it. At the same time, the Communist nations have decided that this is the opportune moment to get into Latin America with trade and loans.

An Argentine mission bought $27 million worth of goods from Iron Curtain countries only a few weeks ago. Chile has started to sell copper wire to countries of the Soviet bloc and is negotiating the sale of nitrates to Red China. The Soviet Union is making a campaign for diplomatic and trade relations with Brazil and is offering to buy coffee from Colombia. El Salvador is flirting with the sale of coffee to countries of the Soviet block. Moscow has offered trade and credits to hard-pressed Uruguay. I do not need to tell the Members of this House that these developments are ominous for the interests of the United States as well as those of Latin America.

These developments are taking place among countries that are not only our neighbors, but also our friends. We look to them for backstopping on our international policies in times of peace. We rely heavily on them for critical materials in time of war. Although some of them falter at times, they aspire, along with us, to the same goals of freedom, democracy, dignity of the individual, and peace with honor.

United States companies have more than $8 billion invested in Latin America. And these friendly countries normally are among our greatest markets, buying each year some $3.5 billion worth of exported products of our farms and factories. They now are having to curtail their buying from us, because of the difficulties I have mentioned. This curtailment is contributing to our recession.

In order to buy more from us, Latin America must sell more to us. It's just as simple as that.

We cannot afford to let any country in Latin America slip into the economic clutches of the Soviets, as some countries in Asia and Africa have done. Nor can we afford to let deepening crises open the door wide to Communist domination from within.

The best interests of the United States demand that, in our consideration of trade restrictions and appropriations for assistance, we give earnest consideration to the needs of our loyal friends in Latin America.

THE FACTS ON THE RECIPROCAL TRADE AGREEMENTS ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 30 minutes.

Mr. BAILEY. Mr. Speaker, as you well know, the issues involving treaties, tariffs and trade relations are intricate.

Most Members of the Congress do not have the time at their disposal to acquire the facts necessary to vote intelligently on the proposal now before us to renew and extend the existing Reciprocal Trade Agreements Act.

It is with this thought in mind that I have asked for time to include in today's proceedings all the pertinent facts relating to this quite controversial matter. In this connection, I am aided by Dr. David M. Clark, professor of business and economics at Idaho State College.

I would like at this time to read into the RECORD my correspondence with Dr. Clark, which carries his formal permission to use the very excellent contribution he has made to this question:

IDAHO STATE COLLEGE,
Pocatello, Idaho, April 23, 1958.

Hon. CLEVELAND M. BAILEY,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN BAILEY: Thank you so much for your kind letter of April 19, 1958, in reference to my brief on "The Coming Controversy in Congress Over the Extension of the Trade Agreements Act and the Approval of the United States Membership in the Organization for Trade Cooperation—With a Background Review."

It would be a great honor to have this statement included in the CONGRESSIONAL RECORD, and it would be greatly appreciated if you would make the necessary arrangements. I would also appreciate receiving a copy of the pertinent issue of the CONGRESSIONAL RECORD.

Respectfully yours,

DAVID M. CLARK,
Assistant Professor of Business and Economics.

THE LEAD AND ZINC CASE CAN TOUCH OFF A SHARP DEBATE IN CONGRESS

(By David M. Clark)

The recommendations of the Tariff Commission in the pending lead and zinc escape-clause investigation, if not in favor of the lead and zinc industry, will precipitate a bitter battle in Congress over the effectiveness of the escape clause in the Trade Agreements Act.

If the unanimous decision rendered by the 6 members of the Tariff Commission (3 Democrats and 3 Republicans) for relief for the lead and zinc industry as a result of the Commission's first investigation in 1954 is to be considered as a precedent, in all probability the Commission will vote again for relief in the present investigation.

However, the fly in the ointment is that the President, under the authority invested in him under the present Trade Agreements Act, may turn down the recommendations of the Tariff Commission. In that event the protectionist forces in Congress will do everything possible to have some teeth put into the administration of the escape clause by an amendment to the Trade Agreements Act to the effect that recommendations of the Tariff Commission in escape-clause cases be submitted to Congress for approval or disapproval instead of to the Executive or to make the recommendations of the Tariff Commission mandatory or binding on the Executive.

The President on August 20, 1954, rejected the recommendations of the Tariff Commission in the first lead and zinc investigation with the following statement:

"After a thorough review of the lead-zinc problem, I am convinced that a serious question exists as to the magnitude of the direct benefits that could be expected from the recommended tariff increases. * * * There is a real question as to whether the tariff action would have important consequences in reopening closed mines. Moreover, the increase in the tariff would most likely depress the prices of these metals outside the United States.

"Since the benefits to be derived from the increases of the tariff on lead and zinc are so uncertain, I am not prepared to seek them at the expense of the serious adverse consequences that would follow for our international relations. Lead and zinc are important to several key countries."

If such a reason were to be given this time in denying tariff relief for the lead-and-zinc industry, the "fur will fly" in Congress, charging the administration of "sacrificing the lead-and-zinc industry on the altar of international diplomacy."

Besides the overall ineffective administration of the escape claues there will be several other issues that will be debated in connection with the extension of the Trade Agreements Act which is due to expire on June 30, 1958.

Congressman SAM RAYBURN, Democrat from Texas and Speaker of the House of Representatives, recently predicted that "blood, sweat, and tears" will be required to steer an extension bill through Congress without major damage (what he meant by damage, crippling amendments to the administration's bill).

Senator GEORGE W. MALONE, Republican from Nevada and member of the powerful Senate Finance Committee, said, speaking of the extension of the Trade Agreements Act,

"This session will be one of the toughest in 50 years."

WHAT IS THE ESCAPE CLAUSE?

The Trade Agreements Act of 1951 established a statutory escape-clause procedure.

Briefly and simply, it provides, that, if an industry believes that due to a lower import duty, on the particular product in question brought about as a result of a concession granted in a trade agreement, is causing increased imports in such quantities as to cause or threaten serious injury to the domestic industry producing like or directly competitive products, upon application, the Tariff Commission shall promptly conduct an investigation to determine the extent of such injury.

The Tariff Commission may find after its investigation that there is injury or that there is no injury; it may, if it is self-evident that no injury is involved, decide not to conduct an extensive investigation in the first place.

If the Tariff Commission should decide that relief is justifiable (in the form of increased import duties or import quotas, or both) either by a unanimous or split decision, its recommendations are sent to the President for his approval or disapproval.

So far the majority of the recommendations of the Tariff Commission have been rejected by the President.

In all fairness, it can be said, that the reasonable and moderate protectionist groups are not against the basic philosophy of the trade-agreements program. What they seek is an effective administration of the escape clause.

PRESIDENT EISENHOWER'S MESSAGE TO CONGRESS

President Eisenhower in his special message to Congress on January 20, 1958, requesting a 5-year extension of the Trade Agreements Act said:

"A country cannot expect to sell abroad if it will not buy abroad and that it cannot expect to avoid the economic and political consequences if it tries. * * *

"We must recognize, the growing capacity of the Soviet Union in the economic field. * * * Their advances in technology and industrialization together with their continuing repression of domestic consumption, enable them to supply better than ever before, the machinery, manufactures, and other goods which are essential to the economic life of many countries.

"The Soviet capacity to export is matched by its capacity and willingness to import. It is increasingly offering to import the surpluses of non-Communist states. In this way it seeks to tie such states to the Soviet orbit and to exploit the trade difficulties of the Free World. * * *"

The extension of the act is "essential to our national economic interest, to our security, and to our foreign relations."

The President requested authority to reduce tariffs in any of the following ways: by 5 percent each year for 5 successive years; by a similar total amount over a 3-year period as long as no annual reduction exceeds 10 percent; by trimming ad valorem rates—those figured in so much percent of the invoice value; and specific rates—those duties levied on the basis of so many dollars or cents per pound, units, etc.—by a 3 percentage point with no cut in any one year larger than 1 point; or reducing duties now above 50 percent ad valorem down to that figure with no more than one-third of the total reduction in any one year.

Also authority for the President to raise tariffs in cases where United States industries prove injury because of imports, by 50 percent above 1934 levels, instead of the generally lower 1945 levels as now provided by law.

The President who rarely uses the word "must" in dealing with Congress, said the program "must be enacted."

BACKGROUND—COMING CONGRESSIONAL BATTLE

In order to fully appreciate the stiff battle that lies ahead in connection with the extension of the Trade Agreements Act, we must go back and review just what happened in Congress in 1955.

The Trade Agreements Extension Act of 1955 was passed for a 3 year period after a 5-month legislative battle. In its final form as sent to the President for signature it was a considerably modified compromise bill as compared to the original administration version. In fact without the compromise amendments the bill was apparently doomed to failure in the Senate. What was the stage setting and the miscalculations of the administration surrounding this bill?

When the 2d session of the 84th Congress convened on January 5, 1955, the first bill put into the hopper was the bill to extend the Trade Agreements Act for another 3 years.

It carried the full endorsement of the White House, the opposition Democratic Party in Congress and the metropolitan press. It also carried the proud title H. R. 1. As it started on its way through the legislative machinery practically everyone expected it to pass Congress with flying colors. One writer at the time remarked in connection with a blitzkrieg approval in Congress of H. R. 1, "the skids are already greased." In this perfect stage setting just what hit H. R. 1 in its long and rocky road through Congress?

The voting performance in the House of Representatives despite the gag rule (a rule which can be proposed by the Rules Committee in the House. If its use is approved by the House, a minority is prevented from taking charge of procedure or getting before the House a bill the majority does not want to consider) and the 29 amendments made to H. R. 1 in the Senate Finance Committee, revealed beyond doubt the growing pressures in the United States and in Congress for a more protective policy on foreign trade.

The administration strategists and particularly the Nation's press as a whole failed completely to realize or for some reason disregarded the shift that had taken place in the Nation's economic pattern, particularly in the South, which has transformed many traditionally free-trade Democrats into moderate protectionists.

Another important factor which played a part on the scene was the increasing flood of foreign imports from countries that had regained their post-war economic health.

Still another underestimation of the situation was the trend in Congress to reassert its constitutional authority to regulate our tariffs and foreign commerce. (Art. I, sec. 8 of the Constitution says: "Congress shall regulate our foreign commerce and the laying of duties on imports.") In delegating the authority to the President to negotiate trade agreements with foreign countries in the Trade Agreements Act, without the approval of Congress, Congress, in fact, abdicated its authority under the Constitution.

Perhaps the changing economic pattern in the United States and the growing prosperity of producing nations abroad have contributed most to the trend away from the trade program launched by Secretary of State Cordell Hull during the depression period in 1934. The original Trade Agreement Act of 1934 was essentially an export promotion measure.

Nations that were devastated by World War II had rebounded, largely because of American financial aid, to a point where many of them are in better financial health now than they were when the war began. It is one of history's ironies that their natural search for markets should inevitably bring them into competition with the Nation which helped them most.

Nevertheless, the irony exists. The economic philosophy that "all industries have to face competition" did not stem the rising tide of protectionist sentiment in Congress.

The industries and the legislators who represented them in Congress argued that it is one thing to face competition from industries with the same wage scale of, for example, $1.50 to $2 an hour; and another to face it from industries such as Japan's with a wage scale of 19 or 20 cents an hour.

H. R. 1 expressed the free trade philosophy of the administration. On the other side were the protectionists who felt that charity begins at home and cried aloud that American industries should be protected from what they termed "unfair law-wage competition from abroad."

So legislators reacted in the only way that was left open to them, which was to amend the bill.

H. R. 1 was finally squeezed through the House after a personal appeal by President Eisenhower.

Whereas the South had long been an impregnable stronghold of low tariff sentiment, the House vote indicated a growing fear in that region over the impact of imported goods on domestic manufacturers (particularly textiles).

When the bill reached the Senate, from the very first day it was obvious that even greater difficulties awaited the bill in that body.

The end result of the public hearings as the Senate Finance Committee prepared to go into executive session to whip the bill into shape to send it to the Senate floor created an atmosphere which was best described by Senator HARRY F. BYRD, Democrat, from Virginia, and chairman of the Senate Finance Committee, "This is the roughest situation I've seen on a bill of this magnitude since I've been here." (Senator BYRD has been in the Senate since 1933, a year before the original Trade Agreements Act was enacted).

Basically, the reasons for the bill's difficulties at that time were: the mass of testimony complaining of injury, either real, immediate or potential to many industries if the present trade policies were to be continued; a conviction that other countries were getting the best of the bargain under the reciprocal trade program and a deep-rooted suspicion that State Department negotiators were selling American business down the river.

The testimony weighed heavily on Members of Congress who are elected to represent their constituents. Therefore, when constituents complain in such volume, Members of Congress also complain.

All major obstacles to the bill on the Senate floor were removed only when the White House announced that the administration would accept the 29 compromise amendments made in the Senate Finance Committee.

As the Senate prepared to give final approval to the bill, Senator BYRD issued the following statement:

"We must all recognize that world conditions have changed since the reciprocal-trade program was inaugurated in 1934. Since then the industrial wage scale in the United States has been increased much more rapidly than in other countries who export to us. It is likewise a fact, that under the United States foreign-aid program the industrial plants in exporting nations, especially textiles and chemicals, have been rebuilt and modernized without cost to such nations. For these reasons the Senate Finance Committee adopted certain safeguards."

PRESSURE GROUPS—THE PRESIDENT IN A "SPOT"

Pressure will be brought to bear on the President from many sides: By the Department of State on the overall international and economic front.

By foreign countries such as, for example, Mexico and Peru, to the effect that if the United States increases import duties on lead and zinc, the dollar exchange they would ordinarily receive to use in the purchase of American manufactured goods will be diminished by hundreds of millions of dollars a year. (Mexico for example imports about $840 million a year of United States products, while the United States buys from Mexico only $400 million worth of merchandise.)

They will argue if mining activities are curtailed, unemployment will result; thus creating a fertile field for communistic propaganda.

They will also threaten retaliation, that is, if the United States increases import duties, they in turn will increase import duties into their countries on American products. They will be supported by the Department of State, large American export interest (such as heavy machinery, trucks, airplane, mining, construction and railroad equipment manufacturers) and Americans who have large investments abroad in mining operations, branch plants, etc.

By American producers and manufacturers who are being injured from import competition. They will theaten that unless they can be assured of effective relief under the escape clause they will bring pressure on their respective Senators and Congressmen to vote against the extension of the Trade Agreement Act and to have the authority to raise or lower import duties returned to Congress.

This, of course, would bring about a return to logrolling (the process by which one legislator helps other Members get their pet bills passed and they do the same for him) which would not be a desirable sitution as far as the United States overall foreign-trade policy is concerned.

The job of coordinating and pinpointing the pressure tactics of these interests will be largely done by two Washington-based committees—The Nationwide Committee of Industry, Agriculture and Labor on Import-Export Policy, in behalf of increased protectionism and the Committee for a National Trade Policy, in behalf of trade liberalization.

OUTLOOK

The debate on the extension of the Trade Agreements Act will provide one of the hottest legislative fights of the year, splitting both parties down the middle.

There is no doubt that the "Protectionist Forces" in Congress are in the mood to perform major surgery on the Trade Agreements Act this session.

The Trade Agreements Act will be probably extended, but not for 5 years as requested by the Administration, but for 1 or 2 years at the most.

SOME OF THE ARGUMENTS PRO AND CON THAT WILL BE PROPOUNDED IN THE "EXTENSION OF THE TRADE AGREEMENTS ACT DEBATE"

The principal arguments of the administration and the groups in favor of a more "liberalized" or "freer" trade policy revolve pretty much around one or more of the following points.

1. We need larger export markets to absorb productive capacity in excess of our own requirements. We can only sell more abroad by buying more abroad unless we propose to continue giving foreign nations this additional purchasing power in the form of aid.

2. Foreign nations whose production is less diversified than ours need to import more goods from us, and can only earn the necessary dollars if we buy more from them.

United States exports in 1957 amounted to approximately $20.8 billions, while imports amounted to only $12.8 billions, which represents a "Dollar or Trade Gap" amounting to $8 billions, or a surplus of exports over imports amounting to $8 billions.

3. The extension of the Trade Agreements Act is necessary in order to accomplish our foreign economic policy objectives, namely:

(a) To promote the economic strength of the United States by expanding foreign markets for the products of our factories, mines, and farms; insuring ready access to overseas sources of supplies needed by our economy; permitting the Nation to take reasonable advantage of the economies which flow from specialization in production throughout the world; improving conditions for United States citizens to invest and do business abroad.

(b) To promote the economic strength of the rest of the Free World. A prosperous world brings economic advantages to our own country. Foreign economic growth is necessary for the establishment and maintenance of stable, peaceful, and friendly societies abroad.

(c) To build and maintain cohesion in the Free World, through the North Atlantic Treaty Organization and the Baghdad Pact, through the Organization of American States, through a variety of other organizations and treaties, the United States has undertaken to work with friendly countries in building our common economic strength and in defending ourselves against Communist aggression. These ties have not been and could not be purely political or military. Without adequate economic support they would be weak and unreliable.

4. Foreign trade is one of the most important business activities of the United States. It is estimated, for example, that the families of at least 4½ million American workers, or about 7 percent of our labor force, gain their livelihood from foreign trade.

5. The American economy is becoming more and more dependent on foreign sources of supply.

6. If all tariffs were to be raised, the United States might be able to develop domestic substitutes for many of the items it imports, but it might also have to develop some substitutes for non-Communist allies.

7. The rapid economic progress of Russia greatly necessitates the need for the United States to accelerate the further reduction of import tariffs. Russian gains in productivity are rapidly increasing her ability to offer attractive trade opportunities to the countries of Europe, Asia, Africa, and Latin America.

The United States must counter opportunities to trade with Russia by offering opportunities to trade with the United States. The countries of Europe, Asia and Africa that are trying to develop their economies need the chance to earn foreign exchange with which to buy capital equipment and to strengthen their currencies. If they are barred from trading with the United States, they will trade with Russia and will become increasingly dependent upon Russia.

The protectionist forces will present more or less the following arguments:

1. The United States is not a high tariff country. Out of some 45 nations and trading areas of the world whose average duties are capable of measurement the United States ranks eighth from the lowest.

2. The United States through the Trade Agreements Act has reached the bottom of the barrel in negotiating further reduced import duties with foreign countries.

Aside from the fact that the protective level of the United States tariff has already been reduced by at least 75 percent in the past 24 years; the fact also should not be ignored that from 55 percent to 60 percent of all United States imports are and for over 40 years have been free of import duty.

Thus the United States is not, as charged by some, an illiberal trading country. Moreover, the United States makes much less use of the nontariff restrictions and trade barriers such as import quotas, exchange controls, bilateral trading arrangements and embargoes, than do other countries in the world.

3. Our present foreign trade policy is not truly in the national interest. Our foreign trade program places the interests of a few privileged industries ahead of the interest of the country as a whole.

4. Some of the strongest export interests and advocates of a freer foreign trade policy, especially wheat, wheat flour, and cotton are beneficiaries of protection not only in the form of import duties but also by a highly restrictive import quota.

Under the import quota only about one-tenth of 1 percent of our domestic wheat crop can be imported—about one-fiftieth of 1 percent of our domestic production of wheat flour—and cotton is restricted to less than 1 percent of domestic production.

Export interests should have no special claim on the Government.

5. Exports are no more in the national interest than continuity of domestic production or continuing employment at good wages in domestic industries that are exposed to unfair low-wage import competition. The growing unemployment problem will be stressed and will magnify fears of injury from cheap imports.

We have farflung domestic interests which because of sharp tariff cuts made during the years of prosperity and under the brisk business of a seller market, are not exposed to a type of import competition that is unfair without proper regulation.

6. Under the Trade Agreements Act, a large number of industries in the United States are being asked to give away a portion of our domestic market with the hope, but with no assurance, that we can develop compensating markets in other lands. This might be a noble move on our part, but it is only common sense, that it is unwise to place our industries in jeopardy solely in the name of nobility.

7. The fact is that European wage rates average only to about 20 to 25 percent of those paid in the United States. In many countries, such as Japan, the differential is even greater. Since the cost of any manufactured product is largely labor, this means that, without equalizing tariff protection, we must be 4 or 5 times as efficient, or productive, to compete. That is a tremendously high hurdle, and while we pride ourselves on our productivity in most cases we just aren't that good.

8. Foreign imports are sharply accelerating America's rising unemployment and the slump in business. It is estimated that at least 335,000 workers are jobless today because of import competition.

9. The ineffectiveness of the administration of the escape clause will be stressed and every effort will be made to shift to Congress the President's power to veto the Tariff Commission's decisions.

TRADE AGREEMENTS ACT

With the passage of the Trade Agreements Act of June 12, 1934, the power to negotiate trade agreements on a bilateral basis with foreign nations was given by Congress to the executive branch.

Under the terms of the original act the President was authorized to reduce or raise existing tariff rates on any articles (then or subsequently covered by foreign trade agreements) up to 50 percent for a period of 3 years. This authority has been retained by the President through subsequent renewals of the act by Congress.

In 1945, an additional reduction of 50 percent in United States import duties was made possible through a further delegation of tariff-setting authority to the President. In cases where concessions had been made

up to the limit of 50 percent provided in the original act, these could be reduced another 50 percent, amounting to a total of 75 percent from the rate of duty in effect prior to 1934.

In 1951 the United States Congress added certain safeguards to the Trade Agreements Act.

A provision strengthening the escape clause was inserted into the act so that concessions resulting in threatened or actual damage to American industry could be modified or withdrawn, and the duty increased up to 50 percent or a quota imposed to prevent injury.

Another provision added was the peril point procedure which requires the Tariff Commission to submit to the President a report establishing a maximum limit beyond which concessions contemplated under proposed foreign trade agreements would threaten serious injury to competitive domestic industry.

Since the United States adherence to the General Agreement on Tariffs and Trade in 1947, trade agreements are now negotiated on a multilateral basis instead of on a unilateral basis.

INTERNATIONAL TRADE ORGANIZATION (ITO)—GENERAL AGREEMENTS ON TARIFFS AND TRADE (GATT)—ORGANIZATION FOR TRADE COOPERATION (OTC)

In 1940 the United States joined with other nations to expand the bilateral trade agreements negotiated under the Trade Agreements Act into a multilateral system through the creation of a proposed International Trade Organization, an adjunct of the United Nations.

The charter of this International Trade Organization was signed by the representatives of fifty-odd nations, including the United States, in Habana, Cuba, in March of 1948. This document came to be known as the Habana Charter. In addition to broad tariff reductions, many of its provisions pledged the signatories to carry out sweeping reforms in trade policies, quota, and currency restrictions, etc.

Pending the ratification of this agreement by the signatory nations, representatives of some 20 nations met in Geneva, Switzerland, in 1947 and adopted a General Agreement on Tariffs and Trade (generally known as GATT). Many of the provisions of the International Trade Organization Charter were incorporated in GATT, under the belief that the ITO would be ratified, and GATT would be incorporated into it.

The United States Congress in 1950 failed to ratify United States adherence to the ITO.

Nevertheless, GATT continues to exist.

The GATT is now a multilateral trade agreement among 35 trading nations, including the United States (representing 80 percent of world trade). Under GATT reciprocal tariff reductions are negotiated among the contracting parties.

One of the major differences between the general agreement and the United States policy was eliminated in 1955 when the participating countries gave the United States a broad waiver to impose import quotas unilaterally on agricultural products as required by United States law (sec. 22, Agricultural Adjustment Act). Under the ground rules of GATT import quotas are outlawed.

In 1954, representatives of the United States and the other participants in the General Agreement on Tariffs and Trade began a review of that agreement in order to simplify and strengthen it and also to establish more effective facilities for its administration. The review was completed in 1955. One of the results of the review was the negotiation of an agreement to establish an Organization for Trade Cooperation (OTC) to administer the general agreement. To date the GATT has no regular administrative machinery, and neither has Congress approved United States membership in the OTC.

WHAT ARE SOME OF THE MAJOR ARGUMENTS FOR THIS COUNTRY'S MEMBERSHIP IN GATT AND OTC?

1. By becoming a member of the Organization for Trade Cooperation we would thus demonstrate to the Free World our active interest in the promotion of trade among the free nations. We would demonstrate our desire to deal with matters of trade in the same cooperative way we do with military matters in such regional pacts as the North Atlantic Treaty Organization, and with financial matters in the International Monetary Fund and in the International Bank for Reconstruction and Development. We would thus cooperate further with the Free World, in the struggle against Communist domination, to the greater security and the greater prosperity of all.

Such action would serve the enlightened self-interest of the United States. As a member of the Organization for Trade Cooperation we could work more effectively for the removal of discriminatory restrictions against our exports. We could help establish conditions favorable to convertibility of currencies. We could further the expansion of markets abroad for the products of our mines, our farms, and our factories. We could assist in the development of conditions conducive to the international flow of investment capital so urgently needed to expand production throughout the Free World, especially in its underdeveloped areas.

Failure to assume membership in the Organization for Trade Cooperation would be interpreted throughout the Free World as a lack of genuine interest on the part of this country in the efforts to expand trade. It would constitute a serious setback to the momentum which has been generated toward that objective. It would strike a severe blow at the development of cooperative arrangements in defense of the Free World. It could lead to the imposition of new trade restrictions on the part of other countries, which would result in a contraction of world trade and constitute a sharp setback to United States exports. It could result in regional realinements of nations. Such developments, needless to say, would play directly into the hands of the Communists.

2. The dominant power of the United States coupled with its right to withdraw from GATT at any time are sufficient guaranties that United States rights and interests will not be overlooked by other members of GATT even though this country has no more voting strength than smaller nations.

3. Under the old system of bilateral trade agreements, each dispute arising between the signatories was immediately injected into the political arena, whereas under the multilateral approach commercial problems relating to GATT and tariff matters are discussed and settled in a separate forum, outside the normal channels of diplomatic relations.

4. The proposed OTC would be exclusively an administrative organization. It could not add to United States obligations under the General Agreement on Tariffs and Trade. It could not abridge the powers of the Congress with respect to customs or import duties. It could not make tariff concessions or modify in any way the United States tariff structure.

OTC would not be supranational in any respect. It could not impose obligations on its members. Its methods would be persuasion. It could not impair in any way the sovereignty of the United States.

WHAT ARE SOME OF THE MAJOR ARGUMENTS AGAINST THE UNITED STATES MEMBERSHIP IN THE GATT AND OTC?

1. Our membership in GATT resulted from an unconstitutional delegation of Congressional power to the executive branch of the Government. The Constitution of the United States provides in article 1, section 8, that "the Congress shall have power to lay and collect taxes, duties, imposts and excises." "To regulate commerce with foreign nations." Therefore the executive branch had no right to negotiate tariff reductions under the Trade Agreements Act. Tariff administration should, therefore, be taken out of the hands of the President and the Department of State and returned to Congress where it belongs under the Constitution.

Under the present unauthorized arrangement the GATT supersedes Congress in regulating our foreign commerce, a state of affairs which can only be remedied by the withdrawal of the United States from GATT as now constituted.

