# SENATE

MONDAY, JUNE 23, 1958

Rev. Haskell R. Deal, minister, Eldbrooke Methodist Church, Washington, D. C., offered the following prayer:

O God, our Father, the eternal spirit of creation and life, in Thee we live and find strength and wisdom to undertake our daily tasks. We thank Thee for the rich heritage that is ours in our favored land. We seek Thy blessings upon us as a nation, under Thee, our God. Keep us aware that as our Nation is right with Thee, it will be a nation of power for all good. We are one people in a republic, with the high ideals of liberty and justice for all. Keep us alert to these great ideals in all our relations and actions.

We pray Thee to bless these, Thy servants and leaders of our Nation, gathered here as the representatives of all the areas of our glorious country. Inspire them to faithfulness as they seek to keep our Nation on its course of freedom and justice for all. Empower them with wisdom and insight into the many taxing problems which we confront, and give them the grace and courage that come with the conviction of truth and right in all things. As the hours of decision and destiny are striking, leave us not without Thy special guidance in all the vital issues of our homeland; and by Thy power save us from any failure to fulfill our responsibilities to the nations abroad. Keep us faithful in all things, we pray in our Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 20, 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. Ratchford, one of his secretaries, and he announced that on June 20, 1958, the President had approved and signed the following acts:

S. 118. An act for the relief of the General Box Co.;

S. 734. An act to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes; and

S. 2060. An act for the relief of Elizabeth Biro.

## INTERNATIONAL AGREEMENT WITH EUROPEAN ATOMIC ENERGY COMMUNITY — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 411)

The VICE PRESIDENT laid before the Senate a message from the President of the United States which, with the accompanying paper, was referred to the Joint Committee on Atomic Energy.

(For the President's message, see House proceedings for today.)

## COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

## LIMITATION OF DEBATE DURING MORNING HOUR

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

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

## AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT—REENROLLMENT OF S. 2533

Mr. MANSFIELD. Mr. President, I submit a concurrent resolution for which I request immediate consideration.

The VICE PRESIDENT. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 95) was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That, in the enrollment of the bill (S. 2533) entitled "An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes," the Secretary of the Senate be, and he is hereby, authorized and directed to make the following correction, namely: In the last line of House engrossed amendment numbered 4, strike out "37 Stat. 318" and insert "37 Stat. 718".

The VICE PRESIDENT. Is there objection to the request for immediate consideration of the concurrent resolution?

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

## EXECUTIVE COMMUNICATIONS, ETC.

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

AUDIT REPORT ON BUREAU OF ENGRAVING AND PRINTING

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Bureau of Engraving and Printing, Treasury Department, for the fiscal years ended June 30, 1955, 1956, 1957 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RECEIPT OF APPLICATION FOR LOAN UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Secretary of the Interior, reporting, pursuant to law, that the Bountiful Water Subconservancy District, Bountiful, Utah, had applied for a loan of $3,510,000 (with accompanying papers); to the Committee on Interior and Insular Affairs.

DISPOSITION OF CERTAIN PROPERTY TO GOVERNMENT OF ALASKA

A letter from the Administrative Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the disposition of surplus personal property to the Territorial Government of Alaska until December 31, 1959 (with an accompanying paper); to the Committee on Interior and Insular Affairs.

## PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution adopted by the Federation of Citizens Associations of the District of Columbia, favoring an investigation, with open hearings, of the Southwest redevelopment in the District of Columbia; to the Committee on the District of Columbia.

A communication from the Assistant Secretary of State, transmitting a resolution adopted by the Senate of Nicaragua, relating to the treatment accorded the Vice President of the United States on his recent visit to South American countries; to the Committee on Foreign Relations.

Petitions signed by sundry citizens of West Covina, Calif., relating to the Presidential veto of the omnibus rivers and harbors bill, and the completion of the comprehensive plan for conservation and control of floodwaters in the county of Los Angeles; to the Committee on Public Works.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 2474. A bill directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va. (Rept. No. 1736).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2188. A bill for the relief of George Pierre Saviolidis, Ethel Saviolidis, his wife, and William Saviolidis, his son (Rept. No. 1739);

S. 3303. A bill for the relief of Victoriano Daviz Derastique (Victor Davis) (Rept. No. 1740);

H. R. 4044. An act for the relief of Mirko J. Pitner (Rept. No. 1741);

H. R. 5084. An act for the relief of Maria Alma Dizon (Rept. No. 1742);

H. R. 7987. An act for the relief of Maria Giannalia (Rept. No. 1743); and

H. R. 10154. An act to empower the Judicial Conference to study and recommend changes in and additions to the rules of practice and procedure in the Federal courts (Rept. No. 1744).