2. The General Agreements on Tariffs and Trade, whether under the present system of administration, or under the proposed Organization for Trade Cooperation, represents an international body having authority over United States tariffs and in fact would sit in judgment on United States foreign trade policies. Decisions of that Organization could override acts of Congress and Presidential proclamations pertaining to our tariffs and our foreign commerce. Therefore, United States sovereignty would be weakened.

If GATT should make a decision that would override an "act of Congress"—what would be our reaction? So far, the formal decisions have been in our favor. The possibility of adverse decisions should be carefully weighed by Congress before giving approval to the United States membership in GATT–OTC.

3. Despite the fact that the United States is the most powerful nation in the world economically, it has only one vote in GATT—the same as less economically important nations. This is unfair to the United States.

4. The President is again asking Congress to approve GATT without examining its trade rules through a back-door maneuver of requesting Congress to approve United States membership in the OTC, the purpose of which international organization is to administer the GATT. Congress to date has never ratified GATT.

5. In August 1955, the American Bar Association at its annual meeting approved the following resolution:

"Resolved, That the bill, H. R. 5550, authorizing the President to accept membership in the Organization for Trade Cooperation is hereby disapproved on the grounds (a) that the Reciprocal Trade Agreements Act of 1934 (Tariff Act of 1930, sec. 350) confers no such power on the President and (b) that neither the President nor the Congress has the legal authority under the Constitution to delegate the regulation of our commerce with foreign nations to a foreign controlled group, and the committee on customs law is hereby authorized on behalf of the American Bar Association to present these views to the Congress, and that the president of the American Bar Association be authorized to select a representative to appear before the proper Congressional committees."

It is doubtful, therefore, whether GATT has any legal status so far as the United States is concerned. It should be recalled that the pact has never been ratified by Congress. In fact, Congress has repeatedly stated that its extensions of the Trade Agreements Act must not be construed as an approval or ratification of GATT.

6. The State Department, which is the negotiating arm of the Executive in making reciprocal trade concessions under the framework of GATT, are too prone to make commitments that have the effect of binding Congress, not constitutionally, but by moral obligation. They should, therefore, not be entrusted with loose and undefined

powers that the present authority in the Trade Agreements Act gives them, and such as OTC would enable them to carry out.

7. The continuance of exchange restrictions, import license requirements, and import quotas, not only violates the spirit and basic "ground rules" of the general agreement, but proves that GATT has been ineffective.

8. In its annual report released July 12, 1955, the "contracting parties to GATT" advised the United States and other industrialized nations to concentrate on manufacturers, leaving the production of food and of raw materials to underdeveloped nations. This is international socialism at its best.

9. GATT is the sole surviving progeny of the discredited Habana Charter of the International Trade Organization (ITO), an early postwar venture in global economic planning. Twenty-two GATT articles come almost verbatim from the ITO charter. The Habana Charter, it is true, went far beyond what GATT now modestly purports to be; it covered all manner of economic activities including full employment, restrictive business practices, the international flow of investment capital, and conditions of economic and social progress and development as well as the reduction of trade barriers. In fact, however, GATT contains the active germs of all the powers ITO tried to employ.

Despite its broader scope, ITO's objectives were stated in exactly the same words as those of GATT:

"Recognizing that their relations in the field of trade and economic endeavor shou'd be conducted with a view to raising standards of living, insuring full employment and a large and steadily growing volume of real income and effective demand, developing the full use of the resources of the world and expanding the production and exchange of goods."

This is not surprising in view of the fact that GATT was drafted during secret conferences in the summer of 1947 at Geneva by the same group of people who were then revising the ITO charter. They set up GATT as a stopgap measure to be in effect until the participating nations could obtain authorization for the broader ITO from their respective legislative bodies. Many organizational provisions of ITO are now contained in the OTC charter.

Since many objected to its semisocialistic slant, Congress allowed ITO to die in committee when it was submitted for approval, and ITO has long since been a thing of the past. Surprisingly enough, GATT in spite of its dubious ancestry has survived and flourished.

JAPANESE TEXTILE VELVETEEN IMPORTS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I want to remind the House that the Japanese made concessions recently saying that they would punish their textile exporters of velveteens for the excess transshipment of velveteens during the past year under their voluntary agreement. But they did not answer my question and the question of the various Government departments and the textile industry as to what they would do regarding not sending so many yards of velveteens under their quota next year. The Census Bureau and Department of Commerce figures show that admittedly the Japanese shipped into this country 600,000 yards up to December of last year above their quota. They say it was transshipped from another country by textile manufacturers and the Government had nothing to do with it. But still the goods came into this country. Other figures from the Commerce Department show that the yardage was 800,000 over the agreed Japanese voluntary arrangement. I am praying and hoping that the Merrimack Mills at Lowell, Mass., in my district, and other mills in the velveteen industry may continue in business and that the Japanese will not send their full quota for 1958 into this country. I asked that Japan subtract the excess yardage of velveteen over their quota this year from the 1958 quota in order that the Merrimack Mills, a manufacturing plant of nearly 150 years of age, may be saved. It is a horrible thing to see a great American industry killed because of lack of assistance.

SUMMER FELLOWSHIP PROGRAM FOR SECONDARY-SCHOOL TEACHERS

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to include a recent news article which appeared in the Woburn (Mass.) Daily Times, explaining how one industrial company is giving a helping hand to our secondary-school teachers.

Mr. Speaker, the company's program, which is comparatively simple and inexpensive, strikes directly at an area of our educational system which has been of deep concern to us recently. It involves providing a grant for one or more selected secondary-school teachers to take advanced courses of study during the summer months at little or no expense to themselves.

This program of aid to the teaching profession is being carried out by the Atlantic Gelatin division of General Foods, in Woburn, Mass.

At a time when our national educational system is being closely examined and our great teacher shortage is becoming more and more acute, I feel this program merits attention by us, by local communities throughout the country, by other industrial companies, educators, and the American press.

Clement H. Watson, general manager of the Atlantic Gelatin Co., calls it the summer fellowship program for secondary-school teachers."

As I understand it, Mr. Watson's parent organization, General Foods, after 2 years of testing the program at the Jell-O plant at Le Roy, N. Y., is expanding this high-school teacher grant to 12 more of its plant communities—stretching from Maine to the State of Washington. The program will be in effect in these communities this summer.

The need to improve the quality of teaching in our secondary schools has been apparent for some time, and recent world events have emphasized it more. There is a shortage of teachers for many reasons, but the Committee for the White House Conference on Education has indicated that it is mainly due to low pay.

Industry, of course, cannot be expected to underwrite an increase in salaries for public high-school teachers, but by finding a way to increase opportunity and add incentive to the job of teaching, perhaps industry can help make teaching more attractive to competent people and contribute to the general upgrading of instruction at this level.

It is a source of personal satisfaction to me to know that an industry in my particular district has taken leadership in so practical a method of helping high-school teachers obtain further education for the betterment of themselves, the students, and the school system of Woburn, Mass.

I sincerely hope this direct and inexpensive program will come to the attention of industry and communities all over the Nation so that thousands of our high-school teachers may receive the benefits of further training. This, I believe, would help raise our educational standards significantly.

The Woburn Times article referred to is as follows:

[From the Woburn Daily Times of March 26, 1958]

ATLANTIC GELATIN GRANTS $1,000 WOBURN HIGH FACULTY SCHOLARSHIP

A summer extension course fellowship grant of $1,000 has been offered by the Atlantic Gelatin management to Woburn High School faculty members for the calendar year 1958, according to an announcement by Thomas J. Driscoll, chairman of the Woburn school committee.

Mr. Driscoll said that Clement H. Watson, general manager of the Atlantic Gelatin division of General Foods, had made the grant available in behalf of the local company. The general purpose of the fund is to make possible further study by high school teachers during the summer months which would be of value to the students, the high school teachers, the Woburn school system, and hence the community.

The Woburn school committee at its meeting Monday night accepted with thanks the grant from Mr. Watson and Atlantic Gelatin. Superintendent of Schools Dr. J. Frank Hassett is now taking the grant under advisement and studying the most practical means of administering the fund to optimum high school teacher advantage for the coming summer months.

"It is felt," Mr. Driscoll said, "that this new fund will encourage members of the high school faculty to complete additional summer studies beyond certification requirements."

The school committee chairman added that Mr. Watson had offered the money to the committee with no strings attached.

In making the offer, Mr. Watson indicated a hope that the grant would help to provide some incentive for competent high school teachers in Woburn to remain in their profession as well as to reduce the financial burden on such teachers who wish to advance themselves during the summer months.

"It's my conviction," Mr. Watson said, "that help to education at the secondary level is an important need that has been too little recognized."

Mr. Watson told the committee that the grant was not without precedent. Such a fellowship program, he said, had been carried out successfully in Le Roy, N. Y., the home of G. F.'s Jell-O desserts, and Kankakee, Ill., where the company operates two plants and a distribution center.

He submitted testimonials from the superintendent of schools in Le Roy, showing the success of the high school teacher fellowship program in that town.

UNITED STATES TRADE AND AID PROGRAMS SHOULD BE MORE REALISTIC

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 10 minutes.

Mr. BYRD. Mr. Speaker, as we approach another showdown on foreign trade and foreign aid, economic conditions at home must of necessity be kept in sharper focus than at any time in the past. For as long as I have been a Member of Congress there has been an alarmingly high rate of unemployment in the State of West Virginia, and I have protested all along that this consideration was being subordinated to the interests of the rest of the world.

It is a bitter experience for an unemployed coal miner or railroad worker to be informed by a national administration that a curb on foreign residual oil imports cannot be forthcoming because it would deprive a foreign state of an outlet for its product. Likewise, it is most distasteful to read that the United States is making upward of $4 billion available to peoples in the far corners of the world while many of our own citizens must do without proper food and clothing. It is particularly ironic that more than twice the cost of a proposed distressed area program which, time after time, has been rejected for hard-pressed communities of this country, is sent each year to Communist Poland and Communist Yugoslavia.

Unless our trade and aid programs are approached in a more realistic manner, the American taxpayers will be saddled with tremendous fiscal burdens too great for them to bear. Now that economic distress is so prevalent in the United States, and while other areas are beginning to feel the hardships that have prevailed in West Virginia for almost a decade, perhaps relief will at long last be forthcoming. I am hopeful that this attitude will summarily be expressed by Congress regardless of any new appeals that may be expected to come from the White House and other sources.

Surely the American worker will finally be taken into consideration when the bill to extend the Reciprocal Trade Agreements Act reaches the floor of the House of Representatives. He has been patient and he has been tolerant, but there comes a time when he cannot longer be indifferent to job insecurity caused by the dumping of cheaply produced foreign products on United States domestic markets. Bituminous coal mining in West Virginia and in most other producing States is in serious decline. With this decrease in output is an accompanying acceleration of unemployment on railroads, in industries which supply the mines, and in dozens of allied businesses.

Congress can help reverse the downward trend in coal production by strengthening the national defense amendment to the reciprocal trade agreements law. The effect would be to hold by law a level of oil imports already agreed upon by the Office of Defense Mobilization, the White House, and Congress itself as the maximum level at which oil shipments may be admitted to the markets of this country without imperiling the national security.

While even that amount is entirely too high to permit normal operations at Appalachian mines, the formula has nevertheless been accepted—at least as a temporary measure—and will provide some hope for our beleaguered people.

I urge that Congress write the formula into law, and that—in addition—amendments be included to give protection to the pottery, glass, chemical, and other American industries threatened with extinction by competition from goods manufactured in countries where standards of living and wages are far below those established here.

With the general economy at a near distress level, perhaps we can also look forward to a less extravagant foreign-aid program this year. My own feeling is that the countries which have become our wards must be given to understand that the United States cannot and will not continue to dole out billions of dollars abroad in a period when so much unemployment prevails at home. Had our grants over the past 10 years not been made so freely, the recipient nations might very well have made more economic progress through determined bootstrap efforts.

Last week I was surprised, though nevertheless delighted, to read an announcement in the newspapers to the effect that the Government of the Belgian Congo had offered securities on the American market through an investment group in this country. Under this plan, which gives the individual the opportunity of investing his money if he chooses, there are no strings attached to the United States Treasury. It is a down-the-middle business transaction arranged by the Belgian Congo for the construction of native housing and other facilities as a part of a 10-year program for economic and social development.

Before the International Cooperation Administration and other taxpayer-financed institutions undertake to ship additional billions of dollars overseas for the miscellany of gratuitous projects that foreign governments have come to expect of us, the Congo endeavor should be studied closely in order to learn why similar programs cannot be initiated elsewhere. The Congo has a population of almost 13 million and an area about one-third that of the United States. It has an abundance of natural resources. Yet it is no better endowed than many other countries which have developed such a ravenous appetite for United States largess to the exclusion of self-help.

Mr. Speaker, our own economic condition demands that we begin to close some of the valves controlling the flow of taxpayers' dollars to the capitals across the seas. In so doing, we can actually contribute to the overall improvement of affected nations, for it is a truism that subsistence easily acquired provides no stimulus to ambition or industry—whether on an individual or a national basis.

[From the Pittsburgh Post-Gazette of April 16, 1958]

BELGIAN CONGO IN FIRST UNITED STATES FINANCING

An investment banking group headed by Dillon, Read & Co., Inc., today is offering to the public $15 million Belgian Congo 15 year 5¼ percent external loan bonds at 98½ percent to yield approximately 5.40 percent to maturity.

This financing represents the first public offering of Belgian Congo securities in the United States. The Government of the Belgian Congo intends to use proceeds for construction of native housing, including related utilities and public buildings and facilities, as a part of a 10-year plan for economic and social development of the Congo.

Under this plan, estimated to cost nearly $1 billion, it is anticipated that capital expenditures for construction of native housing and related facilities will total about $96 million and provide for about 40,000 dwellings.

The Congo, only colony of the Kingdom of Belgium, has an area approximately one-third that of the United States and a population at December 31, 1956, of approximately 12,951,000, of whom 12,844,000 were natives. The Congo is rich in natural recources, including an estimated 103,340,000 kilowatts of potential hydroelectric energy but its economic development is still in an early stage.

The bonds will not be redeemable for 10 years except for a semiannual sinking fund beginning October 1, 1963, which is calculated to retire 95 percent of the issue prior to maturity. Commencing April 1, 1968, the bonds will be redeemable at the Congo's option at prices scaling from 101½ to 100 for the last 2 years.

The bonds are direct obligations of the Congo, and principal and interest will be payable in United States dollars at the office of Dillon, Read & Co. The Congo has never defaulted on any debt obligation held by the public.

Among those associated with Dillon, Read & Co., Inc., in the underwriting are:

Blythe & Co., Inc.; The Dominion Securities Corp.; Eastman Dillon, Union Securities & Co.; Goldman, Sachs & Co.; Hallgarten & Co.; Ladenburg, Thalman & Co.; Lazard Freres & Co.; Merrill Lynch, Pierce, Fenner & Smith; White, Weld & Co.; Bear, Sterns & Co.; Dominick & Dominick; Hayden, Stone & Co.; Lee Higginson Corp.; Carl M. Loeb, Rhoades & Co.; Model, Roland & Stone; R. W. Pressprich & Co.; Reynolds & Co.; Riter & Co.; L. F. Rothschild & Co.; Salomon Bros. & Hutzler; Shields & Co.; Swiss American Corp., Wertheim & Co.

Mr. NEAL. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I shall be very glad to yield to my distinguished colleague.

Mr. NEAL. Did I understand the gentleman to say that the oil importers themselves agreed to limit the amount of residual fuel oil that is and has been coming into the United States during the past year?

Mr. BYRD. I said that the Office of Defense Mobilization, the White House, and the Congress itself had agreed upon a level of oil imports. I did not say anything about the importers themselves.

Mr. NEAL. It is my understanding that there was a limitation, an agreement, on the amount of fuel oil, I mean ordinary fuel oil, and crude oil that would be permitted to enter this country; but it has been my impression that there has been no restriction at this time placed on residual oil which we must recognize is one of the greatest and

most serious competitors of coal as a fuel. I only hope that the quota set by ODM will be sufficient insofar as permitting fewer barrels of crude oil to enter this market, and that it also will apply to residual fuel oil. I thank the gentleman.

Mr. BYRD. I think the gentleman is about correct. I am very grateful for his observation. I believe he will agree with me that the control and regulation of these imports by voluntary efforts on the part of importers have not worked out too satisfactorily in the past.

Mr. NEAL. That I think was well demonstrated in the remarks of the gentlewoman from Massachusetts regarding the importation of Japanese textile goods.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include related matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia.

There was no objection.

POLISH CONSTITUTION DAY

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Illinois [Mr. SHEEHAN] is recognized for 5 minutes.

Mr. SHEEHAN. Mr. Speaker, Saturday, May 3, marks the 167th anniversary of Poland's Constitution Day. Each year on this historic occasion, commemorating the enactment of one of Europe's early democratic instruments, I am happy to join the Polish people and their friends in this noteworthy celebration. The cause of liberty and justice is fortified throughout the world when, on this date, Polish people reaffirm their loyalty to the tenets of freedom set forth in their beloved constitution of May 3, 1791.

On Saturday, May 3, we honor the freedom-loving men and women of Poland who achieved enactment of the document which was designed to insure Polish independence.

The common bonds of liberty, loyalty and decency unite our country with the Polish people and nation. We pay special tribute to the millions of Polish-Americans who have aided in the development and strength of these United States and to Western civilization. We honor the sons and daughters of Poland who distinguished themselves in science, governmental reform, in music, the arts and literature.

We remember the Poles who gave their lives to the fight for freedom in their homeland and abroad in the 167 years since adoption of the Polish Constitution. We honor the memory of those gallant Poles, Count Casimir Pulaski and Thaddeus Kosciuszko, who contributed so greatly to American independence in the Revolutionary War. The heroic exploits of the Polish Allied contingent in Italy, France, Germany, Holland, and north Africa during World War II are a thrilling chapter in military history. And it is with heavy heart that we recall the brutality suffered by the brave people of Poznan in June of 1956.

Despite the horrors of oppression and enslavement, the Poles have managed to preserve the spark of freedom. The intensity of their desire for liberty inspires the world and bolsters the spirits of oppressed people wherever atheistic communism dominates or threatens.

The Polish Constitution of 1791 is a significant cornerstone in Poland's history and Europe's progress toward governmental reform. Poland became a limited monarchy. The constitution established absolute religious toleration and guaranteed religious freedom. It eliminated many class discriminations and made available to the people privileges and rights formerly enjoyed by only the gentry. Parliamentary representation was given to the towns, and further reforms were provided.

The freedoms thus gained by the Poles were short lived. Within a few years, Russia, Prussia, and Austria had seized parts of the land and enslaved the people. During the next 125 years, Polish language and culture all but disappeared. After World War I, a new and independent Poland was born. For 21 years the Polish people labored to rebuild a nation out of the ruin and division that had resulted from foreign domination.

Polish liberty disappeared again in September 1939, when Nazi Germany invaded from the west and Soviet Russia from the east. But though the tyrants' heels were once more pressed into the soil of freedom-loving Poland, the Poles characteristically refused to submit without a fight.

Soviet Russia's duplicity in its dealings with the Polish underground government, after Russia joined the West in June 1941, are recalled with revulsion. Forty thousand of the Polish underground and 210,000 of its recruits, betrayed by Soviet encouragement and promises of help, were slaughtered by the Nazi enemy in the Warsaw uprising of 1944.

The world now knows that thousands of Poles were liquidated by the Russians in the Katyn Forest and other massacres during World War II, and that thousands more were jailed or deported by Russia. I will always be proud that I was the Congressman who introduced the first resolution in the 82d Congress to call for a Congressional investigation of the facts of the Katyn Forest massacre, and I will always be proud of having been awarded the Polonia Restituta by the Polish Government in Exile.

Betrayed again by the Teheran agreements, and by the Yalta Conference agreements of 1945 which provided for a coalition government containing Communists, Poland today is still under the heel of a godless leadership. But Soviet Russia has failed to impose its will on the brave Poles. Despite ruthless Communist tactics, the Polish people have courageously maintained their patriotism and moral resistance. The Poles' respect for their constitution of 1791 was only strengthened in 1953 when the Soviets imposed on them a Communist "constitution" similar to those of all other people's republics.

Members of Congress who have visited Poland recently report that, while the Government is Communist, the Polish people are not. The Polish population is not being swayed by Soviet anti-West propaganda. The Poles, according to these sources, remain friendly and responsive to America.

The Poznan uprisings of June 1956 and the bloodless revolution of October of that year, though far from successful, have gained for Poland a measure of freedom and independence from Communist domination. I am heartened by reports of better economic conditions, easing of some controls, the ending of collectivization of agriculture, reopening of some small shops, and the granting of a larger number of passports for Poles who seek to come to America. It is encouraging to learn that today there is more freedom of the press, speech, and religion than before the 1956 revolts.

The Communist leaders of Poland have witnessed Polish resistance, and these concessions to the peoples' demands are evidence of the uneasy position the Red masters occupy today.

The American Government has taken cognizance of this turn of events. In considering a 1957 request for economic aid, our Government recognized that whatever aid was granted must be actual aid to the Polish people, and not to the Communist regime. Our Government made economic loans of $95 million in 1957 and $98 million in February of 1958. This is the first American aid to Poland of any kind in 10 years.

I fervently hope that this American assistance will serve the cause of peace and freedom, that it will in some measure make life more pleasant for the Poles, that it will give them some of the necessities of existence, that it will ease the agonizing weight of Communist oppression.

On the occasion of Polish Constitution Day, I join with Americans of Polish descent and with the friends of Poland throughout the world in an earnest prayer that Poland will eventually overcome the Communist tyranny and will rise again to become and remain forever a free nation.

PERSONAL ANNOUNCEMENT

Mr. SCOTT of Pennsylvania. I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I was unavoidably delayed through no fault of my own during rollcalls 50 and 51 because my plane, which was scheduled to arrive in time, was stacked up over Washington. If I had been present, I would have voted for the passage of the unemployment-compensation bill. I voted to report it out from the Rules Committee.

SMALL BUSINESS CAPITAL BANKS ARE NEEDED TO SUPPLY EQUITY AND LONG-TERM DEBT CAPITAL, NOT COMMERCIAL BANK CREDIT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my re-

marks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the Honorable J. Lindsay Almond, Jr., Governor of Virginia, has sent me a copy of a letter which he addressed to the Honorable BRENT SPENCE, chairman, Committee on Banking and Currency of the House, on the subject of a proposed system of small business capital banks, such as is provided for in H. R. 10345.

The Governor in this letter takes the position that no such new banking system is needed and says that the officials of the Virginia Bankers Association are of like opinion. And he says that the reason for this is that at present the banks and other suppliers of credit are in a position to make available the needed credit where it is justified.

The fact of the matter is that the small business capital bank system is very badly needed to supply venture capital for small business, not the kind of credit which the commercial banks can supply. I have written Governor Almond pointing this out and indicating to him more clearly what the purpose of H. R. 10345 is.

I believe that the Members may be interested in the contents of Governor Almond's letter, as well as my reply to him. These letters are as follows:

COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
Richmond, April 23, 1958.

Hon. BRENT SPENCE,
Chairman, Committee on Banking and Currency,
Washington, D. C.

DEAR MR. SPENCE: I recently received a request from the Honorable WRIGHT PATMAN to write you, as chairman of the Committee on Banking and Currency, my views concerning H. R. 10345, the small business capital bank bill.

Since receipt of his letter, the subject has been discussed with a number of our State officials and they, in turn, conferred with a group of prominent bankers and officials of the Virginia Bankers Association.

It is the consensus of those who participated in these conferences that no new banking system, as contemplated in this bill, should be created by the Congress to provide a source of equity and long-term loan capital for small business enterprises. It was their opinion, in which I concur, that banks and other suppliers of credit are in position to make such advances of credit wherever there is reasonable expectation that the applicants can fulfill their commitments.

Sincerely yours,

J. LINDSAY ALMOND, Jr.

APRIL 28, 1958.

Hon. J. LINDSAY ALMOND, Jr.,
Governor, Commonwealth of Virginia,
Richmond, Va.

DEAR GOVERNOR ALMOND: Thank you for sending me a copy of your letter of April 23, to the Honorable BRENT SPENCE, chairman, Committee on Banking and Currency of the House.

In this letter you indicate your opinion, and the prevailing opinion of the officials of the Virginia Bankers Association, is that no small business capital banks, such as provided for in H. R. 10345, should be set up, for the reason that banks and other suppliers of credit are in a position to extend justified credit.

It is not the purpose of the proposed small business capital banks to extend credit of the type which commercial banks can extend. On the contrary, the purpose is to make available to small firms venture capital—equity capital and long-term loan capital. In other words, the purpose of H. R. 10345 is to fill a gap in the capital market, not a deficiency in the banking system. Thus it is intended to meet a need which all serious students of the American business system have been saying—for at least two decades—must be met, if small business is to continue to play a major role in this system.

It has been my experience that most commercial bankers recognize the problem. For example, when Mr. William F. Kelly testified before our Small Business Committee on behalf of the Credit Policy Commission of the American Bankers Association, on November 22 last year, he put it this way:

"The banks, as this committee knows, are not set up, they are not capitalized, they are not organized for the purpose of providing equity capital, and they are certainly not organized for the purpose of providing long-term loans."

Let me add that Mr. Kelly also said that small businesses' demands for credit of the type that the commercial banks can supply is being substantially met. In any case, the purpose of the small business capital banks provided for in H. R. 10345 is to give small firms access to capital of a type which the commercial banks cannot supply under present law—either Federal or State—and which commercial banks are not suited to supply and would not wish to try to supply.

The small business capital banks would strengthen, and bring about a rebirth and expansion of small firms in the local communities. The result would be beneficial to the commercial banks, because there would be an increased demand for bank services and an increased demand for the type of credit which the banks can supply.

I wanted to bring these considerations to your attention, so that you may be sure of the purpose of my bill.

Sincerely yours,

WRIGHT PATMAN.

GOV. DENNIS J. ROBERTS ASKS FOR CREATION OF SMALL BUSINESS CAPITAL BANKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the distinguished and beloved Governor of Rhode Island has recommended to Congress that we pass H. R. 10345, a bill to help small business get access to equity capital and long-term loan capital. In a statement to the House Committee on Banking and Currency on April 24, Governor Roberts said that 98 percent of Rhode Island business is small business, and that he would welcome "any measure which will strengthen the competitive position and encourage growth of small business."

I know that all of the Members will want to study Governor Roberts' statement. He brings out several facts and analyses about the problems of small-business financing which are not generally known. His statement is as follows:

STATEMENT OF GOV. DENNIS J. ROBERTS, OF RHODE ISLAND, TO THE COMMITTEE ON BANKING AND CURRENCY OF THE HOUSE OF REPRESENTATIVES, APRIL 24, 1958—SUBJECT, H. R. 10345, THE SMALL BUSINESS CAPITAL BANK BILL

Inasmuch as approximately 98 percent of Rhode Island business is small business, I welcome any measure which will strengthen the competitive position and encourage growth of small business. I believe that H. R. 10345 would help to accomplish this result.