By Mr. CARROLL, from the Committee on the Judiciary, without amendment:

H. R. 982. An act to amend section 77 (c) of the Bankruptcy Act (Rept. No. 1737).

By Mr. HENNINGS, from the Committee on the Judiciary, without amendment:

S. 3728. A bill to incorporate the Big Brothers of America (Rept. No. 1738).

## DISPOSAL OF CERTAIN FEDERAL PROPERTY IN BOULDER CITY AREA—REPORT OF A COMMITTEE—SEPARATE MINORITY VIEWS (S. REPT. NO. 1745)

Mr. BIBLE. Mr. President, from the Committee on Interior and Insular

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Affairs, I report favorably, with amendments, the bill (S. 2675) to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes, and I submit a report thereon, together with the separate minority views of the Senator from California [Mr. KUCHEL]. I ask unanimous consent that the report be printed, together with the minority views.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nevada.

## EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Julian T. Gaskill, of North Carolina, to be United States attorney for the eastern district of North Carolina;

Herbert G. Homme, Jr., of North Dakota, to be United States attorney for Guam;

Robert Vogel, of North Dakota, to be United States attorney for the district of North Dakota;

Harry R. Tenborg, of North Dakota, to be United States marshal for the district of North Dakota; and

Kenner Wilburn Greer, of Oklahoma, to be United States marshal for the western district of Oklahoma.

By Mr. HENNINGS, from the Committee on the Judiciary:

Harry Richards, of Missouri, to be United States attorney for the eastern district of Missouri.

## BILLS INTRODUCED

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

By Mr. CHAVEZ:

S. 4040. A bill for the relief of Uy Lung Chiang; and

S. 4041. A bill for the relief of Chao Lung Shi; to the Committee on the Judiciary.

## CONCURRENT RESOLUTIONS

Mr. MANSFIELD submitted the following concurrent resolution, which was considered and agreed to:

S. Con. Res. 95. Concurrent resolution authorizing the correction of an error in the enrollment of S. 2533, amending the Federal Property and Administrative Services Act of 1949, etc.

(See the remarks of Mr. MANSFIELD when he submitted the above resolution, which appear under a separate heading.)

## RELEASE OF NINE UNITED STATES ARMY MEN BY EAST GERMANY

Mr. COTTON. Mr. President, last Saturday evening, June 21, 1958, my colleague, the senior Senator from New Hampshire [Mr. BRIDGES], in speaking before the annual State convention of the American Legion in Berlin, N. H., stated that he would, on his return to Washington, submit a concurrent resolution putting the Congress on record in regard to negotiations for the return of the nine United States Army men detained in East Germany.

Since my colleague is unavoidably detained in New Hampshire today, I am happy to submit this concurrent resolution in his behalf. I commend my colleague for his action in submitting the concurrent resolution and I give it my hearty support.

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

The concurrent resolution (S. Con. Res. 96) was referred to the Committee on Foreign Relations, as follows:

Whereas on June 7 nine United States Army personnel on a training flight in an Army helicopter were forced down in the Soviet occupation zone of Germany; and

Whereas these United States military personnel are still detained against their will in the Soviet zone; and

Whereas the Soviet Union is a party to agreements with the United States covering such incidents; and

Whereas the Soviet Union, to date, has refused to abide by those agreements and to release the nine United States Army men: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress of the United States that the President of the United States continue efforts to secure compliance of the Soviet Union with agreements covering this incident and to obtain the release of the nine United States Army men illegally held in the Soviet occupation zone of Germany.