The hearings before your select Committee on Small Business last year brought out a number of significant points, which I believe to be representative of the problems of small business in Rhode Island. The difficulty of small business in obtaining needed capital, and particularly long-term capital funds, was plainly demonstrated.

For example, the findings of the Department of Commerce survey of small business financing indicated that of the firms surveyed, 19 percent of established firms, and 28 percent of newer firms were unable to obtain the full amount of outside funds desired. This survey also showed that less than 10 percent of loans obtained were for 3 years or more, and that of those firms unable to obtain desired loans, over 50 percent of established firms and about 35 percent of newer firms sought relatively long-term capital investment for periods of 3 years or more.

The difficulty of small business in obtaining the long-term capital funds required for modernization and expansion is further aggravated by the fact pointed out by Mr. Barnes of the Small Business Administration: That small business is typically subject to relatively large fluctuations in earning power.

A growing small business which has reason to expect that its earnings will vary considerably from year to year is likely to need equity capital rather than loans. For a corporation, this means the sale of capital stock. The great advantage to small business of such equity capital as compared to a loan, is that, while equity capital expects a good average return, this return is realized from profits, and does not impose additional fixed charges, as loans do.

The importance of better sources of equity capital for small business was effectively brought out in the testimony of Mr. Edward T. McCormick, president of the American Stock Exchange, among others.

A small business which is able to finance capital expansion with equity capital such as capital stock is in a favorable position to weather temporary setbacks in earnings, where a similar business obtaining loan funds for expansion may be forced into bankruptcy or receivership at the first serious setback, as the result of substantial fixed charges for debt service and a financial position which would tend to restrict the power to borrow additional funds. With the likelihood of fluctuating earnings, therefore, it often may not be prudent or sound for a small business to take on substantial additional fixed charges for debt service, even though average earning power and growth potential are good.

Small business generally, if it is to survive the intense competition of its larger competitors, must be in a position to take full advantage of the most modern techniques, equipment, and facilities available. This requires a greater availability of appropriate types of long-term capital funds than exists today, particularly for smaller business.

It is my feeling that the proposed bill is definitely a step in the right direction, and

would serve to increase availability of long-term loans to small business—for which there is a real need.

In my opinion, however, section 502, covering provision of equity capital, should be strengthened to include provisions for immediate and direct furnishing of equity capital. As this section now stands, it merely provides for lending on debenture bonds, convertible to stock at the option of the lender.

If the nature and financial position of the business requires equity capital rather than loans, it would seem that a small business investment association should be permitted to purchase capital stock in the first instance, where the earnings and growth potential of the business would justify such an investment. A prudent businessman might well hesitate to assume substantial bonded indebtedness, even initially, if he knows that equity capital is what he really needs.

If the proposed bill were amended to permit immediate and direct purchase of capital stock in appropriate cases, smaller business would be given the opportunity which they generally lack today—the opportunity to obtain long-term financing in the form most suitable to their own particular requirements.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DORN of New York (at the request of Mr. MARTIN), indefinitely, on account of official business.

Mr. HESS, for Friday, May 2, on account of official Government business.

Mr. TEAGUE of Texas (at the request of Mr. BROOKS of Texas), for the balance of the week, on account of official business.

Mr. STAGGERS (at the request of Mr. BAILEY), for today and the balance of the week, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, for 5 minutes, today.

Mr. BYRD, for 10 minutes, today.

Mr. SHEEHAN, for 5 minutes, today, on the Polish Constitution and to revise and extend his remarks.

Mr. CURTIS of Missouri, on Tuesday next, for 1 hour.

Mr. MACK of Washington, for 20 minutes, on May 5.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ZELENKO (at the request of Mr. REUSS) and to include extraneous matter.

Mr. FORAND.

Mr. BROWN of Missouri and to include extraneous matter.

Mr. DAGUE.

Mr. BYRNE of Illinois in two instances and to include extraneous matter.

Mr. MULTER (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. REECE of Tennessee and to include part of the final report of the Alexander Hamilton Bicentennial Commission.

Mr. MILLS, to revise and extend remarks made by him today in Committee of the Whole and to include extraneous matter.

Mr. O'KONSKI.

Mr. MCVEY.

Mr. SCUDDER.

Mr. CURTIS of Missouri, the remarks he made in the Committee of the Whole today and to include extraneous matter and a table.

Mrs. KNUTSON.

Mr. YATES.

Mr. FLYNT in two instances, in one to include remarks made by the gentleman from Arkansas [Mr. HARRIS].

Mr. MACK of Washington and to include extraneous matter.

Mr. CRAMER and to include extraneous matter.

Mr. VAN ZANDT at the request of Mr. TEAGUE of California).

Mr. MINSHALL (at the request of Mr. TEAGUE of California) and to include extraneous matter.

Mr. HILL (at the request of Mr. TEAGUE of California) and to include extraneous matter.

Mr. LIBONATI (at the request of Mr. MCCORMACK).

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, May 5, 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:

1869. A letter from the budget officer, Federal Home Loan Bank Board, transmitting one copy each of standard form 143 for the period ending March 31, 1958, for the Federal Home Loan Bank Board, and the Federal Savings and Loan Insurance Corporation, pursuant to the Bureau of the Budget Circular No. A-34, dated July 25, 1957; to the Committee on Appropriations.

1870. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Civil Aeronautics Act of 1938, as amended, in order to (1) assure for the Civil Aeronautics Board independent participation and representation in court proceedings, (2) provide for review of nonhearing Board determinations in the courts of appeals, and (3) clarify present provisions concerning the time for seeking judicial review"; to the Committee on Interstate and Foreign Commerce.

1871. A letter from the Board for Fundamental Education, transmitting the audit and annual report of the Board for Fundamental Education for the year 1957 (the audit was prepared by George S. Olive & Co., independent certified public accountants), pursuant to Public Law 507, 83d Congress; to the Committee on the Judiciary.

1872. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes,' approved August 30, 1954"; to the Committee on the District of Columbia.

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. FRIEDEL: Committee on House Administration. House Resolution 522. Resolution to provide additional funds for the expenses of the study and investigation authorized by House Resolution 128; without amendment (Rept. No. 1679). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 525. Resolution providing for the employment of two additional clerical employees for the Committee on Ways and Means; without amendment (Rept. No. 1680). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 550. Resolution authorizing the employment of one additional mail clerk, Office of the Postmaster of the House; without amendment (Rept. No. 1681). Ordered to be printed.

Mr. WILLIS: Committee on the Judiciary. H. R. 8419. A bill to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States; with amendment (Rept. No. 1682). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H. R. 6274. A bill to provide that the Secretary of the Interior shall accept title to Grant's Tomb in New York, N. Y., and maintain it as the General Grant National Memorial; without amendment (Rept. No. 1683). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H. R. 8980. A bill to authorize an exchange of lands at Hot Springs National Park, Ark., and for other purposes; with amendment (Rept. No. 1684). 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. 12289. A bill to amend the Soil Bank Act; to the Committee on Agriculture.

By Mr. BROOKS of Louisiana:

H. R. 12290. A bill to authorize the attendance of the United States Marine Band at the 59th annual convention of the Veterans of Foreign Wars of the United States, to be held in New York, N. Y., August 17–22, 1958; to the Committee on Armed Services.

By Mr. BROWN of Missouri:

H. R. 12291. A bill to divest the Secretary of Agriculture of any legislative authority to fix prices on milk and dairy products; to direct the Secretary of Agriculture to call a national dairy producers' constitutional convention whereby bona fide dairy producers may formulate their own self-financing programs for stabilizing milk prices at fair and equitable levels; and to create a regulatory commission to protect the public interest in the production and marketing of milk; to the Committee on Agriculture.

By Mr. CELLER:

H. R. 12292. A bill to amend subsections (b), (c), and (d) of section 294 of title 28, United States Code, relating to the assignment of retired judges to active duty; to the Committee on the Judiciary.

H. R. 12293. A bill to establish the Hudson-Champlain Celebration Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 12294. A bill to amend the Trading With the Enemy Act, as amended, so as to provide for certain payments for the relief and rehabilitation of needy victims of Nazi persecution, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK:

H. R. 12295. A bill to promote the safety of employees and travelers upon common carriers by railroads engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbeds, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS:

H. R. 12296. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

H. R. 12297. A bill to provide a program of direct payments to support the income of dairy farmers; to the Committee on Agriculture.

By Mr. ROBISON of New York:

H. R. 12298. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood contol, and for other purposes; to the Committee on Public Works.

By Mr. SANTANGELO:

H. R. 12299. A bill to prohibit the charging of a fee to view telecasts in the home; to the Committee on Interstate and Foreign Commerce.

H. R. 12300. A bill to amend the Social Security Act and the Internal Revenue Code so as to increase the benefits payable under the Federal old-age, survivors, and disability-insurance program, to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHERER:

H. R. 12301. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. WITHROW:

H. R. 12302. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. ASPINALL:

H. R. 12303. A bill to amend the Revised Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. BROOKS of Louisiana:

H. R. 12304. A bill to amend title 10, United States Code, with respect to the promotion of Reserve commissioned officers of the Air Force, and for other purposes; to the Committee on Armed Services.

H. R. 12305. A bill to clarify the status of members of the National Guard while attending or instructing at National Guard schools established under the authority of the Secretary of the Army or Secretary of the Air Force as the case may be, and for other purposes; to the Committee on Armed Services.

H. R. 12306. A bill to clarify the deferred or exempt status of persons who enlist in a Reserve component of the Armed Forces; to the Committee on Armed Services.

By Mr. BYRNE of Illinois:

H. R. 12307. A bill to repeal the retailers and manufacturers excise taxes and the excise taxes on facilities and services; to the Committee on Ways and Means.

By Mr. FULTON:

H. R. 12308. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they served during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

By Mr. GEORGE:

H. R. 12309. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mrs. GREEN of Oregon:

H. R. 12310. A bill to establish a people's program for peace, to provide for investments in peace through the United Nations, to permit deductions from personal income taxes for payments made thereto and for other purposes; to the Committee on Ways and Means.

By Mr. HARRIS:

H. R. 12311. A bill to amend the act of September 7, 1950 (relating to the construction of a public airport in or near the District of Columbia) to remove the limitation on the amount authorized to be appropriated for construction; to the Committee on Interstate and Foreign Commerce.

By Mr. McDONOUGH:

H. R. 12312. A bill to amend title I of the Social Security Act to provide that the first $50 per month of an individual's earned income shall be disregarded by the State agency in determining his need for old-age assistance; to the Committee on Ways and Means.

H. R. 12313. A bill to amend the National Housing Act to increase the permissible loan-to-value ratio and maturity in the case of mortgages covering rental housing designed for elderly persons, and to establish a special revolving fund to be used by the Federal National Mortgage Association in purchasing such mortgages; to the Committee on Banking and Currency.

By Mr. MATTHEWS:

H. R. 12314. A bill to authorize the sale and transfer of acreage allotments and marketing quotas, and for other purposes; to the Committee on Agriculture.

By Mr. PATTERSON:

H. R. 12315. A bill to establish an effective program to alleviate conditions of substantial and persistent unemployment and underemployment in certain economically depressed areas; to the Committee on Banking and Currency.

By Mr. SCUDDER:

H. R. 12316. A bill for the purpose of creating new jobs, giving greater stability to and improving existing jobs, and stimulating business during the next 18 months with resultant expansion of the national economy in the years to come, by amending the Internal Revenue Code of 1954 so as to allow more rapid depreciation for property constructed or acquired during 1958 and 1959, or for the construction or acquisition of which a contract is entered into during 1958 and 1959, by reducing the useful life of such property for income tax purposes; to the Committee on Ways and Means.

By Mr. STAUFFER:

H. R. 12317. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. WESTLAND:

H. R. 12318. A bill to amend title I of the Social Security Act to provide that the first $50 per month of earned income may be disregarded by the State agency in determining an individual's need for old-age assistance or disability assistance; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 12319. A bill to promote the safety of employees and travelers upon common carriers by railroad engaged in interstate commerce by requiring such carriers to maintain tracks, bridges, roadbed, and permanent structures for the support of way, trackage, and traffic in safe and suitable condition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BURDICK:

H. J. Res. 597. Joint resolution to authorize and request the President to proclaim July 4, 1958, a day of rededication to the responsibilities of free citizenship; to the Committee on the Judiciary.

By Mr. JUDD:

H. J. Res. 598. Joint resolution requesting the President to issue a proclamation memorializing the 100th anniversary of the admission of the State of Minnesota into the Union; to the Committee on the Judiciary.

By Mr. ALLEN of Illinois:

H. Con. Res. 323. Concurrent resolution commemorating the centennial anniversary of the Lincoln-Douglas debate which was held in Freeport, Ill., on August 27, 1858; to the Committee on the Judiciary.

By Mr. TAYLOR:

H. Con. Res. 324. Concurrent resolution proposing the recognition of the village of Whitehall, Washington County, N. Y., as the birthplace of the United State Navy; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. Res. 556. Resolution expressing the sense of the House of Representatives in favor of continued testing by the United States of nuclear and thermonuclear devices; to the Joint Committee on Atomic Energy.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOLLINGER:

H. R. 12320. A bill for the relief of Norma Hildred O'Neal; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 12321. A bill for the relief of Robert F. Dollinger; to the Committee on the Judiciary.

H. R. 12322. A bill for the relief of Bernard Gene Terry; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 12323. A bill for the relief of Katherine Duggan; to the Committee on the Judiciary.

By Mr. ZELENKO:

H. R. 12324. A bill for the relief of Meryem Tayga Garifullaoglu; to the Committee on the Judiciary.

By Mr. BOLLING:

H. R. 12325. A bill for the relief of Mary W. Greene; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Address by Hon. Edward Martin, of Pennsylvania, at Annual Washington City Dinner

EXTENSION OF REMARKS
OF
HON. EDWARD MARTIN
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Thursday, May 1, 1958

Mr. MARTIN of Pennsylvania. Mr. President, the Pennsylvania State Chamber of Commerce, at its annual Washington City dinner last Tuesday evening, honored me with a citation. I ask unanimous consent that my reply to the remarks by Mr. H. B. Bartlett, vice president of the State chamber, in awarding this citation, be printed in the RECORD.

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

ADDRESS BY HON. EDWARD MARTIN, OF PENNSYLVANIA, AT DINNER OF PENNSYLVANIA STATE CHAMBER OF COMMERCE, APRIL 29, 1958

Mr. Chairman and my fellow Americans, I cannot tell you how much I appreciate the honor you have conferred upon me tonight.

I cannot find words adequate to express the feeling in my heart at this moment.

Let me assure you that I feel proud and humble. I am overwhelmed by your kindness and profoundly grateful.

To each of you, thank you so very much.

I want to say, in all sincerity, that the greatest privilege I have enjoyed in a long lifetime has been the opportunity to serve the people of Pennsylvania.

For more than half a century I have been entrusted by my fellow citizens with many responsibilities in military and civilian capacities.

Now that I am approaching the end of my public career I can only hope that in some small way my service has been useful and constructive.

It may be appropriate on this occasion to discuss briefly the philosophy of government which has guided my course through the years.

It is a philosophy of government based on the fundamental principles which made our country great and strong.

I believe that the private enterprise system is the foundation of our economic strength and progress.

It is a system which gives encouragement and incentive to initiative, self-reliance, courage, and personal responsibility.

The philosophy of government in which I believe would strive for a sound currency and would protect the value of the dollar against the destructive force of inflation.

It would operate, as far as possible, on pay-as-you-go basis, avoiding excessive taxation and the crushing burden of an ever-increasing national debt.

It would restrict the activities of the Central Government within the limit of the powers granted by the Constitution.

It would prevent Federal encroachment upon functions which are properly the exclusive responsibility of the State and local levels of government.

It would keep government out of all forms of competition with private enterprise.

It would strike down every attempt to replace Americanism with a socialistic system to direct, control, and regiment the lives of the people.

I believe that many of the dangers that confront the United States today have been brought upon us because we have departed from those fundamental principles of good government.

For nearly a year the Finance Committee of the United States Senate has been conducting an investigation into the fiscal and monetary situation of this Nation.

Extensive hearings have been held, with testimony from the leading authorities on governmental finance.

The preponderance of evidence shows that one of the great dangers is inflation, and the resulting erosion of the dollar.

Another source of danger is the failure of productivity to keep pace with constantly increasing wages.

This has had an inflationary effect on the prices of everything we buy.

It has imposed severe hardship on millions of Americans by cutting in half the value of savings accumulated by years of industry and thrift.

A third danger grows out of the fact that people are demanding more and more from government.

Organized pressure groups demand appropriations for their pet projects, for new and expanded functions of government, for sectional advantage and for every conceivable form of spending.

Some do not hesitate to threaten political reprisals unless their proposals are given immediate and favorable attention.

Let me point out that in this session of Congress bills have been introduced, in the Senate alone, calling for brand new Federal expenditures of about $77 billion over the next 5 fiscal years.

This is in addition to the regular Federal budget, which by itself totals about $74 billion for fiscal 1959.

If any substantial part of these proposals should be enacted it would mean increased taxes or more deficit financing.

The Government has no other way to pay its bills.

The dangers I have outlined assume more alarming proportions in this time of recession and extensive unemployment.

They should serve as a warning against hasty and ill-considered remedies—which may prove more costly in the long run by bringing on more inflation.

They prove conclusively that there is no easy or painless solution to our economic problems.

No action by the Government will bring economic recovery overnight as many seem to think.

Progress in this country depends far more upon what people do for themselves than anything the Government does or can do for them.

The dangers we face today should be the immediate and personal concern of everyone here tonight.

You are the leaders of business and industry in our great Commonwealth.

You are vitally interested in building the economic strength of our State and Nation.

Therefore I urge you to take a more active part in government. I believe no businessman should ignore or neglect that responsibility.

And furthermore, it would advance the cause of good government if more businessmen would interest themselves in politics—not merely from a partisan standpoint, but as a patriotic contribution to the public welfare.

We can curb inflation, we can reduce the excessive cost of government, we can avoid deficit financing, if the determination to do so is strong enough to overcome the pressure for selfish advantage.

The point I want to make most emphatically is that this is no time to abandon sound principles.

In the growth and development of our country there have been many changes. But the principles upon which it was established are fixed and everlasting.

To overcome the dangers which confront us today we must first strive to make every American sturdy, hardy, and self-reliant, with faith in the future of our country, and faith in our form of government.

Law Day

EXTENSION OF REMARKS
OF
HON. JOHN J. FLYNT, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. FLYNT. Mr. Speaker, today, May 1, 1958, has been proclaimed Law Day by the President of the United States. As a Georgia lawyer and as the son and grandson of Georgia lawyers, I was taught from birth a reverence for the law and the Bill of Rights.

As a former active participant in the work of the Georgia Bar Association, it was my privilege to observe among the members of the legal profession many of the most able and scholarly men it has been my privilege to know. It is, therefore, my sincere hope that those Americans who will today express their respect for the codes, the standards and the traditions of our legal system will simultaneously acknowledge the capabilities of the members of our legal profession who so conscientiously and tirelessly administer that system, and who have so consistently contributed to the stability and the progress of our country.

Had this Nation discarded the English common law when it declared and fought for its independence in the 18th century, it might well have lost its freedom before the end of the 19th century.

If, today, the American people decide that they should discard the traditional judicial interpretations of the United States Constitution and embark on an untried course of judicial legislation and depart from the doctrine of judicial precedent, they might well lose their freedom before the end of the 20th century.

It is my hope and belief that the American people are becoming more and more aware of those standards and those traditions of the law that elevated their Nation to greatness.

It is my hope that today, Law Day, when we honor our system of jurisprudence, we shall remember that it is a system which has been tried and proved to be the best in the history of the world.

Labor's Day

EXTENSION OF REMARKS
OF
HON. EMMET F. BYRNE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. BYRNE of Illinois. Mr. Speaker, under unanimous consent, I insert the following article that appeared in the Southtown Economist, an outstanding community newspaper in Chicago, on Sunday, April 27:

LABOR'S DAY

Members of the International Brotherhood of Electrical Workers have just won a pay boost of 25 cents an hour. Starting June 1 they will receive $3.90 an hour.

Older members of the union recall that the new hourly wage was the total daily wage about 30 years ago. Quite obviously, labor has come a long way since.

Factories now find it necessary to provide huge parking lots for the cars of their employees. Until labor came into its own, only the head of the company came to work in an automobile.

Much of the credit for labor's prosperity is due the late Henry Ford. During the days when workingmen were being paid $3 a day, Ford, without any prompting, established a minimum wage of $5 a day for his thousands of mechanics. He proved that high wages is good business, and before long other large employers adopted his philosophy.

As always, however, the so-called white collar worker has been left behind in the current trend toward fatter paychecks. He is unorganized and he has to take what is offered him, or do without.

As I read this, I could not help but marvel at the progress America has made in raising the living standards of labor in the past 50 years. To pinpoint or personalize this a bit, I wish to mention my father who has been dead 25 years. He pioneered the labor movement in Chicago in the days of Samuel Gompers. For 31 years he was an active member of the International Brotherhood of Electrical Workers, Local 9. I remember my father telling me that his first pay check from the city of Chicago was $60. I am proud of my father's contribution to the labor movement. However, I am relieved that he does not know the dangers confronting the rank and file members of organized labor today in light of the recent revelations of the Senate's Subcommittee on Labor Racketeering. The conduct of certain of the unscrupulous leaders coupled with actions exemplifying greed and avarice, most assuredly endanger and jeopardize the many benefits labor has fought for and won during the last few decades.

I have been receiving letters and other communications from my constituents urging that the unworthy labor leaders be penalized and removed from their high positions in the unions. Some letters express concern on the part of the rank and file union members and state that they are embarrassed and humiliated over the leadership in some of the unions. They state that as mere rank and file they can do nothing but look to Congress to act for them by putting across legislation which will clean up certain unions and provide machinery which will deter and prohibit dishonesty and coercion.

It is truly a precipitous period in labor's history. Congress should take positive steps to remove the threat to some of the millions of labor members whose future and economic welfare are in danger because certain leaders have not kept their faith and confidence but have badly abused and misused their office.

In such dangerous times it is essential that no legislation is enacted which is going to be detrimental to labor, so therefore, very thorough and careful consideration must be given to the needs of labor. The labor movement has contributed a great deal to America's progress, security, and economic welfare. We want to help them, not hurt them. This matter is not one in which hasty action can be taken which will prove unwise and completely detrimental to labor.

Maxwell M. Rabb, Secretary to the Cabinet

EXTENSION OF REMARKS
OF
HON. LEVERETT SALTONSTALL
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Thursday, May 1, 1958

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD two documents which testify to the extraordinarily effective job which Maxwell Rabb of Boston has done as the first secretary to the President's Cabinet. The first of these is an exchange of correspondence between the President and Mr. Rabb. The President's letter reveals the high regard which he has had for Mr. Rabb's work.

The second is a very complimentary editorial from last Saturday's Boston Herald, which makes special note of the anonymity with which Mr. Rabb has performed his duties.

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

The White House today made public the following exchange of letters between the President and the Honorable Maxwell M. Rabb, secretary to the Cabinet.

The President's letter follows:

APRIL 24, 1958.

DEAR MAX: The prospect of your departure from the White House staff in the near future is one which I accept only because I appreciate how unstintingly you have given of your time and energy to your work for more than 5 years. It has been a truly large service that you have rendered—not only to me but to the members of the Cabinet, your other associates, and the Nation. Now that personal reasons require your return to private life, I must comply with your request to terminate your duties in mid-May.

I share your belief that the strengthening of Cabinet procedures in recent years is a significant step to more efficient conduct of the business of government. As you review in years to come the many complex problems that have almost constantly engaged our attention, your awareness of the role of the Cabinet in solving them should give you a very rewarding feeling. Particularly have the guidance and stimulus that you added to the preparation of matters for Cabinet discussion helped to insure a firm foundation for the policies shaped there.

I am grateful also for your tireless devotion to the cause of better understanding of each other among the many individuals and groups comprising our Nation. Through personal example and encouragement to others, you have made a contribution which I regard as being of the highest type any person can make. In this you will, I trust, find a very real and lasting satisfaction.

A letter of resignation and its acceptance customarily has an air of finality that in this instance is unacceptable. Your willingness to be of assistance in the future is something I shall not fail to remember and put to good use.

My thanks and best wishes go to you, along with my complete confidence that the future will be full and satisfying for you and your good family.

With warm regards.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. Rabb's letter follows:

APRIL 23, 1958.

MY DEAR MR. PRESIDENT: It is with deep regret that, because of personal considerations, I must submit my resignation as secretary to the Cabinet, to be effective, if convenient to you, in mid-May.

I shall always be proud to have had the privilege of serving in the Government of the United States under your inspiring leadership. The more than 5 years that I have had the honor to be associated with you have been memorable years, filled with deep personal pleasure and satisfaction.

It has been impressive to observe at close range your quiet and effective resolution of so many challenging problems, your determination to create in this country a moral climate in which discrimination will have no part, and your affirmation of America's traditional humanitarian concern for the refugee who seeks asylum from oppression and persecution.

Particularly am I grateful, as the first secretary to the Cabinet, that there is growing national recognition of the importance of your pioneering contribution in the area of public administration where you have changed the Cabinet from what was a somewhat haphazard, inconclusive conclave into an effective, vital coordinating body.

If, from time to time in the future, I can be of assistance to you, I hope you will call upon me.

Faithfully yours,

MAXWELL M. RABB,
Secretary to the Cabinet.

[From the Boston Herald of April 26, 1958]

NEARLY ANONYMOUS

Maxwell M. Rabb has held one of the most sensitive posts in the Federal Government for half a decade. Yet he has made few headlines. His single envelope in the Herald morgue is a slim one.

This is because Mr. Rabb has wanted it that way. His job has required him to be inconspicuous. He has inherited the mantle of the anonymous assistants whom F. D. R. introduced into the Government and who have become an increasingly vital part of each succeeding administration.

Mr. Rabb's best known service has been as secretary to the Cabinet, a new post created by the Eisenhower administration for the purpose of bringing more organization and direction to Cabinet meetings. Under his expert guidance, the Cabinet has perhaps become more of an action agency than it has ever been in the past.

The secretary himself has not had Cabinet status. He has headed no great department

of Government, has made none of the ultimate decisions. But by operating in the background as an organizer, a smoother-out, a prodder, and a suggester he has helped the Cabinet to realize its highest potential as a coordinating agency.

In addition, Rabb has served as the President's principal adviser on minority affairs, working on everything from Negro integration to Hungarian refugee problems, and has been associate counsel to the President on various legal matters. And in these capacities, too, he has remained discreetly in the shadow, producing results but no publicity.

The decision of this anonymous assistant to leave public service, at least for the time being, must be a cause of genuine regret to the President and to the country. Mr. Eisenhower spoke with obvious feeling when he praised the "truly large service" which the quiet Republican from Massachusetts has performed.

The public service can use more like him.