## STUDY OF CONSTRUCTION AND OPERATION OF TELECOMMUNICATIONS NETWORK BETWEEN UNITED STATES AND CENTRAL AND SOUTH AMERICA

Mr. BRICKER. Mr. President, on behalf of myself, and Senators BRIDGES, HICKENLOOPER, SALTONSTALL, MANSFIELD, SCHOEPPEL, and CAPEHART, I submit, for appropriate reference, a resolution. I ask unanimous consent that I may be permitted to speak for 5 minutes on the resolution.

The VICE PRESIDENT. The resolution will be received and appropriately referred, and without objection, the Senator from Ohio may proceed.

The resolution (S. Res. 317) authorizing a study relative to the construction and operation of a telecommunications network between the United States and Mexico, Central America, and South America, submitted by Mr. BRICKER (for himself and other Senators), was received and referred to the Committee on Foreign Relations, as follows:

*Resolved*, That (a) a subcommittee of the Committee on Foreign Relations consisting of two majority and two minority members of such committee appointed by the chairman thereof, in conjunction with two majority members and two minority members from each of the Committees on Interstate and Foreign Commerce and Armed Services who shall be appointed by the President of the Senate from among members of such committees who are not members of the Committee on Foreign Relations, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with the jurisdiction of the Committee on Foreign Relations specified by Rule XXV of the Standing Rules of the Senate to make a complete investigation and study for the purpose of determining—

(1) the advisability and feasibility of constructing a telecommunications network extending from the United States through Mexico and the countries of Central America to the countries of South America for the purpose of providing circuits for telephone, telegraph, teletype, facsimile, radio, and television between such countries;

(2) the possibility of entering into the necessary agreements with other countries for the construction and operation of such network and the subjects which should be covered in such agreements; and

(3) the type of United States agency which would be best suited to carry out the United States part in the construction and operation of any such network.

(b) The chairman of the Committee on Foreign Relations shall designate a chairman from the members of the subcommittee.

SEC. 2. For the purposes of this resolution the subcommittee, from the date on which this resolution is agreed to until March 1, 1959, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The subcommittee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than March 1, 1959.

SEC. 4. Expenses of the subcommittee, under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the subcommittee.

Mr. BRICKER. Mr. President, the resolution I have submitted would create a special subcommittee of the Senate Committee on Foreign Relations consisting of two majority and two minority members of that committee, to be appointed by the chairman, and two majority and two minority members from each of the Committees on Interstate and Foreign Commerce and Armed Services, to be appointed by the President of the Senate from among members of such committees who are not members of the Committee on Foreign Relations. The proposed subcommittee would be authorized to make a complete investigation and study for the purpose of determining—

First, the advisability and feasibility of constructing a telecommunications network extending from the United States through Mexico and the countries of Central America to the countries of South America for the purpose of providing circuits for telephone, telegraph, teletype, facsimile, radio, and television between such countries;

Second, the possibility of entering into the necessary agreements with other countries for the construction and operation of such network and the subjects which should be covered in such agreements; and

Third, the type of United States agency which would be best suited to carry out the United States part in the construction and operation of any such network.

The resolution provides that the subcommittee shall submit its report to the Senate not later than March 1, 1959, and that the expenses of the subcommittee shall not exceed $50,000.

We hear, repeatedly, that the United States has neglected Latin America. Some attribute the ill treatment of our Vice President, on his recent trip, to this feeling of being neglected. It is true that most of our attention has been directed toward Europe, the Near East and the Orient. It is also true that further neglect of Latin America will help the Communist cause there.

Looking toward positive steps to improve our relations, foreign and commercial, and our hemispheric defense, it seems to me that improved electronic communications with Latin America offer much toward gaining these ends.

At present, for United States-Latin American communications we rely on high frequency radio circuits with their fadings and outages, and some ancient cables, some installed as far back as 1882. Not one of these circuits is suitable for radio program service or television.

Microwave circuits, of the type used extensively throughout the length and breadth of the United States, offer a solution. These are wide-band circuits which can carry the multiplicity of telephone, telegraph, facsimile, telemetering, computer data, as well as radio and TV programs.

Obviously, circuits which would permit radio and TV program exchange would be of tremendous value. The hundreds of local Latin American broadcast stations could plug into news broadcasts, in Spanish, and from Washington, twice a day. Our networks, in turn, could sample their culture—the Tipica orchestra of Mexico, the marimba of Guatemala, the Gaucho's music of Argentina. Better understanding would be the result. As to our news broadcasts—Communist propaganda cannot compete with the truth.