Rhode Island Independence Day

EXTENSION OF REMARKS
OF
HON. AIME J. FORAND
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. FORAND. Mr. Speaker, again on May 4, Rhode Island will again be celebrating the anniversary of its freedom. It was 182 years ago today that the brave people of Rhode Island declared their independence from their mother country, Great Britain.

With the passage of time, many events are overlooked or failed to be recorded and personal sufferings are not related. But, these brave people endured such inequities with a strong determination and the taste of freedom in their mouths. True to the tradition of democracy the people imposed their will upon the legislators to act, and speedily, to rid themselves of the rule of a tyrannical ancestor. It was on the 4th of May 1776 that the Rhode Island Assembly adopted the resolution renouncing allegiance to the British King. This act was the initial spark of freedom that fired the Congress of the United States to take similar action 2 months later.

Rhode Islanders have always been noted for their individual initiative and independence. The people of the State have stood together when they thought their cause was just. Rhode Island was the first of the 13 colonies to declare complete independence of Great Britain, and the last to ratify the Federal Constitution, refraining until it felt that certain injustices had been corrected.

Colonial resentment found expression in a series of incidents, many of which occurred in Rhode Island. As early as 1764 Newporters climaxed a riot with crewmen of the British schooner *St. John* by firing upon the vessel with cannons. The following year a Newport mob, angered by impressment of American seamen, seized and burned the British vessel *Maidstone*. Most famous of these incidents to Rhode Islanders was the burning of the British revenue schooner *Gaspee*.

The colonial spirit of independence was the rock on which Britain's North American empire was finally wrecked. Accustomed for more than a generation to little or no taxation, and to almost complete freedom in the management of their internal affairs, the colonists were disposed to resent every British attempt to strengthen colonial administration.

As in the past Rhode Island will celebrate its Third Annual Heritage Week featuring pageants, ceremonies, and exhibits honoring our historic inheritance. The Heritage of Rhode Island is a continuing thing, a patrimony passed on from generation to generation. New honors, new accomplishments, new discoveries—all are based upon that devotion to liberty and integrity that was implicit in the founding of our State. The many industries that make Rhode Island renowned today had their beginnings in the humble crafts of our early settlers. The culture of Rhode Island is the contribution of those made welcome by this State's tradition of freedom and conscience.

Many illustrious names are woven into the fabric of Rhode Island history, from Roger Williams to the ancestors of our beloved Senator THEODORE F. GREEN. These and many more have helped to make our Nation strong and secure and have contributed to its economy and culture.

We are proud of our State.

A Bill To Get the Government Out of the Milk Business

EXTENSION OF REMARKS
OF
HON. CHARLES H. BROWN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. BROWN of Missouri. Mr. Speaker, I have today introduced a bill which I sincerely hope will be part of any omnibus farm legislation that might come before the Congress this session.

It is a dairy bill written in fact, if not in words, by the dairy farmers of southwest Missouri, after many give-and-take meetings at the grassroots last fall.

This is a bill to get the Government out of the milk business, to encourage milk producers themselves to formulate their own self-financing programs for dealing with their own problems, and to enable producers to formulate those programs, without interference from Government, processors, or distributors.

This is a dairy program of the dairy farmers, by the dairy farmers, and for the dairy farmers—a bill to restore free enterprise to the enterprisers, subject only to the public interest.

We have had some 20 years experience with Government agricultural programs, written in Washington, administered from Washington, in the name of the Federal Government. In all fairness, much has been accomplished. Farmers have learned to work together for their common good. They've seen what happens when they overproduce an economic market. They've learned the value of stabilization. But changing conditions in agriculture and controversial administrative policies in recent years have either reduced the effectiveness of the Government programs or revealed their inherent weaknesses.

Yet, when the Congress sits down to revise or update the programs, we are beset on all sides with confusing advice from divided and divergent sources. The feuding farm associations seldom, if ever, agree.

One farm group tells us to do one thing, another tells us to do another, and still another group differs with the first two. The food processors have their pet suggestions. The consumer groups want their interests provided for. The Congress becomes a referee, not a policy-making body.

And where is the farmer? He is back home milking cows, trying to make a living.

The political arena in Washington is no place to devise a sound and practical program for dairy farmers. Members of Congress are to represent the public interest—the interest of all the people. We cannot dissolve ourselves into a board of directors to formulate policies and prices for dairy producers. The dairy producers must do it themselves, outside of Washington.

Let us say to the people who produce the milk for the Nation's ever-increasing population: Milk is your business, not ours. You know more about it than the Congress, the Secretary of Agriculture, and the President of the United States. You are fully capable of handling your own business; and we want you to take full charge of your own destiny. Formulate your own programs. Determine your own prices. All we ask is that you provide us with an adequate, orderly, and stabilized flow of milk and dairy products at fair and equitable prices. Therein lies the public interest. And, just as Government has commissions to doublecheck public utility firms to make sure that they operate in the public interest at fair and reasonable rates, we are creating a Federal Milk Commission to doublecheck milk prices. It will be a quasi-judicial body, as nonpolitical as human beings can be, and certainly free of any obligation to pursue any particular political philosophy of any political party in power.

With these tools, and within this framework, the Congress will be saying to milk producers—write your own program. Put your own price tags on your products, and prove to the Federal Milk Commission that your prices are fair and equitable. Go to it with the blessings and good wishes of the Congress of the United States.

Mr. Speaker, this is what the milk producers of southwest Missouri—speaking through me, their elected Representative—are trying to say in this dairy bill.

We ask the Congress to do these things:

First. Divest the Secretary of Agriculture of any legislative authority to fix prices on milk and dairy products.

Second. Direct the Secretary of Agriculture to hold a national referendum whereby bona fide dairy producers vote on whether or not they want to get together in regional conventions, and subsequently a national convention, to formulate their own programs.

Third. Provide the means by which bona fide dairy producers can elect their own delegates to such conventions and formulate their own programs.

Fourth. Authorize dairy producers, through their own duly elected officials, to impose upon themselves any stabilization fees or assessments or quotas they vote on themselves to assure the success of any program they might devise.

Fifth. Assure them that any accumulated surpluses in the Commodity Credit Corporation will not be dumped on the domestic market to jeopardize the success of their new programs.

Sixth. Loan them enough working capital, during the first 2 years of operation only, to give them a running chance at success.

Seventh. Create a Federal Milk Commission to review any price schedules established by the elected officials of the dairy producers to make sure that such prices are fair and equitable, based on cost of production plus reasonable profit.

The Federal Government, under this bill, is not asked to purchase any temporary surplus production of milk and dairy products. The dairy producers want to handle it themselves. Let us give them a chance to do it.

There is no parity price support program in this bill. Dairy producers feel that they can devise better methods of computing fair and equitable prices. Let us give them a chance to try it.

There is no Government price fixing in this bill. Dairy producers are fed up with having their prices fixed in Washington by the Secretary of Agriculture. They think they will be happier and better off if they determine their own prices, and submit them to a Federal Milk Commission for approval. Let us give them a chance to try it.

This is Government's chance to get out of the milk business; and, if Government inventories of dried milk and butter are the expensive and aggravating problem that the Secretary of Agriculture says they are, we should jump at the chance to give dairy producers the chance they deserve to formulate their own programs, without Government dictation or interference, except in the legitimate public interest.

Mr. Speaker, I ask the Congress to read this bill. It is simple. It is based on historic principles of self-determination by democratic processes. It is a foundation upon which can be built a new, sound, and workable program for 1½ million disillusioned people—the dairy producers of America. I urge each Member to give the bill, its purposes, and its methods thoughtful consideration.

The language of the bill is as follows:

A bill to divest the Secretary of Agriculture of any legislative authority to fix prices on milk and dairy products; to direct the Secretary of Agriculture to call a National Dairy Producers' Constitutional Convention whereby bona fide dairy producers may formulate their own self-financing programs for stabilizing milk prices at fair and equitable levels; and to create a regulatory commission to protect the public interest in the production and marketing of milk

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the "Milk and Dairy Products Act of 1958."

DEFINITIONS

SEC. 2. For the purpose of this act, the term—

(1) "Dairy producer" means a person or corporation who produces milk in a State and makes sales of such milk throughout the year which are sales in interstate or foreign commerce or which directly burden, obstruct, or affect interstate or foreign commerce.

(2) "Milk products" means cheese, butter, and nonfat dry milk.

(3) "Secretary" means the Secretary of Agriculture.

(4) "Commission" means the Federal Milk Commission established by section 9.

NATIONAL REFERENDUM

SEC. 3. (a) The Secretary shall arrange for a referendum in which bona fide dairy producers shall (1) vote on whether they favor or oppose the holding of a national convention of dairy producers as authorized in this act, and (2) vote to determine which of the individuals who have been proposed for consideration as provided in subsection (d) are to be delegates to the regional conventions held preliminary to the national convention. Each county in the United States shall have at least one polling place for the referendum.

(b) Each dairy producer shall be entitled to one vote in the referendum conducted under this section.

(c) There shall be 1 delegate to the regional convention for each 500 dairy producers in a county, except that in any event each county where there are more than 50 dairy producers shall have 1 delegate.

(d) To be eligible for consideration as a delegate to a regional convention a person must be a bona fide dairy producer and must be proposed for consideration by a petition to the Secretary signed by at least 50 dairy producers or by at least one-third of the dairy producers in a county in the case of counties in which there are fewer than 100 dairy producers.

REGIONAL CONVENTIONS

SEC. 4. (a) The Secretary shall divide the United States into 15 regions, each of which shall have approximately equal milk productions. The Secretary shall provide for holding a regional convention in each such region. He shall provide that at each such convention the delegates shall—

(1) divide into committees and study groups to formulate resolutions for consideration at the national convention;

(2) adopt such resolutions as they desire to propose before the national convention; and

(3) elect, from among their number, 15 persons to be delegates to the national convention.

(b) The Secretary shall pay the compensation, in accordance with the Classification Act of 1949, of such attorneys, accountants, and other experts as he determines may be necessary at each regional convention. Each delegate to a regional convention shall receive compensation at the rate of $12 per diem for each day they serve at the regional convention and each such delegate shall receive his travel and subsistence pay in conformity with the Standardized Government Travel Regulations.

NATIONAL CONVENTION

SEC. 5. (a) The Secretary shall provide for holding a national convention in the city of Chicago, Ill. The delegates at such convention shall be the persons elected at the regional conventions pursuant to section 4.

(b) At the national convention the delegates shall—

(1) study the various problems confronting the dairy industry in the United States,

(2) formulate and adopt a constitution whereby dairy producers shall elect their own officials and operate their own self-financing stabilization programs to provide the Nation with an adequate, balanced, and orderly flow of milk and dairy products at fair, equitable, and stabilized prices.

(c) The constitution and the program formulated at the national convention shall be submitted to a referendum of dairy producers who voted in the referendum conducted under section 3. If, in such referendum, a majority of the dairy producers voting indicates that they wish the constitution and the program to become effective, such constitution and such program shall become effective.

(d) The Secretary shall pay the compensation, in accordance with the Classification Act of 1949, of such attorneys, accountants, and other experts as he determines may be necessary at the national convention. Each delegate to the national convention shall receive compensation at the rate of $12 per diem for each day they serve at the national convention and each such delegate shall receive his travel and subsistence pay in conformity with the standardized Government travel regulations.

AUTHORITY OF DAIRY PRODUCERS

SEC. 6. (a) If, in carrying out any program which has become effective under section 5, it shall be necessary for dairy producers through their duly elected officials to have authority to impose on all producers marketing assessments or fees for the purpose of enabling the producers to stabilize prices of milk and milk products, such fees or assessments are hereby authorized and shall be deducted by milk handlers from payments made to the dairy producers.

(b) No program shall become effective which provides for marketing allotments or controls unless and until the terms and conditions of such allotments or controls are explicitly approved by a majority of dairy producers in a national referendum.

COMMODITY CREDIT CORPORATION

SEC. 7. (a) While a program adopted under this act is in effect, the Commodity Credit Corporation, notwithstanding section 201 of the Agricultural Act of 1949, may not support the price of whole milk, butterfat, or the products of such commodities.

(b) During each of the first 2 fiscal years in which a program adopted under this act is in effect, the Commodity Credit Corporation shall loan to the dairy producers such sums, not in excess of $200 million in each year, as the elected officials of the dairy producers estimate will be needed for working capital. The sums so loaned shall be repaid, with interest at a rate to be determined by the Secretary of Agriculture but not less than the cost of money to the Commodity Credit Corporation for a comparable period.

(c) During the time a program adopted under this act is in effect, the Commodity Credit Corporation, notwithstanding section 407 of the Agricultural Act of 1949, may not sell any milk products in its stocks within the United States.

LAWFUL PRICES

SEC. 8. In the event a program adopted under this act provides for establishing price levels paid to dairy producers for their milk, the prices shall be considered lawful if they do not exceed levels which will result in an adequate, balanced, and orderly flow of milk and milk products to the market at fair, equitable, and stabilized prices, determined as provided in section 12.

FEDERAL MILK COMMISSION

SEC. 9. (a) There is hereby established as an independent agency in the executive branch of the Government an agency to be known as the Federal Milk Commission which shall be composed of five members appointed by the President, by and with the advice and consent of the Senate. The President shall designate one of the members to act as chairman. Not more than three members of the Commission shall be members of the same political party.

(b) The terms of office of members of the Commission shall be 5 years, except that—

(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

(2) the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, one at the end of 1 year, one at the end of 2 years, one at the end of 3 years, and one at the end of 4 years, after the date of their appointment.

Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(c) Each member of the Commission (other than the chairman) shall receive compensation at the rate of $20,000 per annum; and the chairman shall receive compensation at the rate of $20,500 per annum.

(d) The principal office of the Commission shall be in the District of Columbia, but the Commission or any duly authorized representative may exercise any or all of its powers in any place. The Commission shall hold such meetings, conduct such hearings, and receive such reports as may be necessary to enable it to carry out the provisions of this act. Three members of the Commission shall constitute a quorum thereof.

(e) The Commission shall have authority, subject to the provisions of the civil-service laws and the Classification Act of 1949, to appoint and fix the compensation of such officers and employees as are necessary in the exercise of its functions.

PRICE SCHEDULES

SEC. 10. (a) Under such rules and regulations as the Commission shall prescribe, the elected officials of the dairy producers shall file with the Commission, within such time and in such form as the Commission may designate, and shall keep open for public inspection, schedules showing the lawful prices at which milk and milk products are to be established under the program adopted under this act.

(b) Unless the Commission otherwise orders, no change shall be made by the dairy producers in the level at which the price of milk or any milk product is to be established, except after 30 days' notice to the Commission and to the public. Such notice shall be given by filing with the Commission and keeping open for public inspection new schedules plainly stating such new prices. The Commission, for good cause shown, may allow such changes to take effect without requiring the 30 days' notice herein provided for by an order specifying the changes to be made and the time when they shall take effect.

(c) Whenever any such schedules of new prices is filed, the Commission shall have authority, without formal pleading, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such prices; and, pending such hearing and decision thereon, the Commission may suspend, but not for a longer period than 5 months beyond the time when the new schedule would otherwise go into effect; and after full hearings, either completed before or after the new price has gone into effect, the Commission may make such orders with reference thereto as would be proper in a proceeding initiated after it had become effective.

(d) At any hearing involving an increase in prices, the burden of proof to show that the higher prices are not unlawful shall be upon the elected officials of the dairy producers.

UNLAWFUL PRICES

SEC. 11. Whenever the Commission, after a hearing had upon its own motion, finds that the price therefore established and in effect is unlawful, the Commission shall determine the highest level of price which would be lawful and shall establish the same by order.

DETERMINATION OF LAWFUL PRICES

SEC. 12. (a) In determining whether a price is lawful, the Commission shall ascertain the price which will return the cost-of-production, determined as provided in subsection (b), plus a reasonable profit.

(b) The cost of production shall be determined on the basis of an audited cost-accounting survey of the actual production costs of at least 100 dairy herds in each region established by the Secretary under section 4, selected according to accepted statistical methods to represent a reasonably adequate sample of class I and non-class I producers. In determining such costs—

(1) all costs of production on the farm shall be considered which are properly assignable to milk production;

(2) farm-grown feed shall be assigned a cost of not less than 85 percent of the wholesale market price of such feed in the area; and

(3) hired and family labor shall be assigned a cost computed on the basis of wage rates for comparable work in milk manufacturing and processing plants in the area.

(c) The reasonable profit referred to in subsection (a) shall be a return to dairy producers on invested capital equal to the average return on the net worth earned by milk manufacturers and handlers during the preceding fiscal year.

(d) The Commission is further authorized to make audited cost-accounting surveys of production costs experienced by colleges and universities in handling test herds in each of the regions established by the Secretary under section 4, such surveys to make due allowances for per-cow production of test herds compared to national per-cow production averages.

INVESTIGATIONS BY COMMISSION

SEC. 13. (a) The Commission may investigate any facts, conditions, practices, or matters which it may find necessary or proper in order to enable it to carry out its duties under this act.

(b) For the purpose of any investigation or any other proceeding under this act, any member of the Commission, or any officer designated by it, is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records which the Commission finds relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or at any designated place of hearing. Witnesses summoned by the Commission to appear before it shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(c) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, contracts, agreements, and other records. Such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found or may be doing business. Any person who willfully shall fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records, if in his or its power so to do, in obedience to the subpena of the Commission, shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than $1,000 or to imprisonment for a term of not more than 1 year, or both.

(d) The testimony of any witness may be taken at the instance of a party, in any proceeding or investigation pending before the Commission, by deposition at any time after the proceeding is at issue. The Commission may also order testimony to be taken by deposition in any proceeding or investigation. Such depositions may be taken before any person authorized to administer oaths not being of counsel or attorney to either of the parties, nor interested in the proceeding or investigation. Any person may be compelled to appear and depose, and to produce documentary evidence, in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the Commission, as hereinbefore provided. Such testimony shall be reduced to writing by the person taking deposition, or under his direction, and shall, after it has been reduced to writing, be subscribed by the deponent.

(e) Witnesses whose depositions are taken as authorized by this act, and the person or officer taking the same, shall be entitled to the same fees as are paid for like services in the courts of the United States.

RULES OF PROCEDURE

SEC. 14. All hearings, investigations, and proceedings under this act shall be governed by rules of practice and procedure to be adopted by the Commission, and in the conduct thereof the technical rules of evidence need not be applied. No informality in any hearing, investigation, or proceeding or in the manner of taking testimony shall invalidate any order, decision, rule, or regulation issued under the authority of this act.

JUDICIAL REVIEW

SEC. 15. Any person affected by an order issued by the Commission in a proceeding under this act may obtain a review of such order in the United States Court of Appeals for the District of Columbia by filing in such court, within 60 days after the order of the Commission, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon any member of the Commission and thereupon the Commission shall certify and file with the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, or set aside such order in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission in the application for rehearing unless there is reasonable ground for failure so to do. The finding of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If any party shall apply to the court for leave to adduce addi-

tional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceedings before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts by reason of the additional evidence so taken, and it shall file with the court such modified or new findings, which if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, modifying, or setting aside, in whole or in part, any such order of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of the United States Code, as amended (U. S. C., title 28, secs. 346 and 347).

SEC. 16. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act, not to exceed $5,000,000.

Minshall Opinion Poll

EXTENSION OF REMARKS
OF
HON. WILLIAM E. MINSHALL
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. MINSHALL. Mr. Speaker, early in April, it was my privilege to mail an opinion poll to the voters of Ohio's 23d District. This is the fourth year that I have polled this suburban area of Cleveland on the vital issues before the Congress and each time the response has been excellent. A tremendous voter interest was shown as over 16,000 returned the questionnaire which present some of the questions of current interest before the 2d session of the 85th Congress.

In addition to completing the questionnaire, over 5,000 people also sent in additional letters and comments amplifying their views on the various issues. I am pleased with this response for it shows the great interest which the residents of this Congressional District have in their Government.

Following are the results of the poll with an accompanying newsletter which were mailed to all voters receiving the questionnaire:

CONGRESSIONAL BRIEFS

April traditionally marks the midway point of a Congressional session. This time last year only two major pieces of legislation had been passed, the President's Mid-East doctrine, and the annual extension of corporation and excise taxes. Acting at a faster, election year tempo, this session's accomplishments include passage of a $1.9 billion housing bill, a highway-construction measure, and a pay raise for military personnel. In conference between the House and Senate is the postal pay raise and postal rate increase bill. Action is yet to come on foreign aid, extension of Reciprocal Trade Act, statehood for Alaska and Hawaii, pay increase for classified employees, and numerous other measures. About half of this session's appropriation bills, which usually are about 20 in number, have already passed the House. Six of these have also passed the Senate, and four have been signed into law. The President's much discussed Defense Department reorganization bill is presently being heard by the Armed Services Committee and is in for some rough sledding, but will be passed with modifications. One thing is certain and that is: Politics will be the keynote during the remainder of the 2d session of the 85th Congress. With the Democrats in control of the Congress and the Republicans in the White House, no holds will be barred.

RECESSION

I reported in my January newsletter that we could meet today's challenges quickly and wisely without being foolhardy in our appropriations. The recent mail load also indicates that many share that opinion, and that there is no need for us to go hog wild in our spending. Leading economists have just recently reported that our economic tailspin seems to have leveled off, and although the outlook is much rosier, you can be sure that if things are not what they should be by the end of June, Congress will take definite action, most likely in the form of tax relief.

HAVE PASSPORT, WILL TRAVEL

All indications are that 1958 will be one of the biggest travel years on record, and the rush will start in earnest in June, so if you are thinking of traveling abroad this summer, be sure to apply for your passport in plenty of time. The new look—if you wish, you can now have your passport picture made in color, and you can smile without violating the regulations.

DID YOU KNOW?

It's only peanuts. We spent only about $3½ million for research development and procurement in connection with our missile program from 1945 to 1952. During the same period $116 million was spent by the Government in supporting the price of peanuts. Weather note: Usually mild Washington had over 40 inches of snow during the past winter—nearly 10 inches more than fell in Cleveland.

MINSHALL OPINION POLL

Returns to my most recent questionnaire arrived back in this office by the mailsackful. This is the fourth such poll I have sent out, and again the results were most gratifying. Nearly 16,000 were returned, and an unusually high percentage of people also sent additional letters and comments. The percentage of return is much higher than in other Congressional Districts conducting similar polls. I am highly pleased with this response for it shows the great interest that residents of the 23d District have in their Government. It is regretted that staff limitations will not permit an individual reply, but you can be sure that all answers were read and much appreciated. Thank you for your many generous comments and your wonderful cooperation.

It is interesting to note that answers to questions we asked again this year showed very little change in thinking. For example, in comparison to the 1957 poll, a very slight difference is noted between Federal aid for school construction, the air raid shelter program, and foreign trade. There was, however, a 12 percent shift in favor of foreign aid.

I shall continue to thus sample the opinions of my constituents from time to time for I feel there is no better way to find out what the majority of people are thinking, and of course having the benefit of your views is invaluable to me in representing you in the Congress of the United States.

The results of the 1958 opinion poll follow:

	Percent		
	Yes	No	No opinion
1. Do you approve of the proposal to put pay TV on a trial basis?	23	67	10
2. Do you favor a protective tariff or quota on imports of foreign goods which compete with our own business?	62	31	7
3. Do you believe we should continue our foreign aid program which calls for the expenditure of $3,900,000,000 in military and economic aid to our allies in free countries during the next fiscal year?	50	45	5
4. Are you in favor of removing the Federal Government's present regulatory control over prices which producers can charge for natural gas?	26	65	9
5. Do you feel a need exists for some form of Federal assistance to encourage scientific education?	52	41	7
6. Would you favor a $20,000,000,000 national air-raid shelter construction program?	16	72	12
7. Do you favor increasing social security benefits with corresponding increases in individual and employer contributions?	52	39	9
8. Would you favor furnishing nuclear weapons to our NATO allies in Western Europe?	49	37	14
9. In an effort to meet the national economic situation, please indicate which of the following Federal actions you think should receive prior attention:			
1st choice: Accelerate our present public works program (highways, public buildings, etc.).			
2d choice: Income tax reductions.			
3d choice: Increase our housing program.			
4th choice: Reduce credit restrictions.			
5th choice: Initiate a massive public-works program.			
6th choice: No Federal Government action required.			
10. Do you favor Federal aid for local school construction?	45	51	4

For a Free Poland

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. DAGUE. Mr. Speaker, no American who prides himself on his dedication to the patriotism embodied in our Declaration of Independence can remain insensible to the high principles contained in the Polish Constitution as enacted in 1791. For 167 years free people everywhere have paused to pay their tribute to those staunch patriots whose action is commemorated each year on May 3 as Poland's Constitution Day.

The brutal arrogance with which the Communist dictators have undertaken to trample underfoot the rights of this free people has met with unwavering resistance from within the Polish Republic as well as the strongest condemnation from without. And the belligerent attitude of the masters in the Kremlin toward any movement to slacken the chains on this

gallant people has shown how utterly insincere is their protestation that they stand for peace.

Happily, there are increasing signs that Poland is moving forward step-by-step to the realization of her rights as a sovereign state and it is most gratifying that the United States has shown a readiness to assist such movements. In addition we shall continue to make available substantial evidences of our concern for Polish economic stability and the right to work out their destiny without interference from neighboring aggressors.

Alexander Hamilton Bicentennial Commission

EXTENSION OF REMARKS
OF

HON. B. CARROLL REECE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1958

Mr. REECE of Tennessee. Mr. Speaker, on yesterday Senator KARL MUNDT, Chairman of the Alexander Hamilton Bicentennial Commission, submitteed the final report of the Commission. I feel Senator MUNDT's introductory statement and a part of the report should appear in the RECORD as follows:

INTRODUCTION

There is no question but that the program of the Alexander Hamilton Bicentennial Commission was a success. Quietly and without undo fanfare it succeeded in its prime objective—making the achievements and great contributions of Alexander Hamilton better and more favorably known to all America and at the same time bringing about, in some measure, a reawakening of American belief in and understanding of the sound principles upon which our Nation was established.

From the outset the Commission sought to achieve its aim through lasting accomplishments—the stimulation and publication of new books on Hamilton and his times, the editing and publication of a truly definitive edition of Hamilton's papers and through more complete understanding of Hamilton and the formative period of the Nation in the schools and colleges. As the Commission's report shows, these hopes were turned into realities.

Because of its small staff and limited funds it was clear from the beginning that that Commission's function must be to plan and to stimulate others to carry out the plans. As a result of this decision, successful efforts were made to enlist the active support of men and women in many fields, of whom a considerable number served as members of the Commission's several advisory committees.

The Commission takes special pride in several of its accomplishments. It brought about the publication and subsequent widespread distribution of the Basic Ideas of Alexander Hamilton, edited by Dr. Richard B. Morris of Columbia University and published by Pocket Books, Inc. This 451-page volume, selling at 35 cents, for the first time made available a wide selection of Hamilton's writings at a price within the reach of all Americans.

Establishment of the Commission, without question, had much to do with the decision of the Rockefeller Foundation and Time, Inc., to provide funds for Columbia University to undertake the editing for publication of a definitive edition of Hamilton's papers, a work now in progress. The Commission cooperated in this work to the greatest possible extent, its "Treasure Trove" search for Hamiltonia bringing to light many documents vital to the work.

Another achievement for which the Commission takes modest credit was its Alexander Hamilton Exhibition which was set up, with the cooperation of the Treasury Department, in the Treasury Building in Washington. This exhibition which contained the finest and largest collection of Hamiltonia ever assembled was viewed by more than 70,000 visitors. The Commission is deeply grateful to the many individuals and institutions whose loans of material made the exhibition possible.

The Commission is pleased to report that in spite of the fact that the total of $200,000 it received in appropriated funds during its lifetime was less than was needed to do a complete job that it nevertheless was able to return to the Treasury a part of this sum, even though small, in keeping with its determination to conduct the Hamilton Bicentennial on a strict economy basis as Hamilton would have wished.

It is fair to point out that the Government of the United States actually profited substantially because of the Commission. The Post Office Department has estimated that it earned a net profit of upwards of $800,000 through sales to collectors of the highly successful Alexander Hamilton Bicentennial commemorative 3-cent stamp, sales for which no postal service was rendered. This net profit accrued to the general fund of the Treasury.

The Commission's scholarship program in which more than 200,000 high-school students actively participated did much to refocus attention on Hamilton and his era, the formative period of the Nation. Added to this were the many lectures in colleges on Hamilton and his times inspired by the Commission's activities and the added emphasis given the man and the period in countless courses of instruction.

Special thanks on the part of the Commission are due the Government agencies which cooperated in making the bicentennial year a success, especially to the Department of State, the Treasury Department, the Department of Defense, the Department of the Interior and the United States Information Agency. The Commission also expresses its appreciation for the cooperation of the many governors, mayors, and other public officials who gave assistance to the program and to the thousands of individuals and organizations who took part.

It is the belief of many Americans that a permanent memorial to the work of Alexander Hamilton should be erected in the National Capital. In support of this belief the executive committee of the Alexander Hamilton Bicentennial Commission at its final meeting in Washington on April 24, 1958, adopted unanimously a resolution recommending such a proposal to the Congress. The resolution read:

"*Resolved*, That the Alexander Hamilton Bicentennial Commission recommend to the Congress the design and erection in the District of Columbia of a suitable memorial to the work of Alexander Hamilton in the founding of the United States, the memorial to be in keeping with the weight and measure of his accomplishments, for these reasons among others, that—

"1. No man did more to establish the United States than did Alexander Hamilton in bringing on the Constitutional Convention, in perfecting the Constitution of the United States through clarifying the problem, in obtaining ratification of the Constitution, and in establishing the Federal Government thereunder—and that without Hamilton, had the United States been formed at all, the Union formed would have been considerably different from what it is and might well have fallen apart for the lack of adequate strength in the Federal Government;

"2. The Federalist, by Hamilton, with help from Madison and Jay, is the greatest commentary on the Constitution and its underlying principles, a commentary that articulated and balanced the American political system so well that it became the basis of constitutional interpretation by the Supreme Court for the first century and a half of the Republic;

"3. A fitting physical memorial to the work of this great man would establish a strong and enduring link between the beginning of this Nation and its institutions and its posterity."

I could not bring this personal statement to a close without expressing my warm appreciation to my fellow Commissioners for their contributions toward making the bicentennial a success and to the members of the Commission's staff who worked tirelessly to the same end.

KARL E. MUNDT,
Chairman, United States Senator from South Dakota.

The Alexander Hamilton Bicentennial Commission was established by Senate Joint Resolution 140, passed by the 83d Congress and approved by President Eisenhower on August 20, 1954, as Public Law 601, chapter 770.

The joint resolution, as adopted, read as follows:

"*Resolved, etc.*, That there is hereby established a commission to be known as the "Alexander Hamilton Bicentennial Commission" (hereinafter referred to as the "Commission") which shall be composed of 19 Commissioners as follows: The President of the United States, the President of the Senate, and the Speaker of the House of Representatives, all ex officio; and eight persons to be appointed by the President of the United States, four Senators to be appointed by the President of the Senate, and four Representatives to be appointed by the Speaker of the House of Representatives.

"SEC. 2. It shall be the duty of the Commission to prepare plans and a program for signalizing the 200th anniversary of the birth of Alexander Hamilton. In preparing such plans and program the Commission shall give due consideration to any plan or plans which may be submitted to it, and to take such steps as may be necessary to coordinate and correlate its plans with those prepared by State or civic bodies. If the participation of other nations in the commemoration is deemed advisable, the Commission may communicate to that end with the governments of such nations.

"SEC. 3. The Commission shall select a Chairman and a Vice Chairman from among its members, and may employ, without regard to the civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

"SEC. 4. The Commissioners shall serve without compensation, but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission.

"SEC. 5. When the Commission has approved a plan of celebration it shall submit it, insofar as it relates to the fine arts, to the Commission of Fine Arts for its approval.

"SEC. 6. The Commission shall, on or before March 1, 1955 make a report to the Congress in order that further enabling legislation may be enacted.

"SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

"SEC. 8. The Commission shall expire upon the completion of its duties, but in no event later than January 11, 1958."

In its report to the Senate, filed with the joint resolution, the Senate Judiciary Committee said in part:

"Alexander Hamilton was born on the island of Nevis in the British West Indies on January 11, 1757. It was in the American Revolution that Alexander Hamilton stood with Washington and Franklin in developing the basis of what is today our great Federal Republic. Hamilton was the fertile mind and organizing genius of President Washington's administrations. For this great work he has been described as the architect of the American Union. Hamilton represented the conservative mind in its most brilliant and useful form. His devotion to the free press, to free speech, and to the institutions of free men is too little appreciated. The finest monument that could be erected to Hamilton would be an adequate edition of his writings. Such an edition would not be merely a monument to Hamilton—it would be a genuine and enduring contribution to the Nation which he labored so ardently to create. The committee is of the opinion that the works of Hamilton would be particularly appropriate in this era of world history, when many countries throughout the world are struggling with the problem of self-government or trying to find a proper formula to use in adopting for themselves the self-government best suited to their environment, capabilities and abilities, and the making available to those people the complete works of Alexander Hamilton will serve not only this Republic, but the world. The committee believes that this resolution is meritorious and therefore recommends favorable consideration of Senate Joint Resolution 140."

Pursuant to the law the Speaker of the House of Representatives, on August 21, 1954, appointed the following Representatives as members of the Commission:

Hon. FREDERIC R. COUDERT, Jr., of New York.

Hon. THOMAS E. MARTIN, of Iowa.

Hon. PETER W. RODINO, Jr., of New Jersey.

Hon. JOHN J. ROONEY, of New York.

Mr. MARTIN was elected to the United States Senate in the November 1954 election. The Honorable CARROLL REECE, of Tennessee, was named to replace him by the Speaker of the House of Representatives early in the first session of the 84th Congress.

The President of the Senate, on November 17, 1954, appointed the following Senators to be members of the Commission:

Hon. HARRY FLOOD BYRD, of Virginia.

Hon. THOMAS C. HENNINGS, of Missouri.

Hon. IRVING M. IVES, of New York.

Hon. KARL E. MUNDT, of South Dakota.

The President of the United States, on January 11, 1955, the 198th anniversary of Hamilton's birth, appointed the following persons as members of the Commission:

Lt. Gen. Milton G. Baker, of Pennsylvania.

Edward R. Burke, of Maryland.

Mrs. Marie Brown Coffin, of the District of Columbia.

George M. Humphrey, Secretary of the Treasury.

Laurens M. Hamilton, of Virginia.

John A. Krout, of New York.

Clark Haynes Minor, of New York.

Mrs. Robert P. Patterson, of New York.

On February 1, 1955, at the call of the Secretary of the Treasury, the Alexander Hamilton Bicentennial Commission met in the Secretary's office in the main Treasury Building in Washington for the purpose of organization. Senator KARL E. MUNDT was elected Chairman, and Representative FREDERIC R. COUDERT, Jr., was elected Vice Chairman pursuant to the terms of the law. Mr. W. Randolph Burgess, Under Secretary of the Treasury, was named Secretary of the Commission, and Mr. Robert A. Dillon, of the Treasury Department, was named Assistant Secretary.

An executive committee of five members was established, consisting of the chairman, the vice chairman, and three to be appointed by the chairman. Mr. Burgess was made an ex officio member. The chairman named Mr. Burke, Mr. Hamilton and Representative Rooney to serve with him and the vice chairman of this committee.

The executive committee of the Commission met on February 7, 1955, in the office of Senator MUNDT and appointed J. Harvie Williams, of the District of Columbia, Director of the Commission, and Dr. Frank Monaghan, also of the District of Columbia, historian of the Commission. They were directed to prepare a report for the Commission on plans and a program for signalizing the bicentennial of Alexander Hamilton in the year starting January 11, 1957, in accordance with the law creating the Commission.

The next few months were devoted to developing and outlining a program for the year-long bicentenary. On September 12, 1955, the Commission formally recommended to the Congress that the 200th anniversary of the birth of Alexander Hamilton be signalized as follows:

A. By memorial meetings and exercises throughout the year 1957, beginning on January 11:

1. A joint session of the Congress.

2. Proclamations by governors and joint sessions of State legislatures.

3. Appropriate public ceremonies in cities and communities especially concerned with the public achievements of Alexander Hamilton and with the important events of his life in the struggle for the establishment of the Republic.

4. Appropriate ceremonies on the anniversaries of particular events such as the Battle of Yorktown; the Annapolis Convention; the Constitutional Convention at Philadelphia; the New York Convention at Poughkeepsie; appointment as Secretary of the Treasury; his reports on the mint on manufacturers, and on the establishment of a Bank of the United States; the Whisky Rebellion; appointment as major general of the Army; the duel with Burr, etc.

B. By publications:

1. An authoritative and comprehensive edition of Hamilton's papers.

2. Stimulate the reissues by publishers of out-of-print works on Hamilton and his contemporaries.

3. Encourage the publication by established publishing houses of a popular biography of Hamilton and of a volume of selected Hamilton writings. These two volumes should be designed for widest possible distribution—both for libraries and schools, and for the general public in a less expensive pocketbook edition.

4. Preparation and stimulation of special articles in historical journals, popular magazines, etc.

C. By activities in the field of education and public affairs:

1. The institution of a national essay contest in the schools, colleges, and universities of the Nation.

2. Oratorical contests in educational institutions and elsewhere.

3. Encourage the adoption of Hamilton as a special topic for nationally established discussion groups.

4. Special lectures on Hamilton and his times in colleges and universities having endowments or available facilities for such lectures.

D. By commemorative exhibitions of Hamilton portraits, manuscrips, documents, and other memorabilia, at the Library of Congress, the National Archives, the Treasury of the United States, public art galleries, museums, public libraries, and elsewhere.

E. By special exhibits and displays under the auspices of local historical societies and other historical, learned, civic, and patriotic societies, and professional and business associations.

F. By stamps and coins: Appropriate special coins, stamps, medals, etc., should be issued on January 11, 1957, and the appropriate other occasions in connection with the Hamilton bicentennial.

This program was in accord with the Commission's decision to devote its efforts to the stimulating of many activities by others, rather than to undertake directly their organization. This policy served to economize funds appropriated by the Congress and was in keeping with the well-known views of Alexander Hamilton.

It is gratifying to report that with few exceptions the Commission's objectives were achieved, as explained elsewhere in this report.

The Commission's small staff worked steadily and effectively to perfect plans for the bicentennial celebration, in close cooperation with the Commission's executive committee.

Advisory committees, 17 in all, were set up to aid the Commission in the many fields in which activities were planned. These advisory committees were: Armed Forces and Coast Guard; Banking and Finance; Commerce and Industry; Constitution and Law; Contests and Awards; Education; Exhibits and Displays; Historians; Libraries and Museums; Medicine and Public Health; Patriotic Societies; Political Economy; Public Relations; Rhetoric and Public Address; Special Events, Symbols, Medals, Stamps, and Coins; and Veterans Organizations. Leaders in the many fields accepted membership on these advisory committees. A full list of committee members will be found at the end of this section of the report.

In addition, the Commission established a special Committee on Birthplace and Boyhood Home, headed by Commissioner Laurens M. Hamilton, to coordinate bicentennial observances in the Leeward and the Virgin Islands. Other members of this committee were Richard Parkhurst, president, Mystic Terminal Co., Boston, Mass.; Hon. Fred A. Seaton, Secretary of the Interior, and Hon. Walter A. Gordon, Governor of the Virgin Islands, both members ex-officio; Capt. Henry Balsley, USN retired, St. Thomas, V. I.; Mrs. Douglas Armstrong, St. Croix, V. I.; J. Robertson Ward, Antigua, British West Indies; Dorr E. Newton, St. Croix, V. I.; Cyrus F. Judson, Jr., Alcoa Steamship Co., New York, N. Y., (deceased); Mrs. Cyrus F. Judson, Jr., New York, N. Y.; Mrs. Lee Karwick, Caribbean Tourist Association, New York, N. Y.; and Erwin Balluder, Pan American World Airways, New York, N. Y.

One of the first tasks of the Commission staff was to enlist the cooperation of national, State, and local organizations in many fields to assure widespread participation in the bicentennial celebration. Because of the highly economical basis on which the Commission was operated throughout its lifetime, the efforts of its staff were directed toward the stimulation of activities by others rather than actually organizing and sponsoring them itself.

As a result of this necessary policy the Commission was never able to keep an accurate check on the many and varied types of Hamilton observances conducted throughout the United States. However, enough information was obtained to indicate clearly that Hamilton observances, in one form or another, were held in hundreds of communities from coast to coast; that many magazines and newspapers carried special articles on Hamilton and the bicentennial observance; that there were a substantial number of television and radio programs having to do with Hamilton; and that thousands of public schools and several hundred colleges and universities gave special attention to the bicentennial. In addition, exhibitions of Hamiltonia and Americana of the

Hamilton period were held in many cities and communities throughout the United States under the auspices of local groups.

A substantial number of these historical exhibitions were stimulated by the Commission through the American Association for State and Local History and the Manuscript Society. These 2 organizations, numbering upward of 3,700 historical societies, museums, libraries, and private collectors of historical material, were among the first to pledge support to the Commission. Each of them set up a special committee to cooperate in the bicentennial.

Columbia University, the successor to Kings College, Hamilton's alma mater, quite naturally took a leading part in bicentennial observances throughout the year. The Association of the Alumni of Columbia College named a special Alexander Hamilton Bicentennial Committee headed by James Madison Blackwell, New York attorney. This committee planned and carried through arrangements for the 11th annual Hamilton dinner held on May 1, 1957. At this dinner Dr. Grayson Kirk, president of the university, received Columbia's Alexander Hamilton Medal for Distinguished Service.

In addition to Mr. Blackwell, the special committee included Elliott V. Bell, Douglas M. Black, Benjamin J. Buttenweiser, Bennett Cerf, Clifton Fadiman, Oscar Hammerstein 2d, Roscoe C. Ingalls, John A. Krout, Ward Melville, Edmund A. Prentis, Arthur Hays Sulzberger, William T. Taylor, and Richmond B. Williams.

Through correspondence and personal visits, the Commission enlisted the support of many National, State, and local organizations in varied fields. Cooperation with the Commission was pledged by such outstanding groups as the American Bankers Association, the American Bar Association, the American Medical Association, the American Dental Association, American Historical Society, Manuscript Society, National Education Association, the League of Business and Professional Women, the American Society for State and Local History, the American Legion, and Veterans of Foreign Wars.

Among others are American Booksellers Association, American Farm Bureau Federation, American Hotel Association, American Institute of Architects, American Library Association, American Municipal Association, American Pharmaceutical Association, American Political Science Association, American Association of University Professors, Boy Scouts of America, the Council of Bishops of the Methodist Church, Kiwanis International, League of Women Voters, Loyal Order of Moose, National Association and Council of Business Schools, National Council of Farmer Cooperatives, National Savings and Loan League, and Rotary International.

Others included the Daughters of the American Revolution, the Society of the Cincinnati, the Sons of the Revolution, the Sons of the American Revolution, the National Federation of Republican Women, the National Newman Club Federation, the American Legion Auxiliary, the National 40 and 8, the Chicago Coin Club, and the Milwaukee Numismatic Society, along with a substantial number of State bankers' associations and State bar associations. In addition, many educational groups cooperated and worked with the Commission.

The national organizations cooperated closely with the Commission in the setting up of the various advisory committees, recommending names of outstanding individuals for appointment.

Letters were sent to each of the 3,700 members of the American Association for State and Local History and the Manuscript Society asking cooperation with all phases of the work of the Commission, including sponsorship of local celebrations and exhibitions—many such were held—and especially in the Commission's treasure trove search for Hamiltonia (described elsewhere in the report). The Commission letters enclosed covering letters from the special committees set up by each organization to work with the Commission.

The Department of State cooperated closely with the Commission both during the planning period and during the year of the bicentennial celebration. At the request of Senator MUNDT, the State Department early advised all Embassies and major consulates of the impending celebration and, a short time later, requested them to confer with the governments to which they were accredited in an effort to find in archives and other depositories any Hamilton materials in connection with the Commission's treasure trove search. As a result, a substantial number of documents and other memorabilia were brought to light and forwarded to the Commission. Especially beneficial results were obtained in France, Great Britain, the Netherlands, and Denmark.

Plans for close cooperation between the Department of Defense and the Commission were worked out some months before the bicentennial year began. Members of the Commission staff met at the Pentagon with public relations officials and officers of all branches of the armed services, plus the Coast Guard, and outlined the aims of the Commission. Promises of assistance were given by the Pentagon, promises which were more than carried out in performance during the bicentennial year.

On January 11, 1957, the opening day of the bicentenary, President Eisenhower's proclamation was read at formations in every United States Military Establishment around the world. It was posted on all bulletin boards and was broadcast, along with data on the bicentennial, over the worldwide network of the armed services radio. Throughout the year notable events of the bicentennial were thus brought to the attention of armed services personnel.

In addition, frequent reference to the bicentennial was made in the various publications of the armed services. The United States Army brought D Battery of the 5th Field Artillery, the unit Hamilton organized in 1776, to New York for the opening day ceremonies there. Bands, color guards, and military units were provided at various times throughout the year for ceremonies in Washington, New York, Chicago, Nevis, St. Croix, and other cities and communities where special observances were held.

The stimulation of lectures on Hamilton's contributions to the establishment of the Nation, and suggestions that special library exhibits be set up, that courses of reading be established, and that Hamilton's work be emphasized in classes in history, economics, political science and public speaking were recommended to colleges and universities by the Commission's Advisory Committee on Education. This Committee, which was headed by Dr. Henry M. Wriston, president emeritus of Brown University, included a distinguished group of college and university presidents in its membership.

As its first step in this phase of activity, every college and university in the United States and its Territories and colonial possessions was asked for information as to endowed lectures under its control which might be used for special Hamilton addresses. This inquiry showed that upwards of 900 such lectures were in existence.

Following up on this information, Dr. Wriston wrote all institutions of higher learning with such lectures urging them to arrange for special addresses on Hamilton and his times in the course of the bicentennial year, set up Hamilton exhibits in their libraries, and emphasize Hamilton's work in appropriate classrooms. A large number of these institutions followed these suggestions.

One of the earliest activities to be set in motion by the Commission was preparation for its scholarship program, described in full elsewhere in this report. Outstanding educators, especially in the public speaking field, were enlisted to work out, in cooperation with the Commission staff, detailed plans for this program. Educators in every State took part in this activity, which took substantially more than a year of preparation.

Stimulation of the writing and publication of books and magazine articles, newspaper editorials, etc., called for a substantial amount of effort on the part of the Commission's staff. (These activities are described elsewhere.) In addition, through the cooperation of the Association of Radio and Television Broadcasters, information on the plans for the bicentennial was sent to every television and radio station in the United States. Similar information was sent newspapers and major magazines. Members of the Commission's advisory committee on public relations were most helpful to the staff in carrying out the public relations phase of the preliminary program.

In the course of the period of preparation the Commission built up an extensive mailing list. Most of those on this list, which included all advisory committee members, received copies of the various reports which the Commission submitted to the Congress, as well as news releases and other material of special interest.

Following is the membership of the Commission's advisory committees:

Advisory Committee on Armed Forces and Coast Guard: Gen. Mark W. Clark, Charleston, S. C.; Gen. J. Lawton Collins, United States of America, retired, Washington, D. C.; Adm. Louis Denfeld, United States Navy, retired, Washington, D. C.; Adm. William F. Halsey, United States Navy, retired, New York, N. Y.; Rear Adm. John B. Heffernan, Washington, D. C.; Gen. George C. Marshall, Leesburg, Va.; Adm. Chester W. Nimitz, United States Navy, retired, Berkeley, Calif.; Adm. Merlin O'Neill, United States Coast Guard, retired, Coster, Md.; Gen. Lemuel Shepherd, United States Marine Corps, retired, Washington, D. C.; Gen. A. C. Wedemeyer, United States Army, Boyds, Md.

Advisory Committee on Banking and Finance: Mr. Claude L. Benner, Wilmington, Del.; Mr. Victor M. Birely, Washington, D. C.; Mr. C. Francis Cocke, Roanoke, Va.; Mr. H. Frederick Hagemann, Jr., Boston, Mass.; Dr. Devereux C. Josephs, New York, N. Y.; Mr. James S. Kemper, Chicago, Ill.; Mr. Laurence F. Lee, Raleigh, N. C.; Mr. William A. McDonnell, St. Louis, Mo.; Mr. F. Raymond Peterson, Paterson, N. J.; Mr. Albert C. Simmonds, Jr., New York, N. Y.; Mr. John J. Sullivan, Denver, Colo.; and Mr. Dean Witter, San Francisco, Calif.

Commerce and Industry: Hiland G. Batcheller, Pittsburgh, Pa.; Fred C. Crawford, Cleveland, Ohio; Stephen M. Dubrul, Detroit, Mich.; Benjamin F. Fairless, New York, N. Y.; Hon. James A. Farley, New York, N. Y.; Robert M. Gaylord, Rockford, Ill.; Hon. Ed Gossett, Dallas, Tex.; Howard Hall, Cedar Rapids, Iowa; F. O. Prior, Chicago, Ill.; Henry G. Riter, III, West Orange, N. J.; Ernest G. Swigert, Portland, Oreg.; Hon. Sinclair Weeks, Secretary of Commerce; and James C. Worthy, Chicago, Ill.

Advisory Committee on Constitution and Law: Hon. Walter M. Bastian, United States Court of Appeals, District of Columbia Circuit; Mr. Thomas M. Burgess, Colorado Springs, Colo.; Mr. George A. Finch (deceased), Washington, D. C.; Mr. E Smythe Gambrell, Atlanta, Ga.; Mr. Allen T. Klots, New York, N. Y.; Mr. Cloyd Laporte, New York, N. Y.; Mr. William Logan Martin, Birmingham, Ala.; Mr. David F. Maxwell, Philadelphia, Pa.; Mr. Herbert G. Nilles, Fargo,

N. Dak.; Mr. Alfred J. Schweppe, Seattle, Wash.; Mr. J. Cleo Thompson, Dallas, Tex.; Mr. Charles H. Woods, Tucson, Ariz.; Mr. Lloyd Wright, Los Angeles, Calif.

Contests and Awards: Dr. Bower Aly, chairman, University of Missouri; Prof. A. Craig Baird, State University of Iowa; Dr. F. Kenneth Brasted, president, University of Dallas; Hon. Samuel M. Brownell, superintendent of public schools, Detroit, Mich.; Dr. Thorrel B. Fest, University of Colorado; Prof. Annabel Dunham Hagood, University of Alabama; Prof. Bruno E. Jacob, National Forensic League; Mr. Rodney Kidd, director, the University of Texas; Dr. George McCarty, College of William and Mary; Prof. Richard D. Morris, Columbia University; Prof. Theodore F. Nelson, St. Olaf College; Mr. Robert Schacht, University of Wisconsin; and Dr. Lloyd Schram, University of Washington.

Advisory Committee on Education: Dr. Henry M. Wriston, president emeritus of Brown University; Dr. Margaret Clapp, president, Wellesley College; Dr. Arthur Coons, president, Occidental College; Dr. Donald J. Cowling, president emeritus of Carleton College; Dr. Theodore A. Distler, executive director, Association of American Colleges; Dr. Elmer Ellis, president, University of Missouri; Dr. Daniel Z. Gibson, president, Washington College; Dr. Rufus C. Harris, president, Tulane University; the Reverend Theodore M. Hesburgh, president, University of Notre Dame; Dr. Grayson Kirk, president, Columbia University; Dr. Katherine McBride, President, Bryn Mawr College; The Reverend E. J. O'Donnell, S. J., president, Marquette University; and Dr. J. E. Wallace Sterling, president, Stanford University.

Advisory Committee on Exhibits and Displays: Mr. Herbert J. Sanborn, Library of Congress; Mr. King Rich, Albert Frank-Guenther Law, Inc., New York, N. Y.; and Leonard C. Rennie, Washington, D. C.

Advisory Committee on Historians: Prof. Leland D. Baldwin, University of Pittsburgh; Prof. Gerald Capers, Tulane University; Dr. Thomas C. Cochran, University of Pennsylvania; Prof. Albert B. Corey, State historian, Albany, N. Y.; Prof. Louis Gottschalk, The University of Chicago; Prof. Wood Gray, George Washington University; Dr. Louis M. Hacker, Columbia University; Dr. Bernhard Knollenberg, Chester, Connecticut; Prof. Gilbert L. Lycan, Stetson University; Mr. David Mearns, chief of manuscripts, Library of Congress; Prof. John C. Miller, Stanford University; Prof. Broadus Mitchell, Rutgers University; Prof. Richard B. Morris, Columbia University; Mr. Vrest Orton, Weston, Vermont; Prof. E. P. Panagopoulos, San Jose State College; Dr. Boyd C. Shafer, executive director, American Historical Association; Dr. S. K. Stevens, executive director, Pennsylvania Historical and Museum Commission; and Mr. Milton Halsey Thomas, Columbia University.

Libraries and museums: Mr. Paul M. Angle, Chicago Historical Society; Mr. James T. Babb, librarian, Yale University Library; Dr. Paul H. Buck, director of libraries, Harvard University; Mr. Jack Dalton, librarian, Alderman Library, University of Virginia; Mr. Edward G. Freehafer, director, New York Public Library; Mr. Clifford C. Gregg, director, Chicago Natural History Museum; Mr. Richard Logsdon, director of libraries, Columbia University; Mr. Stewart Mitchell, director, Massachusetts Historical Society; Mr. James J. Rorimer, director, the Metropolitan Museum of Art, New York, N. Y.; Dr. Ralph R. Shaw, Graduate School of Library Service, Rutgers University; Mr. John Walker, director, National Gallery of Art; and Mr. Hermann Warner Williams, Jr., director, the Corcoran Gallery of Art.