Many of the point-to-point channels presently used by our Armed Forces could be covered by these microwave circuits, improving capacity and reliability. The frequencies released could be used for much needed ground-to-air circuits as well as for additional Eastern Hemisphere services. Present telephone and telegraph circuits would be multiplied in number and improved in quality.

Latin America, with a growing population today exceeding 150 million inhabitants, needs this backbone telecommunication circuit of high efficiency. Such means of communication must be developed if we are to fulfill the aspiration of putting the peoples of the world in touch with one another.

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

Mr. BRICKER. I yield.

Mr. SALTONSTALL. I join the Senator from Ohio in sponsoring this resolution for the reason that it provides for an investigation looking toward better communications with South America, and therefore increasing opportunities for friendly cooperation, business cooperation, and better understanding.



Mr. BRICKER. I thank the Senator from Massachusetts. That is exactly the purpose of the resolution. The proposed committee, consisting of Members of the Senate, would be able, by the 1st of March next year, fully to explore the possibilities of such facilities, and the resulting good will which might flow therefrom. That is the purpose of the resolution.

## CANCELLATION OF CERTAIN BONDS POSTED PURSUANT TO THE IMMIGRATION ACT OF 1924—AMENDMENTS

Mr. HRUSKA submitted amendments, intended to be proposed by him, to the bill (H. R. 8439) to cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended, or the Immigration and Nationality Act, which were ordered to lie on the table and to be printed.

## EXTENSION OF TRADE AGREEMENT ACT—AMENDMENTS

Mr. THURMOND submitted amendments, intended to be proposed by him, to the bill (H. R. 12591) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

Mr. PAYNE submitted amendments, intended to be proposed by him, to House bill 12591, supra, which were referred to the Committee on Finance and ordered to be printed.

## NOTICE OF HEARINGS ON PROPOSED PASSPORT LEGISLATION

Mr. GREEN. Mr. President, I wish to announce that the Committee on Foreign Relations on July 9 and 10 will resume its public hearings on the subject of the travel of United States citizens abroad. The recent decisions of the Supreme Court in the passport cases require a reappraisal of certain aspects of this important problem.

Mr. President, the Committee on Foreign Relations now has three bills pending before it on the subject of passport policy. I understand another bill dealing with the same issues has been referred to the Committee on the Judiciary. This may make unfortunate complications. It seems to me clear that this subject of passports involves not only the relations of the United States with foreign nations, but also the protection of American citizens abroad, and also measures to foster commercial intercourse with foreign nations, and to safeguard American business interests abroad. All of these matters are by the Standing Rules of the Senate expressly made the business of the Committee on Foreign Relations. It is significant also that existing law on the subject of passports is mainly codified in title 22 of the United States Code which is entitled "Foreign Relations and Intercourse."

## FAILURE OF EAST GERMANY TO RELEASE NINE AMERICAN SERVICEMEN

Mr. TALMADGE. Mr. President, it has been 16 days since the Russian puppets of East Germany seized nine American servicemen—including two from my State of Georgia—when their helicopter inadvertently flew over the East German boundary during a thunderstorm.

The timidity of our Department of State in seeking the immediate release of these Americans is incomprehensible. To date, the only actions taken have been a press conference at which the Secretary of State called the East Germans kidnapers and a note handed to the Russian Chargé d'Affairs, last Friday, demanding that the Soviet Union take steps to free the American soldiers.

Unfortunately, such actions fail to take into account the demonstrated fact that mere words and polite notes make no impression upon the conscienceless Russian mind. The only language which the Soviet dictators understand is that which bluntly spells out the consequences of failure to comply.

Under the terms of the various agreements concluding World War II in Europe, the Russians assumed full responsibility for the zone of occupation now known as East Germany. Consequently, they must bear full responsibility for the acts committed by the governments under their charge.

Therefore, Mr. President, I am convinced that the course most likely to be productive of the immediate release of our American servicemen in East German hands would be for the Secretary of State to declare formally that Russian failure to effect their freedom within 48 hours would result in a declaration that the Soviet Ambassador to the United States is persona non grata.