Advisory Committee on Medicine and Public Health: Dr. E. Vincent Askey, Los Angeles, Calif.; Dr. Luis H. Bauer, New York, N. Y.; Dr. John W. Cline, San Francisco, Calif.; Dr. Edwin S. Hamilton, Kankakee, Ill.; Dr. Elmer Hess, Erie, Pa.; Dr. George F. Lull, Chicago, Ill.; Dr. Walter B. Martin, Norfolk, Va.; Dr. E. J. McCormick, Toledo, Ohio; Dr. Dwight H. Murray, president, American Medical Association; Dr. Torald Sollman, Cleveland, Ohio.

Advisory Committee on Patriotic Societies: Miss Gertrude S. Carraway, honorary president general, Daughters of the American Revolution; Maj. Gen. U. S. Grant 3d., United States Army, retired, Washington, D. C.; Col. Catesby ap Catesby Jones, Richmond, Va.; Mrs. Carroll D. Kearns, president, National Federation of Republican Women.

Advisory Committee on Political Economy: Dr. James Washington Bell, chairman, secretary of the American Economic Association; Hon. Lewis W. Douglas, New York, N. Y.; Dr. Ferdinand A. Hermens, Notre Dame University; Mr. Evron M. Kirkpatrick, American Political Science Association; Dr. Harold Metz, Washington, D. C.; Dr. Ralph Robey, Dalzell, South Carolina; Dr. O. Glenn Saxon, Yale University; Mr. Lucius Wilmerding, Jr., Princeton, N. J.; Dr. Arnold J. Zurcher, professor of political science, New York University.

Advisory Committee on Public Relations: Mr. Howard W. Calkins, New York, N. Y.; Mr. Julian Goodman, National Broadcasting Co.; Mr. Robert F. Hurleigh, Mutual Broadcasting System; Mr. Garth P. James, Charlotte Amalie, St. Thomas, Virgin Islands; Mr. Edward M. Kirby, Washington, D. C.; Mr. Theodore F. Koop, Columbia Broadcasting System; Miss Llewellyn Miller, New York, N. Y.; Miss Ann Scott Morningstar, New York, N. Y.; Mr. Bryson B. Rash, Washington, D. C.; Mr. Donald Robinson, New York, N. Y.; Mr. G. W. Johnstone, National Association of Manufacturers.

Advisory Committee on Rhetoric and Public Address: Prof. W. Norwood Brigance, chairman, Wabash College; Prof. A. Craig Baird, State University of Iowa; Prof. Donald L. Clark, Columbia University; Prof. Marie K. Hochmuth, University of Illinois; Prof. Wilbur S. Howell, Princeton University.

Advisory Committee on Special Events: Rev. Alexander Van Cortlandt Hamilton, Norwalk, Conn.; Mr. Conrad L. Wirth, Director, National Park Service.

Advisory Committee on Symbols, Medals, Stamps, and Coins—Philatelic Matters: Mr. H. L. Lindquist, chairman, National Federation of Stamp Clubs; Mr. Richard S. Bohn, president, Association for Stamp Exhibitions, Inc., New York, N. Y.; Mr. Claude Cartier, New York, N. Y.; Mrs. Louise Boyd Dale, chairman, the Philatelic Foundation; Mr. Jules Glaenzer, New York, N. Y.; Mr. Robert L. Graham, Jr., attorney, Philatelic Congress; Mr. Peter G. Keller, executive secretary, American Stamp Dealer's Association; Mr. John Steinway, New York, N. Y.; Lt. Gen. Cornelius W. Wickersham, governor, Collector's Club, New York, N. Y.

Advisory Committee on Symbols, Medals, Stamps and Coins—Numismatic Matters: Mr. Harold S. Bareford, New York, N. Y.; Mr. Earl B. Barnes, president of the Society of Medallists, Indianapolis, Ind.; Mr. Vernon L. Brown, the Chase Manhattan Bank; Mr. Louis Eliasberg, Baltimore, Md.; Mr. Sawyer McA. Mosser, secretary, the American Numismatic Society; Mr. Leonel C. Panosh, president, American Numismatic Association; Dr. Louis C. West, president, the American Numismatic Society.

Advisory Committee on Veterans Organizations: Mr. Clyde A. Lewis, Plattsburgh, N. Y.; Mr. Lyall T. Beggs, Madison, Wis.; Hon. Louis A. Johnson, Washington, D. C.; Hon. Raymond J. Kelly, Chicago, Ill.; Mr. John R. Quinn, Los Angeles, Calif.; Mrs. Laurence J. Murphy, Union, N. J.; Mr. Louis E. Starr, Portland, Oreg.

Address of Hon. Oren Harris, Chairman, House Committee on Interstate and Foreign Commerce

EXTENSION OF REMARKS
OF

HON. JOHN J. FLYNT, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1958

Mr. FLYNT. Mr. Speaker, on yesterday, the chairman of the House Committee on Interstate and Foreign Commerce, our colleague, Hon. OREN HARRIS, of Arkansas, delivered the principal address to the annual meeting of the administrative law section of the Bar Association of the District of Columbia.

His remarks were well received by those in attendance who comprised one of the largest groups to attend an annual meeting of the administrative law section.

It gives me a special pleasure to include his address in the CONGRESSIONAL RECORD today, under leave to extend:

It is a pleasure to be here this evening at the invitation of the administrative law section of the Bar Association of the District of Columbia to meet with you who are practitioners in the field of administrative law.

As chairman of the House Committee on Interstate and Foreign Commerce, which has initiated the legislation creating a majority of the independent regulatory agencies as well as other agencies having delegated legislative powers to promulgate rules and judicial powers to determine rights or privileges of persons under law, I, naturally, have an equal interest in the administrative processes.

Further, as chairman of this committee's special Subcommittee on Legislative Oversight, I, obviously, during the past year more specifically have been seeking, as you have been, to arrive at a fair judgment evaluation of these administrative processes and of the execution of laws by these administrative agencies. In such connection I am aware of the various proposals which have emanated from the administrative-law sections of the different bar associations to meet some of the problems with which our Legislative Oversight Subcommittee has been concerned, and, indeed, am appreciative of the helpful comments and suggestions which have been made to us by such of your officers as Chairman Valentine Deale and past chairmen Smith Brookhart and Donald Beelar.

It is in view of your interest in the subject, and more particularly in view of my strong belief that you who practice before these administrative agencies have responsibility, as do those of us who created them, to see that they faithfully execute the laws, that I am prompted to say some things to you tonight that I think should be said and to discuss with you tonight the origin and purpose of our Subcommittee on Legislative Oversight, what it has done, and what it expects to do.

I am glad to have this opportunity not only to discuss this problem but to express some personal viewpoints on the subject as I see it. As a matter of fact, in my own opinion, this speech is 1 year late.

I should like to make it perfectly clear that I do not claim to know all the answers or that I am capable of solving all the problems. Furthermore, I do not believe that because of the far-reaching importance to

the public welfare that there is any place for self-centered egotistical viewpoints, or for a half-truths technique.

I should like to make it perfectly clear that I have no intention of destroying or discrediting the independent regulatory agencies necessary for the American people. We want to make them stronger—not weaker. I have no intention of character assassination or of pursuing any course other than with justice and fair dealing.

I feel strongly on the subject of compliance with the law and the public disclosure of any corruption or maladministration or wrongdoing. From my experience I think I know something about investigations and in this instance the committee will continue to determine the policies of the work and no dubious methods will be used in developing information as has occurred in the past—which I have deplored.

The action of the committee since its reorganization is well known. The alleged misconduct of commissioners in one agency has been thoroughly developed and you, of course, know the result of the investigation of the channel 10 case in Miami, Fla. Contrary to some public claims, the committee had very little in its files on other matters pertinent to the investigation, and that mostly consisted of information from other committees of the Congress and newspaper clippings, information which long since had been made public.

I am encouraged and glad to report that the staff is working hard in developing information toward carrying out the purposes of the investigation. We feel we have an excellent staff with Bob Lishman as our counsel and I have no doubt as to the final results.

ORIGIN OF SUBCOMMITTEE

Under the rules of the House of Representatives, all proposed legislation, messages, petitions, memorials, and other matters relating to certain specified subjects are referred to a standing committee. The subject matter under the jurisdiction of such standing committee is specifically spelled out in the rules. In addition to this legislative duty, however, under the Legislative Reorganization Act of 1946 and the rules of each body, each standing committee of the Senate and the House of Representatives is given the added responsibility of exercising continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee. This direction and responsibility is set forth under section 136 of that act under the caption, "Legislative Oversight by Standing Committees."

This Legislative Reorganization Act of some 12 years ago, however, contains certain provisions applicable to the standing committees of the Senate which do not apply to the standing committees of the House. It has been customary, therefore, at the start of each Congress, commencing in 1947, for each standing committee of the House to introduce a resolution which, when passed by the House, gives the standing committee the necessary authorization, power, and funds to carry out these legislative and investigatory responsibilities.

During the discussion on February 5, 1957, at the time the House was considering this routine resolution concerning the activities of our Committee on Interstate and Foreign Commerce which bears the number 99 in the 85th Congress, Speaker RAYBURN took the floor to say:

"I trust that the gentleman will set up a subcommittee * * * to see whether or not the law, as we intended it, is being carried out or whether a great many of these laws are being repealed or revamped by those who administer them."

To this, I replied that this matter had been discussed within the full committee and it was recognized that under the Legislative Reorganization Act of 1946 the committee must exercise watchfulness over the administration and execution of any law by any agency within the jurisdiction of the committee.

On March 6, 1957, I appointed the special Subcommittee on Legislative Oversight consisting of 11 members.

On March 11, at the unanimous direction of the full committee, I introduced House Resolution 191 asking for an appropriation of $250,000, for the purpose of carrying out this responsibility. On April 11, the resolution passed and the subcommittee undertook its organization.

PURPOSE OF SUBCOMMITTEE

The purpose of the subcommittee has been expressed in very succinct language with which I am sure you are familiar:

"To examine the execution of the laws by the administrative agencies, administering laws within the legislative jurisdiction of the committee, to see whether or not the law as the Congress intended in its enactment has been and is being carried out or whether it has been and is being repealed or revamped by those who administer it."

Inherent in this statement of purpose is a dual approach: (1) Whether the law has been and is being faithfully executed by the agency in the public interest or whether it is being repealed by the agency through lack of enforcement; and (2) whether the agency is revamping the law through interpretation by rule or internal procedures to enlarge the area of regulation beyond that intended or to administer the law through procedures not intended by the Congress.

I assume from study of your bar association's proposals that it is the latter approach with which you have been more concerned, but our subcommittee necessarily is as much interested in any inadequacies of administration as in overzealous or onerous administration.

In making such examination our studies devolved around eight major heads as follows:

1. Review and analysis of the laws and amendments, and intent of the Congress when enacted;

2. Area of the field regulated by each law, changing circumstances and growth of the field since enactment;

3. Consideration of the legislative standards in the law to determine whether they can be drafted in more precise terms with the view of reducing administrative discretion;

4. Consideration of rules and regulations issued by the agency under the discretionary delegations, reconciliation with statutory standards and legislative intent, manner in which rules have been applied in practice;

5. Administrative interpretations and practices apart from formal rules and regulations, public notice of such interpretations and practices, extent to which in fact administration is by internal interpretations as distinct from published rules;

6. Judicial decisions on the administration of the law by the agency, the statutory standards, rules and regulations, and administrative interpretation; enlargement of area of regulation supported by the decisions;

7. Enforcement of statute, rules, and regulations;

8. Organization of agency with especial attention to its independence.

ACTIVITY TO DATE

With the determination of these purposes and avenues of exploration for achieving these purposes, the subcommittee proceeded to the acquisition of personnel, which, following the adjournment of the Congress, was engaged in doing the necessary staff work. Owing to the limited funds appropriated and to the limits of time in achieving a substantial portion of this tremendous objective, this work initially was and so far has been confined to six regulatory agencies administering laws, the subject matter of which is within the jurisdiction of our committee.

When we returned to the second session of this Congress and prepared to hold hearings on what had been developed by the staff, we discovered that its work had been confined chiefly to activities of the Federal Communications Commissioners, concerning whom it made certain charges of misconduct. Owing to the circumstances surrounding the staff release of these charges as well as the nature of the charges, and the clamor of the press and the communications industry, the subcommittee felt that there should be no delay in providing an opportunity for those whose record or conduct was involved to challenge the accuracy of such charges in hearings at an early date.

Accordingly, on February 3 the subcommittee initiated hearings on the Miami channel 10 case, which continued through March and into April. All aspects of this case and charges of misconduct were gone into thoroughly, and everything that had been developed by the staff and was left in the files after their famous midnight ride, was presented. A report on this phase of the subcommittee's study was issued on April 4.

These hearings on the conduct of members of the Federal Communications Commission revealed that over the years a pattern had developed of questionable conduct on the part of some of the members of the Commission and on the part of some members of industry and industry organizations who are subject to Commission regulation. The questionable propriety of some of this conduct, in the subcommittee's opinion, has seriously undermined public confidence in the Commission and thus affected adversely the administration of law by the Commission. To whatever extent such public confidence has been shaken, it must be restored.

In the restoration of such confidence, the Commissioners may help themselves greatly, if they will. In the restoration of this confidence, the industry which has gone far beyond what it should have done, can do much, if it will. So too, do you who practice before these Commissions have a responsibility in maintaining of public confidence, as do we on this subcommittee. We already have made certain recommendations for remedial legislation—and I am sure there will be more. I have introduced a bill covering these recommendations which will be considered in the near future.

These recommendations go farther than just to some of the questions of Commission conduct, and enter into the problems of pressures and undue influences upon the Commissioners.

The present Communications Act prohibits ex parte contacts on the part of any person who has participated in the presentation or preparation for presentation of adjudicatory cases before hearing examiners. It is clearly evident from the record on the Miami channel 10 case that several ex parte contacts on behalf of two principal contenders for the license were made or attempted to be made, by persons who had participated in the case before the examiner. This, with all other such matters, has been referred by the committee to the Department of Justice for appropriate action.

The Communications Act, however, does not cover ex parte contacts with the Commissioners or Commission staff by persons other than those who participated in the presentation before the hearing examiner. The Miami channel 10 hearings indicated that there were such persons who made ex parte contacts. It is important that the Commission, as well as competing parties, be protected by law from any attempt at off-the-record influencing of the Commission decision in such cases, and the bill I have introduced would cover this situation.

In passing, it may be appropriate to note that our committee files now contain indication that such ex parte contacts have

been made in a number of other comparative television cases. Since such contacts are prohibited by law, even though the Commission itself may have taken no action with respect to the parties making them, it is interesting to conjecture what may be the legal status of the licenses which were granted in such instances. The law, of course, has been made by the Congress. It is understood by the Commission and should not be winked at by it or any enforcement agency.

PROGRAM AHEAD

I am sure that you appreciate that the subcommittee feels that, unfortunately, its complete attention seems to have been concentrated upon only one aspect of the study that was originally contemplated. It is important, of course, that this aspect be fully considered and the situation which gives rise to the possibility of improper conduct should be cleaned up by legislation and otherwise. Nevertheless, in the long-term future, the larger aspects of the subcommittee's investigation cannot be ignored. Indeed, it is just as appropriate today as it was a year ago to consider whether the laws themselves properly are being administered; whether times have changed and the laws need amendment; whether the laws themselves can be more explicit with less discretionary power to the Commissions in issuance of rules and regulations; whether, and the extent to which, the Commissions have enlarged the area of regulation; and so on.

We are proceeding to develop these other items of study to the end of meeting the purposes of our examination of these agencies, though perhaps not by the same route as we originally had planned. Having recently flown from Washington to Tokyo via Copenhagen and the North Pole over a route not much longer than that via our west coast; and having returned from New Zealand, after flying over the South Pole, via Honolulu and our west coast to Washington, although in the future I visualize a competing route which will go from here via South America and Antarctica to New Zealand, I cannot but be especially aware of the fact that goals may be achieved through different routes.

We are carefully studying the extent to which agencies arrogate unto themselves policymaking authority by extending the field of regulation. For example, it is obvious that certain communications devices and certain types of securities have come into existence which were not conceived of at the time of the enactment of the laws. It is also obvious that certain laws were silent as to such matters as rate or security regulation, but certain jurisdiction over these fields has been indirectly exercised through other statutory provisions relating to issuing of certificates or approval of contracts and agreements. It is also obvious that certain agencies in the issuing of certificates or the granting of exemptions, have changed their rules or interpretations so greatly that they are today in exact reverse position from that held a few years ago.

Such administrative interpretations, generally supported, sometimes rejected, by the courts, may reflect to great degree changing circumstances and conditions from those existing at the time the statutes were enacted. Whether this extension or revision of the field of authority, however, should be arrived at unilaterally by the agencies, with the help of the courts, or be the result of Congressional action, is a matter with which we are concerned.

We are also studying the enlargement of the agencies' jurisdiction by the courts, even in instances where this has been done against the agencies' wishes, as well as upon their urging. There are many individual examples which leap to mind, but the far-reaching effect of the so-called Pittsburgh decision, in which the regulatory agencies are told to consider the implications of the antitrust statutes as well as the statutes under which the agencies have been established is not fully apparent.

We are studying whether legislative standards cannot now be written into the law or be drafted in more precise terms than in existing law to cover such standards as the agency may use in its processing of cases before it. Certainly it would appear that from the experience gained over the years this might be a feasible objective. To determine whether such statutory standards now can be drafted means a study of whether an agency by rule has set up standards for the processing of cases and how it actually has been processing such cases in the light of these standards. This means a study of some decisions which have been rendered.

Parenthetically, I might observe that this does not mean a review of the cases themselves but a study of the cases only to determine whether patterns may exist. I make such parenthetical observation because, contrary to some impression that may have been given you last fall by members of the staff, it has not been and is not now our intent to review individual cases as to whether or not the proper decision itself was made. There are proper procedures in each statute by which applicants can pursue their rights if they feel they have been violated in the agency decision. Our review is for the purposes of determining what legislative correction, modification, expansion, or other amendment such studies show should be made in the public interest and of determining whether present law is being properly administered. Of course, in the study of the cases there well may be certain matters coming to the fore that will require specific attention.

Another case study for purposes of determining whether clearer legislative standards may be written is that having to do with exemptions from regulations in contradistinction to that having to do with the processing of applications for cases within the regulatory field. It is just as clear that administrative practices here and the experience of the years should lead to the establishment of standards by the agency if not in the statute.

At the same time, of course, we are continuing with our consideration of the independence of the agencies. In the hearings so far, there has been some attention to the identification of the regulatory agency with those whom it regulates. The question of independence is broader than this, of course, and encompasses the freedom from restrictive action by the executive department as well as by Members of the Congress. In such connection we are studying the effect of the Reorganization Acts of 1950 which concentrated more power in the Chairman of the many Commissions and provided for his designation by the President. There are collateral questions of the extent to which the agency budget or personnel should come within the purview of the Bureau of the Budget or the Civil Service Commission.

Finally, I cannot refrain from briefly commenting upon the bar proposals which provide generally for more formal procedures and greater uniformity of procedure among the various agencies regardless of the subject matter within their jurisdiction. At this juncture I can see no gain in creating new standing committees in the Congress or a new overriding executive agency having dominance in this field. I believe there is a grave question whether too much formalizing of procedures and insulation of the Commissioners from their staffs through making a commissionership in effect a judgeship is in the public interest. The theory, of course, of the independent regulatory agency is that the Commissioners there are acting in the public interest, on behalf of the public, and for the protection of the public. A recent trend to have them sit as judges on a record in which the applicant is represented by counsel and the public by the staff of the Commission seems to me to do violence to the very principles and purposes under which the Commissions were created. The Commissioners, not the staffs, are charged with administering the law in the public interest.

With the general proposal to overhaul the Administrative Procedures Act, however, I am in full agreement, although I am not certain that my solution would be the same as that proposed by your legislative committees. Our hearings to date already have indicated the need for changes in administrative procedures as they apply to one agency. I assume that the same consideration will apply to others.

Of course, in the evaluation of any recommendations for modifications of administrative procedures, the major question is whether the proposed modification is in the public interest. One of the great difficulties, of course, in streamlining procedures, in expediting cases, in the securing of early decisions, is that to some degree such accomplishments perforce may diminish the workload on you who specialize in practice before these agencies. I am sure, however, that it is your desire as well as ours that there be improvement in these procedures wherever examination shows that this is desired.

I believe in this connection I can best close by quoting the words of your past chairman, Donald C. Beelar, in a recent Federal Bar Journal article in which he refers to the preamble to the Canons of Professional Ethics, which reads:

"In America, where the stability of courts and all departments of Government rests upon the approval of the people, it is peculiarly essential that the system for establishing and dispensing justice be developed to a high point of efficiency and so maintained that the public shall have absolute confidence in the integrity and impartiality of its administration."

And Mr. Beelar says:

"No difference should exist between those in private practice or in government practice on the above quoted objective of achieving a high integrity in agency processes in better service to the public."

I have appreciated being with you tonight before an understanding—yes, even a tolerant—audience because there are none who have a greater duty and obligation to stand in the role of protectors of the public interest than do you who have day-to-day contacts with the administrative agencies through your practice before them. I am certain that as you attorneys and members of the bar faithfully perform this role and as we in the Congress adequately discharge our legislative responsibilities, we shall have, and continue to have, administrative agencies that properly and fully execute the laws that have been entrusted to them for administration in the public interest.

Polish Constitution Day

EXTENSION OF REMARKS

OF

HON. WILLIAM E. McVEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1958

Mr. McVEY. Mr. Speaker, on May 3, people of Polish ancestry throughout the world will observe the 167th anniversary of the enactment of the famous Polish Constitution of 1791. At this time, I believe it is fitting that we pause to reflect upon the sacrifices made by the

people of Poland in an effort to maintain the principles embodied in that historical document.

Although Poland has been subjugated many times since the adoption of her constitution, her people have maintained their patriotism and moral resistance. The events of October 1956 and the Poznan revolt clearly illustrate the resistance of the Polish people to Soviet control and their aversion to communism. They realize that Communist concepts of economy and industrial planning have brought them to the brink of disaster. Their desire for liberty is strong and will eventually lead them to victory over their oppressors.

I wish to take this opportunity to pay tribute to the noble people of Poland, who, by reason of their fortitude and love of freedom, are a source of inspiration to oppressed people everywhere. I look forward to the day when Poland will have obtained complete independence.

Porkless River and Harbor Bill Is Favored

EXTENSION OF REMARKS
OF
HON. RUSSELL V. MACK
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. MACK of Washington. Mr. Speaker, the Portland Oregonian, one of the most substantial and influential newspapers on the Pacific coast, favors enactment of a river and harbor flood-control bill by the present Congress, but it wants one with the pork omitted from it.

A recent Oregonian editorial said:

GET THE PORK OUT

The Congressional dilemma among Democrats is whether to separate the pork from the beans in the omnibus rivers and harbors bill vetoed by President Eisenhower, or to let the veto stand so they can denounce the Republican administration in the coming elections.

Only a major revolt against the President by Republicans would assure repassage of the same bill over his veto. This is unlikely.

The $1,500 million authorization bill, similar to one vetoed last session on about the same grounds, contains many items which have been studied and approved by the Army Corps of Engineers, including the Yaquina and Siuslaw Harbor projects in Oregon. These, the President would approve.

But it contains others slipped in by Congressmen without adequate factfinding. Some pork was put in the bill in exchange for members' votes for other projects, hence is difficult to delete. But the dirty work should be done, and the bill redrafted.

It is first necessary to authorize projects before funds can be appropriated. These projects are not recession stoppers. But they are sound, long-range investments which should not be tied up by Congressional politicking another year.

Mr. Speaker, the river and harbor-flood control bill recently passed by Congress and vetoed by President Eisenhower authorized 140 new river and harbor-flood control and beach erosion projects. These 140 projects, it was estimated, would cost $13,409,000.

The President objected to 28 of the 140 projects on the ground that some had not been adequately surveyed, that others had been declared economically unsound by the United States Army Engineers, the Secretary of the Army and the Budget Bureau and that some others did not provide for adequate local cost sharing where heavy benefits went to private landowners instead of to the public.

The President in his veto message recommended that of these 28 objected-to projects that 10, estimated to cost $179 million, be deleted from the bill entirely and that the other 18 be modified to conform with recommendations of the Army Engineers, the Budget Bureau, or the Secretary of the Army with a saving of about $25 million to taxpayers.

The recommendations made by the President in his veto message thus would eliminate the "pork" from this bill with a saving of about $201,635,000 to taxpayers.

I have introduced in the House a "porkless" bill that conforms to the President's views. If enacted by Congress, my bill is assured of the President's approval.

My bill and the vetoed bill in addition to the specific new projects carries an additional authorization of $913 million for river basin developments to which no objection has been made.

The total cost of all projects in my bill, therefore, is about $1,473,874,000 compared to about $1,675,000,000 in the vetoed bill.

Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. ZELENKO. Mr. Speaker, on May 3, the Polish national holiday, the anniversary of Polish Constitution Day of 167 years ago, will be celebrated. Although the Government of Poland is under the iron heel of communism, the hearts and minds of the Polish people are governed by their belief in God and their burning will to be free. It will be just a question of time before Poland will rise again, as it has in the past, to throw off the yoke of the oppressor. Let us fervently pray that when this is done their freedom will be everlasting and eternal. Mere hope and talk on our part is not sufficient. We Americans must indicate by our every thought, word, and deed in whatever way possible, that we will render whatever assistance is necessary to the Polish people to enable them to regain their rightful heritage.

Indelible in the hearts and minds of the American people are the glorious deeds of those great Polish freedom fighters, Pulaski and Kosciusko, and others who in our own struggle for freedom fought side by side with our ancestors.

We salute our Polish brethren, the great Americans of Polish descent and their brethren in the homeland at this time, and we join with them in the prayer that before long we shall see a rededication of Poland's Constitution Day, this time under a free government.

To Restore Employment to Those Who Are Now Out of Work and To Guarantee Permanency of Existing Jobs

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. O'KONSKI. Mr. Speaker, I send to the desk for appropriate reference a bill which will:

First. Create jobs for American working men and women now unemployed.

Second. Add stability to and improve existing jobs.

Third. Stimulate business with resultant expansion of the national economy in the years to come.

Certainly, there are no more important tasks facing this session of the Congress.

BILL IS OF VITAL IMPORTANCE TO EVERY MAN, WOMAN, AND CHILD IN THE UNITED STATES

Because of the extreme importance of the subject matter of this bill to every citizen of the United States, I urge sincerely that Members of Congress study very carefully provisions of the bill, and my statement thereon in relation to the depreciation schedules set up in bulletin F.

IMMEDIATE ACTION BY THE CONGRESS IS URGENT

Once Members of Congress have had the opportunity to study this matter, Mr. Speaker, it is my hope that the appropriate committees will find it possible to hold immediate hearings so that the bill may be considered thoroughly and passed without undue delay.

Our Nation, its workers and its businesses need this legislation. I am convinced that no other measure here proposed or under committee consideration will do the all-important job of creating jobs as quickly, as surely, and as soundly as will this bill.

WHAT THE BILL DOES

Mr. Speaker, briefly the bill does simply this. It proposes to reduce substantially the periods during which capital investments may be depreciated for tax purposes if they are made or contracted for over a specified period of 18 months.

For the accelerated depreciation to apply, it would not be necessary that the projected capital investment become a finished reality in the 18-month period.

The depreciation benefit would accrue if the contract for such an investment was made during that period even though the normal completion or delivery date should fall thereafter.

THE BILL IS RETROACTIVE TO JANUARY 1, 1958

It is proposed likewise that the provisions of the bill be made retroactive to cover capital investments made or contracted for since January 1, 1958.

The reasons for the retroactive feature are obvious. As long as the bill is retroactive in its application, anticipated capital investment will not be delayed pending the final approval of the bill.

WHAT IS SCHEDULE F?

This schedule contains tables of the numbers of years of useful life of capital investments as now computed by the Bureau of Internal Revenue.

Members of Congress should keep these figures before them constantly in considering this legislation and study them in relation to my statement on the bill and the bill itself.

THE BILL COVERS ALL CAPITAL INVESTMENTS

The Internal Revenue schedule to which I have referred, sets up depreciation periods for capital investments based on the estimated life of the product of the investment, be it buildings, machine tools, farm equipment, or any of the hundreds of other items covered by the broad term of capital assets.

This bill would apply to all of them so that its advantages would accrue to all on exactly the same basis.

TEN MILLION JOB SOURCES

The provisions of this bill would be applicable to farmers and to small and big business alike.

It has been estimated that there are some 6 million farmers in the United States.

There are some 4 million businesses of every size and description.

Thus, when we pass this bill we will be making it possible for these 10 million business units to put more poeple to work almost at once.

SPECIFIC PROVISIONS OF THE BILL

The bill, Mr. Speaker, proposes these changes in the depreciation schedule for capital investments made or contracted for in the specified 18 months' period:

First, the depreciation period for any capital investment now based on up to and including a 15-year estimated useful life would be reduced by one-half.

Second, that portion of the estimated life on any capital asset exceeding 15 years would be reduced by two-thirds.

THE IMMEDIATE EFFECT OF THIS BILL

Let us see what this bill would do.

First. It would encourage the 10 million job-producing units in this country to do now what they may have anticipated for the future and open up financing to enable them to do it.

Second. It will create now hundreds of thousands of jobs for people who do not have jobs.

Third. It will act as a guarantee of greater security and improvement in existing jobs.

WHO WOULD BE THE MOST ENTHUSIASTIC ABOUT THIS BILL?

It is perfectly obvious that the most enthusiastic supporters of this bill would be the men and women who want and need jobs, and the men and women who run the 10 million business units which could provide those jobs.

Their enthusiasm would be shared, too, by the men and women who now have jobs because they would benefit through improvement in and greater stability of the work they are now doing.

All American taxpayers should support this bill because here is a way to cure the present recession and expand the national economy without costing the taxpayers a single penny.

EXAMPLES OF HOW DEPRECIATION WOULD BE FIGURED UNDER THIS BILL

For a farmer: A new tractor could be depreciated within 5 years instead of 10 years; a threshing machine would be depreciated within 7½ years instead of 15 years; a corncrib could be depreciated within 12½ years instead of 30 years.

For the small factory owner: Tools and dies could be depreciated in 1½ to 2 years instead of 3 to 4 years; heavier machinery and tools could be depreciated in 7½ to 9 years instead of 15 to 20 years.

For heavy industry: A new plant of average construction could be depreciated in 16 years instead of 40 years.

For rental housing: Homes, apartment buildings, and office buildings of average construction could be depreciated within 16 years instead of 40 years.

For transportation systems: The beneficial effect of this bill on our dilemma-ridden railroad system would be tremendous. Because they could depreciate it more rapidly, it is my best judgment that the railroads would immediately acquire hundreds of millions of dollars' worth of new equipment. Of course, the bill would also be applicable to other forms of transportation.

For wholesale and retail establishments: This bill would provide an incentive for wholesale and retail stores to carry out now the renovation programs—new store fronts, new fixtures, and so forth—that they may need and have been anticipating in the future.

WHY THIS IS THE BEST LEGISLATION THE CONGRESS COULD PASS TO PUT PEOPLE BACK TO WORK TODAY

This legislation has many advantages over public-works programs.

Public-works programs are selective. The people they would employ would, at best, be only a fraction of those who need jobs.

Public-works projects would help in only certain scattered areas. Generally speaking, they would take a long time to get under way.

In addition, under this bill workers would be more likely to get jobs in their own communities rather than having to move to an area in which a public-works project is planned because this bill will put 10 million business units in the United States in a position to act the very hour the legislation is passed using their own capital instead of taxpayers' money.

THE ADMINISTRATION HAS TAKEN SOUND STEPS

Mr. Speaker, the Congress has moved with admirable courage and speed to take those steps it has been possible to take up to this time to cure our economic ills. They have been constructive steps, and I am sure that all of us have approved of the motives behind them.

But here is a new, an additional, and a wholly businesslike approach that will complement the program that is already under way. And again, I repeat, this bill would not cost the taxpayers a penny.

PERMANENT JOBS CREATE NEW TAX SOURCES

It is true, Mr. Speaker, that this bill would have the effect of postponing some tax revenues.

But, at the same time, it is altogether possible—yes, even probable—that the end result of stepped-up capital investments would, over the long pull, create even greater tax revenues in the future.

I believe that this would be the case.

There is every reason to believe that this would be the case because these, Mr. Speaker, would be lasting and permanent jobs growing out of the creation of new, permanent, and lasting capital assets to add to the wealth of the Nation and to expand our economy over the years to come.

This, then, Mr. Speaker, is the best way to create jobs.

It is the best way to add stability to existing jobs.

It is the private-enterprise way.

It lets America's 10 million business units solve the problems of our economy without costing the taxpayer a penny.

Because this is the best way, let us get the job done just as quickly as the legislative process can be completed.

Hon. William J. Lindsay

EXTENSION OF REMARKS

OF

HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 1958

Mr. LIBONATI. Mr. Speaker, it is with deep regret that the citizens of the metropolitan area of Chicago, and the State of Illinois, learned of the recent death of the Honorable William J. Lindsay, 79, former judge of the superior court of Cook County for 30 years, retired since 1953.

He was born in Aurora, Ill. He attended the East Aurora High School and Grinnell College, Iowa, where he captained the baseball and football teams. After his graduation he taught mathematics and athletics at Iron Mountain, Mich., and at Englewood High School in Chicago. He attended Chicago Kent College of Law and, after graduation, taught law there from 1917 to 1927.

He was a stanch and active Democrat and was selected as the Democratic candidate for State's attorney in 1928. He was recognized as one of the greatest jurists of his time. And numbered among his many students are the outstanding lawyers at the bar today.

Judge Lindsay will be remembered for the many celebrated trials over which he presided. He was a brilliant and considerate jurist. He was rigid and

strict in court decorum, fair in his applications of the principles of law, and thorough in his knowledge of procedures and evidence.

Entering his courtroom, the citizen knew that the dignity of the law and its honest application would be upheld. He instilled in everyone great respect for the judiciary and confidence in its institutions. His great contribution to the people of Cook County in the high service that he rendered to his fellow man will never be forgotten.

He tempered justice with mercy and, in his fairness, made one feel proud of having known him. Those who came before him respected his high qualities as a judge and his humane understanding as an honest man.

It is with deep feeling that the Congressmen of Illinois extend to his widow, Teresa, and his daughter by a previous marriage, Mrs. Mary McCormick, and his three grandchildren, their heartfelt condolences.

Law Day, U. S. A.

EXTENSION OF REMARKS
OF
HON. EMMET F. BYRNE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. BYRNE of Illinois. Mr. Speaker, I would like consent to extend my remarks in the RECORD about Law Day, U. S. A.

As a lawyer, I am particularly glad to see Law Day, U. S. A., recognized.

One shudders easily to think what, who, or where we would be without our United States Constitution. This truly was a milestone in the evolution of our government by law.

As citizens of responsibility and as duly elected representatives of the people, we must constantly keep before our people the idea that laws are for their protection as individuals and not for their exploitation. Law is our servant and not our master.

As we view the world and conditions throughout this universe, we realize that we must continue to supplant the law of force with the force of law. The world has grown to be dangerous, and we are aware that there would be no survival for us without law.

The United States and Russia have pierced the frontiers of outer space and we are engaged in a race which is comparable to none ever undertaken before. This race imposes a bold task upon the minds and hearts of men and calls for daring and courage. Are we going to extend law to the new frontier? This is truly a great question.

In the years to come, I have full confidence that we all are going to witness great accomplishments on the space frontiers. However, in our accomplishments ahead, I hope earnestly that our contributions will be recognized not only by language but more by the spirit in which we perform these wonders: A spirit of unmistakable adherence to the principles of law and order, recognition of our Creator. These qualities are the things that made us recognized as a government under one God and of the people, by the people, and for the people. These are the things that gave us the position we have today, and the world has looked at us with wonder. The quest must go on, and in it the process of law is an integral part.

Statement of Secretary of Agriculture Ezra Taft Benson Before the House Committee on Agriculture

EXTENSION OF REMARKS
OF
HON. WILLIAM S. HILL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. HILL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the statement made by Secretary of Agriculture Ezra Taft Benson to the Committee on Agriculture:

STATEMENT OF SECRETARY OF AGRICULTURE EZRA TAFT BENSON BEFORE THE HOUSE COMMITTEE ON AGRICULTURE, MAY 1, 1958

I am pleased to discuss with you the dairy situation, and particularly the various dairy stabilization bills introduced by Members of of House of Representatives with a view to helping dairy producers.

It is most appropriate for this committee to consider the problems of the dairy industry and possible solutions. From the standpoint of numbers of farmers engaged in selling dairy products and the income derived therefrom, dairying is one of the important segments of agriculture. The dairy enterprise ranks second as a source of income to farmers, being exceeded only by beef cattle.

The importance of the industry has long been recognized by the Department and much constructive action has been taken to assist dairy farmers. We recognize, of course, that numerous problems remain to be solved, even though in 1957 cash receipts to farmers from sales of dairy products totaled $4,643,000,000, the highest on record.

ACTIONS TAKEN TO ASSIST DAIRY PRODUCERS

The Department of Agriculture is helping the dairy industry to achieve more efficient production and marketing through research and education and through promotion and merchandising programs.

For years the Department has made great efforts to achieve increased efficiency in milk production through improved breeding, better feeding, and other desirable farm practices. We have sought ways and means of producing and marketing at lower costs. We have helped to develop and encourage new and expanded outlets for dairy products.

We recommended and the Congress enacted in 1954 the Agricultural Trade Development and Assistance Act, Public Law 480, to move surpluses into constructive use. Under this law we have moved a very large quantity of dairy products. This program has not only been of benefit to the dairy industry; it has also won much good will for this country.

Under title I of this law we have programed the export movement of dairy products equal to about 1.4 billion pounds milk equivalent, with a value of $71.8 million. We are using a substantial amount of foreign currency to develop markets abroad for our dairy products.

We should note that unless action is soon taken to extend Public Law 480, dairy producers will lose some of the benefits which otherwise would be derived from extension of title I of Public Law 480.

Under title II of this law we have programed for donation to various governments a total of $76.5 million of butter, cheese, and nonfat dry milk. These donations have been made for famine and emergency relief as provided by the law.

Under title III we have also donated very large quantities of dairy products to private and other eligible welfare agencies. A small quantity has been moved through barter. We have donated under title III a total of around 1.6 million pounds of nonfat dry milk, 337 million pounds of butter and butter oil, and 516 million pounds of cheese.

We are improving the nutrition of many schoolchildren under the special milk program. This program, now in its 4th year, is currently being undertaken under legislative authority for the use of $75 million of CCC funds. It is operating in all the 48 States, the District of Columbia, Alaska, and Hawaii. A total of 1.8 billion half pints of milk were consumed by children under the program last year. The program has made it possible for many more children to drink more adequate quantities of milk. It has also contributed substantially to the effective operation of the dairy price support program.

We are also donating large quantities of dairy products for distribution to schools under the national school lunch program, to eligible institutions, and to needy persons in this country.

During the past fiscal year: 46 million pounds of butter, 32 million pounds of cheese, and 24 million pounds of nonfat dry milk were donated to the national school-lunch program; 9 million pounds of butter, almost 16 million pounds of cheese, and 16 million pounds of nonfat dry milk were donated to eligible institutions; 12½ million pounds of butter, 72 million pounds of cheese, and 83 million pounds of nonfat dry milk were donated to needy persons in the United States.

We have also made large quantities of surplus butter, cheese, and nonfat dry milk available for increased use by veterans' hospital patients and military personnel. A total of 23 million pounds of butter and nearly 2 million pounds of cheese have been transferred to the military agencies during the past 5 years. These transfers increased consumption of dairy products by military personnel and veterans' hospital patients over and above their normal use.

Under another special program, for which the Department pays part of the cost, the United States Armed Forces have more than doubled their consumption of fluid milk. In 1957 the military personnel used about 560 million pints of milk more than they would otherwise have consumed. This program comes under provisions of the Agricultural Act of 1954 which not only authorizes purchase of fluid milk in carrying out the mandatory dairy price support operations, but also provides that CCC stocks of dairy products may be transferred for increased use by the Armed Forces.

Consumption of milk by veterans' hospital patients also has been increased.

We have made excellent progress during the past year under the accelerated brucellosis program. At the present time approximately one-third of all of the counties in the United States, including all of 11 States and Puerto Rico, have qualified as modified-certified areas. This means that the incidence of the disease does not exceed 1 percent of the cattle and 5 percent of the herds. If the program is continued at the present rate, it is expected that around 90 percent of the States will be certified by 1960.

Major efforts in our current dairy production research involve: (1) The national cooperative dairy herd improvement and sire proving program; and (2) breeding, nutrition, herd management, and physiological research. In our current utilization research program we are emphasizing: (1) Research into preparation of improved dry whole milk, particularly as to keeping qualities, improvements in flavor, reconstitutability and reduction in bulk; (2) fundamental research on cheese to obtain better quality and reduced costs of production; and (3) developing new and expanded uses of other dairy products.

Our research on marketing problems of the dairy industry is being directed particularly at market expansion for dairy products. We are studying market potentials and seeking more effective methods of presenting dairy products for purchase by consumers. We are surveying consumer buying habits, preferences and other factors affecting purchases.

We are also studying factors bearing on costs and efficiency of marketing dairy products. These range from simple measurements of the farm-to-retail price spreads on a number of products to detailed engineering studies of various processing and marketing operations. New developments such as the shift from handling milk on farms in cans to handling it in bulk tanks may necessitate changes in the structure of the industry. Some of the Department's research is aimed at helping the dairy industry adapt its structure to such new developments.

In summary we are taking all the sound and constructive steps available to increase the use of dairy products. We are continuing to cooperate closely with the dairy industry in promotion and merchandising programs. We have urged the continuation of the Public Law 480 programs and also the programs designed to increase the consumption of fluid milk by children and military personnel. We are carrying out research and field education efforts to make more efficient the handling and marketing of milk and other dairy products. Butter, cheese, and dry milk continue to be donated to the school lunch program, to charitable institutions, and to needy persons not only for the purpose of reducing surpluses, but also as a means of developing and strengthening markets. Dairy products will be exported in increased volume when this can appropriately be done. Efforts will be continued to encourage the development and expansion of domestic and foreign markets for dairy products for the long-time benefit of our dairy farmers.

PROVISIONS OF THE DAIRY STABILIZATION BILLS

Self-help efforts, as distinct from Government programs, are to be encouraged and aided. Self-help is in the American tradition—and a far more healthy, progressive, prosperous agriculture flows from individual planning, self-reliance, and self-help than can ever be achieved through dependence on Government.

The self-help principle in its broad sense is a most desirable objective for the dairy industry. Yet I find it necessary to recommend against the enactment of legislation such as embodied in H. R. 10043, H. R. 9743, H. R. 10060, and other bills which have been presented as self-help measures. Much as I regret the need for this decision, there are compelling reasons.

The reasons lie in the principal provisions of the bills. They are not truly self-help measures.

1. These bills would create in the Department of Agriculture, as an independent agency and instrumentality of the United States, a Federal Dairy Stabilization Board. The Board would consist of 15 milk producers or officers of dairy cooperatives appointed by the President from nominees selected on a regional basis by milk producers. The Secretary of Agriculture would be an ex officio member without vote. The Board could use employees and services of any Federal agency. Or it could set up its own staff outside the civil-service system.

2. These bills would require the Secretary of Agriculture to appoint a Federal Dairy Advisory Committee of 12 members. They would represent manufacturers, processors, handlers, and distributors of milk and its products, consumers, other agricultural commodities or programs, and other interests directly concerned with the operation of the act. The committee would confer with and advise the Board concerning the dairy stabilization program.

3. These bills would give to the Board almost unlimited authority to acquire facilities and to acquire, process, store, sell, donate, advertise, and otherwise handle milk and dairy products.

4. These bills would authorize and direct the Board to stabilize prices of milk and butterfat to producers and to determine and announce price support levels. The Board would take into consideration such factors as the declared policy of the act, the importance of milk and dairy products to the health and general welfare of the Nation, and the estimated supply and demand situation for milk and its products. Other factors would be the support level for feeds; the cost of producing, processing, and marketing milk and dairy products; relative prices of other foods; hourly returns for labor; and the need for and reasonable relationship between the prices that farmers receive and pay.

5. These bills would authorize and direct the Board to carry out price support through purchases of milk, butterfat, or other dairy products. They would give to the Board the same broad authority that CCC now has to sell, donate, or barter any dairy products acquired by it, in domestic and foreign outlets, and for use by the armed services, in school lunches, and for welfare uses.

6. The Board could transfer to CCC, or dispose of for CCC account, quantities of dairy products equal to imports of dairy products and the increased production of milk and butterfat resulting from diversion from production of other commodities under control programs. CCC would be required to pay to the Board the full cost of such products. United States Government agencies would be required to cooperate with the Board in the disposal of dairy products acquired by the Board by barter, exchange for foreign assets or currencies, and in the use of foreign currencies in connection with relief distribution, or procurement activities.

7. Whenever the Secretary of Agriculture determined, after public hearing, that the Board's operations had resulted, or would result, in unreasonably high prices to producers, he must prescribe a support level and recommend action by the Board. If the Board did not take such action, the Secretary could petition the United States Court of Appeals for a decree directing the Board to take such action or to cease and desist from other action.

8. The Board could borrow money from anyone, pledging dairy products as collateral or without security. CCC would be required to loan to the Board, without security, amounts requested by the Board up to $350 million outstanding at any one time.

9. The Board would be required to determine marketing assessments to cover cost of price supports, except costs due to imports and crop diversions. Whenever marketing allotments were in effect, the Board could establish different assessment rates for producers' sales within allotments and sales in excess of allotments. The first buyers of milk and butterfat from producers would withhold the assessments from prices paid producers and would pay the assessments to the Commissioner of Internal Revenue. There would be appropriated, for use by the Board, sums equal to the assessments collected. Marketing assessments also would be collected on imports of dairy products, for use by the Board.

10. These bills would require the Board to put into effect a marketing allotment program for any marketing year when the marketing assessment would exceed a given figure, such as 25 cents per hundredweight of milk. The Board would allocate bases to individual producers, taking into consideration historical production, trends, and other factors. It would allocate the available markets to producers annually and would issue marketing certificates to producers covering their marketing allocations.

11. A referendum would be held to determine whether dairy farmers favor a dairy stabilization program as provided in these bills or a price support program as provided by the Agricultural Act of 1949. If producers approved the dairy stabilization program the Board would be required to support prices to producers for milk and butterfat for the marketing year beginning April 1, 1959, at 90 percent of parity. The marketing assessment would be 25 cents per hundredweight of milk or milk equivalent. In computing the support level for manufacturing milk, the Board would be required to use the July 1946–December 1948 average ratio instead of the lower last 10-year average ratio of manufacturing milk price to all milk price. Thereafter the Board would set the support levels and the assessment rates. The Board's stabilization program would be subject to subsequent referendum to determine whether it should be continued or discontinued, if 10 percent of the producers petitioned for such referendum.

12. The Board's operations would be exempt from taxes, antitrust actions, and other laws applicable to Government contracts.

13. These bills would suspend dairy price support operations by the Secretary during the Board's operations.

SERIOUS QUESTIONS INVOLVED

These bills represent an effort by representatives of dairy producers to develop a self-help program under which a large part of the cost of dairy price support operations would be transferred from the Federal Government to the producers. Self-help objectives, I repeat, are meritorious and warrant careful consideration. However, there are several provisions in these bills which raise important questions regarding delegation of authority and responsibility, the lack of limits on price support level, and administrative feasibility.

Broad authority with respect to dairy price support operations would be vested in an independent board of producer representatives. If producers initially voted in favor of the stabilization program, the Board would determine the level of support and the amounts of assessments on producers' sales of milk and butterfat after the first year. Producers would have further opportunity to approve or disapprove the Board's actions only if 10 percent of the producers petitioned for another referendum.

The Board could act without the approval of either the Secretary of Agriculture or the President. Moreover, the guiding standards in these bills are very broad. Except for the first year, they do not specify any maximum or minimum limit on support level. It appears advisable for the Congress to continue to determine the criteria and maximum support levels for agricultural commodities.

A second question is whether the authority and responsibility for agricultural price supports should be divided. The Secretary of Agriculture now has the responsibility for operating a consistent and balanced agricultural program. These bills would give

an independent board authority to conduct programs for dairy products. It is believed that the coordination of the farm program as a whole would be best accomplished by continuing a unified authority and responsibility for price support operations for all commodities.

The provision for review, recommendation, and petition by the Secretary of Agriculture for court action—to require the Board to take the recommended action or to cease and desist from other actions—would be impracticable. The time involved in hearings and court procedures would be excessive. An unsatisfactory relationship might develop between the Secretary and the Board with respect to authority and responsibility for price support operations.

Furthermore, it is not advisable that questions between Federal administrative agencies and officials regarding administration of Federal laws and programs be taken to and resolved in the courts.

The stabilization program would go into effect if a majority of the producers voting in the referendum favored it. Under some of these bills the Secretary would be directed to consider the vote of any cooperative association of milk producers bona fide engaged in marketing milk, butterfat, or dairy products for producers as the vote of the producers in such cooperative. Other self-help dairy bills do not provide for such method of voting but require individual voting.

If producers voted in favor of the stabilization program, the support level for the first year would be 90 percent of the parity price for butterfat and 90 percent of the parity equivalent price for manufacturing milk. The base period would be the 30-month (July 1946-December 1948) average ratio of 88 percent between the price of manufacturing milk and the price of all milk, instead of the last 10-year average ratio now used, which for 1958 is 81.2 percent. Based on the March 1958 price of all milk, different percentages of the parity equivalent price of manufacturing milk as computed by the present method and the proposed method are as follows:

	Present method (basis 10-year average)	Proposed method (basis July 1946-December 1948 average)
Parity price of all milk at wholesale per hundredweight	$5.02	$5.02
Ratio of manufacturing milk to all milk prices (percent)	81.2	88.0
Parity equivalent of manufacturing milk per hundredweight:		
100 percent	$4.08	$4.42
90 percent	$3.67	$3.98
75 percent	$3.06	$3.31

Butterfat parity is not altered by the proposals. Based on March 1958 parity data, 90 percent of the parity price of butterfat would be 67.9 cents per pound as compared with the support price of 56.6 cents per pound announced for the current marketing year.

Thus, if producers voted in favor of the program, the following increases would be required over the 1957–58 support level:

Manufacturing milk: 73 cents per hundredweight, or 22 percent.

Butterfat: 9.3 cents per pound, or 16 percent. After deduction of the prescribed 25-cent assessment for the first year, the net support level would still be above the 1957–58 support level by 48 cents a hundredweight, or 15 percent, for manufacturing milk, and a somewhat lower percent for butterfat (depending upon how the butterfat assessment rates were computed). The effect of the increased support level would be to further encourage milk production. The higher support level would result in approximately corresponding relative increases in prices to consumers for milk and its products. This would decrease consumption.

It is apparent, therefore, that with similar production and marketing conditions a substantial increase in purchases of dairy products would be necessary to make the higher support level effective. This could result again in the accumulation of large stocks of dairy products, since the Board, operating as a Federal agency, would be confronted with the same problems of international trade and relationship as would be encountered under the present type of program.

The present method—computing the parity equivalent of the price of manufacturing milk by administrative determination—is preferable to fixing by law a method that requires the use of a relationship that existed 10 years or more ago. Moreover, the present method of using the latest 10-year average relationship allows for trends and is consistent with the modernized parity provisions of existing legislation.

It appears preferable for Congress to continue to leave to administrative determination the actual level of support within prescribed ranges rather than to prescribe specific levels of support for specific years.

The bills would require marketing allotments on sales of milk and butterfat by individual producers if the marketing assessment would exceed 25 cents per hundredweight of milk. The apparent purpose of such allotments is to make it possible to establish relatively high assessment rates on overquota sales. The objective is to tax the surplus out of existence. This provision warrants careful consideration.

Much study has been given to the feasibility of a dairy allotment program by the Department of Agriculture, the dairy industry, and farm organizations. Very difficult administration problems would be involved. These are associated with seasonal variation in milk production and seasonal distribution of individual producer's allotments. Such allotments would be necessary in order that first buyers of milk and butterfat would know, when they paid for such milk and butterfat, the quantities on which they must deduct the differential assessment on overallotment milk and butterfat. These sums must be remitted monthly to the Commissioner of Internal Revenue. Because the experience with crop allotments has not been highly satisfactory, we are sure that such controls on dairy producers would be even less acceptable and successful in controlling output of dairy products. The Department questions the advisability of legislation that would require milk and butterfat allotments.

The bills would, in effect, exempt producers of milk and butterfat from self-financing dairy support operations attributable to imports of dairy products and to diversions from the production of other agricultural commodities resulting from such Federal production control measures as acreage allotments.

With respect to imports, section 22 of the Agricultural Adjustment Act, as amended, provides authority to restrict imports of dairy products to prevent their interference with the dairy price support program. With respect to diversion, there is no satisfactory basis for measuring the effects of crop acreage allotments, quota, and related programs on the production of milk. There are too many offsetting and immeasurable influences.

Milk production is influenced by numerous factors. These include the relative farm prices of milk, butterfat, and other commodities (including those subject to acreage allotments or marketing quotas), feed prices, supplies and quantities under loans, and technological developments in both crop and livestock production. It would be virtually impossible to determine with reasonable accuracy what part of the total milk production, or of the price-support purchases, should be attributed to each factor.

The self-help principle in its broad sense is a desirable objective for all agriculture. Reaching this goal calls for a better adjustment between production and consumption, more efficient production and marketing, more freedom from Government regulations and interference, and less dependence upon Government price supports and related programs.

It would appear, however, that several major policy considerations must be resolved before a definitive position can be taken with respect to this type of legislation. Such questions which the Congress should decide include:

1. The desirability of giving very broad authority on price support and related operations to a commodity board not directly subject to control by the legislative and executive branches.

2. The desirability of providing similar authority to other commodity groups. If so, there would be the need to set up a superboard to coordinate the decisions of the various independent commodity boards.

3. Since the granting of broad authority to agricultural commodity boards to fix minimum prices would be a reversal of the policies agriculture had advocated for over half a century on certain nonagricultural services, what should our position be with respect to these other controls? These include costs of services farmers buy, such as freight rates, truck transportation rates, electricity, etc.

4. What should be our policy with respect to providing adequate protection to the general public under the commodity board setup?

5. If a dairy board is set up, should the Secretary of Agriculture have veto power over its actions? In evaluating this policy consideration should be given to the following:

a. Which actions should be subject to veto?

b. Who would reconcile differences between the Secretary and the board?

c. Who would have responsibility for the decisions made?

d. To what extent would divided authority affect efficient operations?

e. To what extent would veto authority permit the Secretary to reconcile the price-support actions of the various commodity boards?

f. To what extent would a double review of every major action result in duplication of personnel?

6. How will the plans be financed to the extent the assessment does not cover costs? This question arises because while the various plans claim to be self-financing all call for the borrowing of large sums, such as $350 million from CCC with no provisions for repayment. If the plan is not successful and builds up a substantial deficit so that farmers vote to return to the present price support method in order to avoid paying high assessments, what happens to the unpaid obligations to CCC?

7. Because a single commodity board is not subject to the same overall commodity responsibility with respect to international relations as a Government agency, this commodity board approach on disposal operations could undo in the international field much of the good being done through other efforts.

CONCLUSION

The dairy industry already is using the self-help principle.

Many dairy farmers are helping themselves by producing milk more efficiently through better breeding, better feeding, culling, quality improvement, and other practices. They

are also striving to improve the marketing of their milk and butterfat through cooperative actions. A major feature of the current revolution in the dairy industry is the establishment of modern, efficient processing plants, and the development of dairy products in packages more appealing to consumers. More effective merchandising by individual distributors is being supplemented by group advertising and promotion of milk and its products. This is financed by farmers through voluntary deductions from the prices they receive for milk and butterfat.

Emphasis on increasing consumption of milk and its products in the regular commercial market channels offers the best solution to the dairy problem. It is estimated that if all households that are low on calcium were to raise their consumption to the recommended level, milk consumption would go up about 9 percent. This is roughly double our current annual purchases of dairy products for support purposes. Not only would it wipe out the surplus—it would call for a substantial increase in production.

Mr. Chairman, I shall be very happy to respond to such questions as you may have.

Let Us Act Quickly for the Good of Retired Federal Employees

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. CRAMER. Mr. Speaker, the two bills (S. 72 and H. R. 607) that provide additional benefits for retired civil-service employees have passed their respective bodies of Congress. A conference on the bills has been asked and the members of the conference committee appointed. It is my hope that these conferees will promptly report out an agreement on which the House and Senate can act and which the President will approve and I have constantly been in touch with some of the conferees on this matter.

I have long endeavored to enact legislation that will bring about cost-of-living relief to these people who have served their Government in many capacities over a long period of years and who have planned for and contributed to a reasonably comfortable community life. I think the provisions being studied in conference are badly needed and, to some extent, provide the additional income these people so justly deserve. Both in the 84th and 85th Congress I have introduced similar legislation affecting retirees which fully indicates my belief and concern in their welfare. The west coast of Florida is one of the great retirement sections of the United States and many of our fine residents are from the ranks of retired civil employees. The action proposed in these two bills before the conferees is extremely important to the future of these retirees and their retirement communities. I hope that every effort will be made to obtain a conference report at the very earliest opportunity.

I trust that the bill will be reported out soon, that it will provide an amount approximating S. 72 and will provide an increase that will thus adequately compensate for the increased cost of living that so markedly affects the standard of living of these retirees on fixed incomes. This was the intended purpose of my bill and I trust the conferees will consider this factor, of increased cost of living, the principal and motivating element in their deliberations, there being adequate funds in the trust fund to provide an increase in conformity with this principal and still retain the actuarially sound integrity of the fund.

Child Health Day, Cystic Fibrosis, and a Call to Action

EXTENSION OF REMARKS
OF
HON. COYA KNUTSON
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mrs. KNUTSON. Mr. Speaker, today, May 1, is Child Health Day. Every year since 1928, the President of the United States has issued a proclamation declaring May 1 Child Health Day.

In 1916—12 years earlier—Julia Lathrop, the first head of the Children's Bureau, wrote to the Secretary of Labor:

> May Day has a long and pleasant tradition among all English-speaking children. It might well be chosen by their elders as a day which should be not only a festival but also year by year a celebration of some increase in the common store of practical wisdom with which the young life of the Nation is guarded by each community.

In 1933, President Franklin D. Roosevelt—in his first May Day proclamation—supported the slogan: "Mothers and babies first."

Nine years later, in 1942, Child Health Day initiated a campaign for immunization against diphtheria and smallpox. Another year medical and dental examinations for children entering school for the first time were emphasized.

For the past weeks, you have heard me on several occasions tell you about the disease called cystic fibrosis. Mr. Speaker, cystic fibrosis is a vicious disease. It strikes 7,000 newborns every year, and 5 Child Health Days later, half of these boys and girls have died. A cystic fibrosis victim at the age of 20—in 1958—has about the same additional life expectancy as the average person at the age of 100. Almost 100 percent of the cystic fibrosis children die before they have a chance to die of something else.

On this Child Health Day, 1958, let us resolve to stop cystic fibrosis' child-killing spree. Research can do a lot for these youngsters. I have received letters from several doctors during recent weeks and they all agree that we know very little about the disease. Dr. Justin Andrews of the National Institutes of Health, when asked, in February of this year, about how much has been done, researchwise, to date, in the area of cystic fibrosis, testified: "Not very much."

I hope that next year, on Child Health Day, I can report to you progress made in the meantime to wipe out cystic fibrosis.

A few days ago, I inserted into the CONGRESSIONAL RECORD extracts from the many letters I have recently received urging acceleration and expansion of our national cystic fibrosis research programs. Our hearts will tell us that we must declare war on cystic fibrosis.

Short Term Amortization of New Capital Assets

EXTENSION OF REMARKS
OF
HON. HUBERT B. SCUDDER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. SCUDDER. Mr. Speaker, today I introduced H. R. 12316, a bill identical to S. 3718 introduced by Senator CAPEHART earlier this week.

I firmly believe the enactment of this bill is the stimulant our economy needs to promote more jobs and encourage greater capital investments.

The principal objective of this legislation is to provide for a short-term amortization of new capital assets. What greater boost does the small-business man need at this time than to enable him to invest in necessary building, equipment, and machinery which can be depreciated over a shorter period of time. The effects of a program of this type would increase employment immediately and provide greater stability to the working force of the Nation.

Passage of this legislation would be a great stimulant to the entire country. It would encourage initiative and the expansion of business and industry without costly Federal subsidization of so-called temporary programs which, through experience, we have found to drag out into permanent Federal projects competing with private enterprise.

In my district alone, this bill would aid the farmer, the fisherman, and the lumber industry and many small businesses.

The farmer would be able to invest in new machinery which could be depreciated within a 5-year period as contrasted to a 10-year period now provided by law for some types of farm machinery.

The fisherman would be encouraged to invest in new boats and equipment and in costly repairs and renovation of the same.

Where the lumber industry is concerned, the benefits would be twofold. Allowance for short-term depreciation on building units both for industrial and private uses would create a greater market for lumber. The demand for lumber products together with the advantage of short-term depreciation on capital assets would be the adrenalin this industry needs.

I could enumerate by the hundreds businesses such as wholesale and retail establishments, transportation systems, heavy industry, rental housing, small

factories, and the like, that would discover in this legislation the boon they have been searching for.

In all my years of public service I have been one of private enterprise's strongest advocates. I have seen our country grow because of the initiative and farsightedness of those who also believe in this precept. In this day and age of growing socialism when the small-business man and the large one alike need the added incentive and encouragement, in my opinion this bill is that shot in the arm that can snap us out of a lethargic state and an overemphasized reliance on the Federal Government.

Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. MULTER. Mr. Speaker, Saturday, May 3, is one of the most significant landmarks in Poland's history—the anniversary of the constitution of May 1791. The drafting and the adoption of that document by the Great Diet (or Parliament) 167 years ago was a real turning point in the history of the Poles. By it they effected a peaceful revolution in their form of government without resorting to the violent and terrifying measures characteristic of the French Revolution. By the adoption of that liberal and progressive document Poland's leaders led their countrymen from the feudal path of the Middle Ages to the broad, democratic highways of modern times.

That constitution restrained the authority of the monarch, and introduced ministerial responsibility in government. The intricate and obstructive features of the old system and many class distinctions associated with it were eliminated. A bicameral legislative body with full legislative authority was created. Economic and social barriers between the nobility and the townsmen were broken down. The townsmen recovered their judicial autonomy and were admitted to many higher offices. Religious toleration was established and the peasantry was taken under the protection of the law. The constitution thus abolished the worst abuses from which Poland had been suffering for centuries. As has been justly observed:

> Through the abolition of the most crying political evils of the old regime * * * and granting of increased freedom of action to the middle and lower classes, the constitution marked a great advance upon all previous attempts at reform in Poland.

But this democratic document aroused the ire of Poland's enemies, who fearing that through this document Poland might regain her former strength, hastened to fight her and bring about the eventual partition of Poland. As we all know, before the unfortunate Poles had any time to enjoy the benefits of their new constitution their country was parceled out among the autocrats of Austria, Prussia, and Russia. Having lost their independence, all Poles became subjects of alien governments in their own homeland. Still, they managed to keep alive the spirit of their national independence—drawing spiritual sustenance from the principle enunciated in that constitution. At the end of the First World War they all happily witnessed the defeat of their oppressors, and they rejoiced at this opportunity to regain their independence.

A strange coincidence is that May 3 comes in the midst of the 15th anniversary of the heroic uprising in the Warsaw ghetto—April 19 to May 16, 1943—which is being solemnly observed in the Jewish communities the world over.

We should pause today to remember the heroic resistance 15 years ago of the Jewish community of Warsaw to one of the most inhuman and brutal persecutions in the history of mankind. After the Second World War the horror of the systematic Nazi program to destroy the Jewish community in Europe was revealed. The problems of the postwar era have made us forget the valiant stand the Jewish communities made to resist the Nazis, but we should remind ourselves of the suffering of the Polish Jewish community least we forget one of the darkest pages of human history.

The aim of the Nazis was the extermination of the Jews in Poland. The numerous pronouncements of the Nazi leaders during the first 3 years of occupation made that aim unmistakably clear.

The Nazi pattern for dealing with the Jews consisted of four consecutive stages: First, depriving the Jews of civil rights; second, driving them out of the economic life, thus making it impossible for them to sustain themselves; third, segregating them in ghettos where they would perish of famine and disease; fourth, destroying those who had survived the previous stages. The last stage was begun in the spring of 1942.

The increasing number of daily acts of persecution left no doubt that the Nazis were engaged in a savage campaign of extermination against the many thousands of Jews who were considered unfit even to work as slaves for the Nazi regime. The Warsaw Jewish community died heroically resisting the Nazi persecution. The underground Jewish organization in Poland made it clear in its messages to the Free World that it was anxious to offer resistance to the Nazis, but it had no arms or ammunition. Arms were finally obtained with the assistance of the Polish underground movement with which the Jewish organization had maintained continual contact. The underground and various labor Zionist groups organized a Jewish defense corps. It first took the field against the Nazis in Warsaw in January 1943. A full-scale resistance effort did not get under way until sometime in April and the fighting continued well into May. The fight between the Jews and Germans ended in the complete eradication of the Warsaw ghetto and other Polish ghettos. It was a daring, if futile, action for the Jews to undertake against the overwhelming superiority of the enemy.

Patriotic Poles and Jews together fought the Nazis for days and inflicted heavy German loses. After their victory, the Nazis proceeded to liquidate the ghetto. On April 21, 1943, SWIT, the clandestine radio of the Polish underground broadcast a message:

> The last 35,000 Jews in the ghetto at Warsaw have been condemned to execution. Warsaw again is echoing to musket volleys. Women and children defend themselves with bare hands. Save us.

These were the last words.

Out of the martyrdom of Polish Jewry has risen a reborn Jewish homeland. Five years after the Warsaw crime the independence of Israel was proclaimed. The vision behind the establishment of Israel was inspired by the Nazi terror. Israel opened her arms as a refuge and haven where Jews from every land might come to live in dignity and freedom.

Today once more the fate of the Poles is tragic. In their country today more than 25 million Poles are not even permitted to celebrate this constitution day. We of the Western democracies join all Americans of Polish ancestry in this celebration and heartily express our hope that soon all Poles will again be able to observe freely and without fear in their beloved homeland the anniversary of their constitution day and all that this means in terms of human freedom and political justice.

Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. SIDNEY R. YATES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. YATES. Mr. Speaker, the revolutionary spirit of the 18th century has had profound impact in many countries. New ideas were taking roots in the Western World, liberal and progressive ideas seemed to be spreading in all directions. In this country our Revolution produced the Declaration of Independence and the constitutional form of government. In France the cry for liberty, equality, and fraternity led to the French Revolution, and in Poland the spirit of equality and tolerance, and also the urge to revamp the governmental machinery led to the adoption of the May constitution in 1791.

That constitution attempted, for the first time, to introduce a responsible cabinet type of government in that part of Europe. Monarchical authority was considerably curtailed, and that of the people's representatives was enhanced. The Polish peasantry was relieved from the arbitrary authority of local feudal landlords and placed under the protection of the law. Even more significant than these changes was the guaranteeing of religious freedom to all citizens of the country. Today we are happy to join freedom-loving Poles everywhere in the celebration of this anniversary, the 167th anniversary of the adoption of this great epoch-making document, the Polish Constitution of May 1791.

The Polish Constitution Day

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 1, 1958

Mr. VAN ZANDT. Mr. Speaker, the unhappy Poles have had their ups and downs in their long and eventful history. Their annals are full of glorious deeds and sad tragedies. And the constitution of May 3, 1791, marks a glorious day in Polish history. Late in the 18th century Poland was prey to her greedy neighbors. In 1872 she had already lost considerable territory to Austria, Prussia, and Russia by the first partition. Poland herself was not strong enough to prevent that tragic event. Her weakness and helplessness had become too obvious to the Poles, and many enlightened patriots among them had been trying to devise means whereby the country's governmental machinery would be improved and strengthened by the solid support of the populace. As early as 1788 a committee was formed for the specific purpose of drafting a constitution. The completion of this exacting task took long, but when completed early in 1791, it was regarded as the crowning achievement of a band of liberal, wise, and patriotic statesmen.

That historic constitution as adopted on May 3, 1791, was an epochmaking document, a great landmark in Poland's history. The governmental machinery was modernized and brought up to date by the inclusion of many liberal and progressive features. The King's authority was limited, though he still retained many of the prerogatives of his position. His executive power was to be shared with a council of six guardians of the laws, made up of the primate and the heads of five departments. This council may be regarded as the forerunner of cabinet government in that country. Roman catholicism remained the official religion of the country, but the regime became tolerant of other sects. The nobles retained many of their privileges, but townsmen became eligible for some of these privileges formerly reserved to noblemen. Agreements signed between peasants and their landlords came within the purview of the law. There was the legislature of two chambers elected on the basis of larger electorate. In short, by the constitution of May 3, 167 years ago, Poland moved from an unlimited autocracy to a limited monarchy. In its day this was considered a phenomenal advance, to be accomplished without bloodshed. It was the most advanced governmental reform in central and eastern Europe.

We all know too well what followed the adoption of this liberal instrument. Poland's enemies, fearing that the birth of liberal ideas in Poland may spread to their lands, and also anxious to rob unhappy Poland of what was left to her citizens, made war on Poland. Before the constitution was put into force, Poland found herself under attack. Against the superior forces of her enemies she could not long resist. In the end she lost out. The second partition followed in 1793. The constitution of May became a dead, defunct document. Soon after that Poland was no more; she was parceled out among her three powerful neighbors—Austria, Prussia, and Russia—and for more than a hundred years Poland lived only in the hearts and minds of suffering Poles. But they never gave up the hope of regaining their national independence and reviving the spirit of the constitution of May. From then on, from the time of the adoption of that constitution on May 3, that day has become a Polish national holiday. I am happy to join liberal and patriotic Poles in the observance of that great holiday, the Polish Constitution Day.

APRIL 16, 1958.

Mr. CHARLES BURKE,
Polish American Congress, Inc.,
Washington, D. C.

DEAR MR. BURKE: This is to acknowledge your letter of April 15. I shall be pleased to join with my colleagues in commemorating Polish Constitution Day, May 3, 1958, in observance of the 167th anniversary of the event.

With best wishes, I am,
Sincerely yours,

JAMES E. VAN ZANDT.

POLISH AMERICAN CONGRESS, INC.,
Washington, D. C., April 15, 1958.

The Honorable JAMES E. VAN ZANDT,
House Office Building,
Washington, D. C.

MY DEAR CONGRESSMAN VAN ZANDT: May I draw your attention to the approaching anniversary of Poland's Constitution Day, Polish national holiday, which for 167 years is being celebrated on May 3.

This act of wise statesmanship, enacted by the Polish Diet in 1791 in Warsaw, by unanimous solemn vote, brought about important political, social, and educational reforms destined to strengthen the Polish state at a time of threatening dangers from imperialistic neighboring powers.

Men who undertook the task to guide the Polish nation on the path of social progress belonged to the most enlightened brains of 18th century Poland. They were inspired by the ideals of the American Declaration of Independence and influenced by the French proclamation of the rights of man and citizen.

The principles laid down in the May 3 constitution survived while Poland was struggling for independence and were referred to in the constitutional laws of the reborn Polish state after World War I.

Free Poland's Constitution Day was May 3, and it is still observed in the hearts of the people within the country, and throughout Polish communities in the world.

The imposing on Poland in 1953, under Soviet directives, of a constitution on Communist pattern, similar to that of all other peoples republics, did but reaffirm the attachment of the Poles to their historic charter of 1791.

It became a tradition for Members of the United States Congress to commemorate on the floor of their respective Houses Poland's national day on May 3, to evoke links of friendship between both nations, and to stress United States interest in the fate of Poland.

Members of the United States Congress, who visited Poland lately, unanimously agree that although the Polish Government is Communist, the Polish people are not. American visitors are impressed by the friendly feelings of the population toward the United States of America. As a matter of fact, the Western trend in Poland has not been eradicated in spite of great efforts of Communist propaganda to discredit the Western democracies.

The commemoration of the May 3 constitution by the United States Congress will undoubtedly find a favorable response among the people in Poland.

Your support of the cause of Poland on that occasion will be greatly appreciated by the Polish American Congress.

I take the liberty to enclose for your attention a memorandum listing a few items of actual interest concerning Polish problems.

Yours sincerely,

CHARLES BURKE,
Washington Representative, Polish American Congress, Inc.

POLAND'S KEY POSITION IN CENTRAL EASTERN EUROPE

The subjugation by Soviet Russia of the formerly free and sovereign countries of central eastern Europe after World War II proved to be—as time went on—one of the main sources of international tension. A direct consequence of this shift of power was the division of Europe, totally artificial from a historical, cultural and economic point of view, and detrimental to the very idea of a united Europe.

The demarcation line dividing Europe is based solely on Soviet power policy considerations with the purpose to serve further expansion of international communism.

Thus the ideological conflict between communism and the Free World was brought nearer to Western Europe and therefore to the United States of America resulting in a state of cold war in the relations between East and West.

Poland, by her geographical situation, number of inhabitants and natural resources, forms a key position in central eastern Europe.

As a general rule United States foreign policy has in the past concentrated its main interest on Germany and Russia, and less attention was paid to the countries situated between those two powers.

This attitude was largely responsible for the fact that wartime agreements, such as Teheran and Yalta, were concluded with the U. S. S. R. in disregard of Poland's vital interests as well as of the other Eastern European countries.

Similarly the idea of finality with regard to European nations under Soviet hegemony which found some adherents in the United States of America, and was expressed by certain American writers—curiously enough on the very eve of the events in Poland and Hungary in 1956 which contradicted flagrantly this assertion—showed underestimation of the importance of Poland and other captive nations as potential factors of security and peace in Europe.

CONDITIONS IN POLAND AND UNITED STATES ECONOMIC SUPPORT

The people of Poland, in spite of ruthless Communist subjugation on the Stalin pattern, have maintained their patriotism and moral resistance. Their feelings and beliefs did not flinch under Communist indoctrination and terror. This also applies to the much exposed young generation.

The Poznan revolt and the October events of 1956, which took place under popular pressure, have shown the resistance of the Poles against Soviet rule and their aversion to every form of communism. Ideological slogans, like "Polish road to socialism" proclaimed as a new program by the Gomulka regime are regarded by the average Pole merely as tactical moves, Communist style.

It is fully realized that the country finds itself in a compulsory situation toward Soviet Russia. The suppression of the Hungarian freedom rising by Soviet troops, practically without any reaction of the Western Powers, remains as a threatening memento.

Under these circumstances but a slim restricted margin is left for the development of direct relations with the West and the United States of America in particular.

It seems therefore profitable to the United States of America to take advantage of every possibility to give the people of Poland moral encouragement by proving interest in their fate through concrete facts such as economic support recently granted. Although this might represent a calculated risk it is in line with psychological and political necessities, considering the feelings of the Polish people who looked to America for economic support.

SOVIET INSISTENCE THAT THE STATUS QUO IN CENTRAL EASTERN EUROPE BE RECOGNIZED BY THE UNITED STATES OF AMERICA

Soviet recent successes in intercontinental missiles and sputniks are being exploited by the Kremlin to obtain final recognition of its domination over the countries of central eastern Europe.

In his address of December 20 last, delivered to the Supreme Soviet, Khrushchev asked the West "to recognize the status quo—that is the situation characterized as it is by the existence of Socialist and capitalist states."

His language became violent in Minsk, on January 22, when he replied to President Eisenhower's proposal, that "in the interest of peace and justice the right of free choice of the captive nations be discussed at the summit conference."

In the subsequent exchange of letters and memorandums with the United States of America and the Western Powers, the Soviet Union took a menacing attitude with regard to every proposal to place on the summit agenda the problem of the captive nations. The U. S. S. R. termed such a request as an insulting interference in the domestic affairs of those countries, in spite of the fact that this request was motivated by agreements and treaties binding the Soviet Union.

It is evident that Soviet Russia reserves for herself the exclusive right to exercise control over these countries using the respective Communist parties as docile instruments of action.

It is useful to remember that any country subjected to communism is considered by Soviet Russia as virtually conquered for the Soviet bloc with all consequences deriving therefrom. This means in practical terms that any effort on behalf of the people of that country to replace the Communist system of government by a democratic one, through free voting expressing the popular will, is regarded as a hostile interference in the omnipotent right of the Communist Party to rule the country. And therefore as an act of aggression against Soviet Russia and other member states of the bloc. The use of Soviet troops to extinguish the Hungarian freedom rising constitutes an evident proof of Soviet policy methods.

Judging from a wider perspective of possible future developments in other parts of the world—this shows a real menace of international Communist infiltration.

The obstinacy with which the Soviet Union opposes any discussion of problems relating to the captive nations and insists so strongly now on the sanctioning of the status quo finds additional explanation in the following consideration:

The Poznan revolt of 1956, followed by subsequent developments in Poland and the Hungarian uprising, are proofs that the countries behind the Iron Curtain are in fact a weak spot in the Communist empire. The more so that the repercussions of these events were far reaching as far as the Soviet bloc is concerned, and their influence strongly felt in the Communist Parties abroad.

U. N. O.'s reactions to brutal methods applied by Russia to Hungary, although expressed by resolutions, which were without practical consequences, had a negative effect on Soviet propaganda. The Kremlin is therefore anxious to close once and forever the Hungarian chapter.

In addition to that the Soviets try to obtain a complete disinterestment of the Western Powers, and the United States of America in particular, with regard to the countries submitted to their influence.

In this way the U. S. S. R. would acquire a totally free hand in their action against all efforts of the people to gain more independence.

From our American point of view even tacit acquiescence to Soviet maneuvers aiming at the sanctioning of Moscow-sponsored Communist domination of formerly free and sovereign countries—would alienate the people of those countries and be detrimental to the United States of America from a moral, political, and military point of view.

SENATE

MONDAY, MAY 5, 1958

Rev. Frank Jordan, pastor, Memorial Methodist Church, Thomasville, N. C., offered the following prayer:

O, eternal God, infinitely greater than our highest thoughts about Thee: humbly and gratefully we acknowledge Thee to be the creator of all, and the father of our spirits. If we take the wings of the morning, or send a missile to the uttermost reaches of space, even then shall we know Thou dost sustain universe upon universe. If we look within the darkest recesses of our souls, Thy presence will be discovered, for Thou hast made us in Thy spiritual likeness. If we listen for the still, small voice, we shall know, even in the tumult of these days, that Thy wisdom and Thy power have the final word. Thanks be to Thee that Thou art not only creator and father of our spirits, but also the lord of history and ruler above all human sovereignties.

Grant that these, Thy servants, burdened with the responsibilities which have been placed upon them, may know they are sustained by the prayers of Thy people of every faith and creed. O Thou who hast given strength for every task, we remember in particular before Thee this day one appointed to the Senate, who today enters upon his duties. May he always seek to do justly, to love mercy, and to walk humbly before Thee. Grant him light on every new path he takes, and the confidence to believe that in returning to Thee for guidance, he will find the right ways illumined before him. What we ask for one, we ask for all, that each Member of this assembly and all other members of our Government may be responsive and responsible instruments of Thy good spirit. This we ask in the name of him whom we love and would ever seek to serve, Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 1, 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 May 1, 1958:

S. 864. An act to provide for the transfer of certain lands to the State of Minnesota;

S. 1118. An act to facilitate the administration and development of the Whitman National Monument, in the State of Washington, by authorizing the acquisition of additional land for the monument, and for other purposes;

S. 2037. An act to amend the act of June 28, 1946, authorizing the performance of necessary protection work between the Yuma project and Boulder Dam by the Bureau of Reclamation; and

S. 3120. An act to amend the acreage allotment and marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, to provide additional allotments for farms in the Tulelake area, Modoc and Siskiyou Counties, Calif., for the 1958 and 1959 crops of wheat, and for other purposes.

On May 5, 1958:

S. 1031. An act to authorize the Secretary of the Interior to construct, operate, and maintain four units of the Greater Wenatchee division, Chief Joseph project, Washington, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session.

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were 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. Bartlett, one of its reading clerks, announced that the House had passed a bill (H. R. 12065) to provide for temporary additional unemployment compensation, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 12065) to provide for temporary additional unemployment compensation, and for other purposes, was read twice by its title and referred to the Committee on Finance.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Commit-