Such a step would give the Russians an opportunity to prove before all the world whether their smiling Mr. Menshikov is sincere when he talks so glibly about peace and understanding between East and West.

No less step, Mr. President, will impress upon the godless tyrants of the Kremlin that the United States means business when it says it will not tolerate the use of its servicemen as pawns in international games of political and diplomatic blackmail.

For us to fail to act decisively and immediately, Mr. President, would be an abject admission of what the Russians obviously are trying to prove—that the United States either is unwilling or is unable to protect the rights and persons of our service personnel overseas.

## POSITION TAKEN BY UNITED NATIONS SPECIAL COMMITTEE ON HUNGARY REGARDING MURDER OF IMRE NAGY AND OTHER HUNGARIANS

Mr. SMITH of New Jersey. Mr. President, I wish to call attention to the strong stand taken by the United Nations Special Committee on the Problem of Hungary in regard to the outrageous murder of Imre Nagy and his fellow patriots.

In a forceful statement on last Saturday, the Committee stressed that the Hungarian Government acted "in defiance of the judgment and opinion of the United Nations." The executions demonstrate that "the oppression of the Hungarian people has not abated, and that the reign of terror which began when Russian forces moved into Hungary early in November 1956 continues."

I ask unanimous consent that the full text of the communique issued by the Committee on June 21 be printed at this point in the RECORD, in connection with my remarks.

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

[From the New York Times of June 22, 1958]

COMMUNIQUE ON HUNGARY

The Special Committee met this morning to consider the circumstances surrounding the recent reports from Moscow and Budapest that Imre Nagy, Pal Maleter, and two of their companions have been executed.

To assist its study of these tragic events, the committee had before it the text of the statements issued by the Hungarian Government June 16, when the trials were first announced, and a recent statement from Belgrade in which the Government of Yugoslavia recalled the undertakings which had been given to them by Janos Kadar when Imre Nagy left the asylum of the Yugoslav Embassy at Budapest on November 22, 1956, namely—

"That it (the Hungarian Government) does not desire to apply sanctions against Imre Nagy and the members of his group for their past activities. We take note that the asylum extended to the group will hereby come to an end and that they themselves will leave the Yugoslav Embassy and proceed freely to their homes."

The report of the committee, already presented to the General Assembly and endorsed by it, records the circumstances in which Imre Nagy, on leaving the Yugoslav Embassy, was arrested and taken to an unknown destination, subsequently indicated by the Hungarian authorities as being Rumania; it also recalls the unsuccessful efforts made by the committee later to arrange with the Rumanian Government an opportunity to meet Imre Nagy in the interest of the committee's inquiry.

NO REPLY RECEIVED

The committee notes that no reply has ever been received to the letter addressed to the Hungarian Government on December 20, 1957. That letter drew the attention of the Hungarian Government to the persistent concern displayed throughout the world regarding the fate of the men and women who played a part in the events in Hungary during October and November of 1956. It pointed out that anxiety would continue until the present regime of Hungary complied with the General Assembly resolution of September 14, 1957, which called upon Hungary "to desist from repressive measures against the Hungarian people."

The committee notes that, since the uprising in Hungary in October 1956, the United Nations has adopted a number of resolutions calling on the Soviet Union to withdraw her troops from Hungary so as to create an atmosphere in which free elections could be held. All these appeals have been ignored. The execution of Imre Nagy and of his companions demonstrates that the oppression of the Hungarian people has not abated, and that the reign of terror which began when Russian forces moved into Hungary early in November 1956, continues.

UNANSWERED QUESTIONS

The committee noted that the recent statement by the Government of Hungary in which the executions were announced was imprecise and vague in many particulars. Some unanswered questions are: What were the movements of the prisoners between the time of Nagy's abduction and the time of the trials? In what country were they tried? Where did the executions take place? What was the precise form of the indictment? Under what laws and under what procedures were they tried and sentenced—laws and procedures in operation at the time of the uprising or laws promulgated subsequently? These are matters on which the United Nations has every right to be fully informed.

The committee accordingly issues an appeal to interested governments having at their disposal any information regarding the circumstances of the arrest, trial, and execution of Imre Nagy, Pal Meleter, and their two companions, to make such information available to the committee.

The committee deplores this latest tragic event in which these men, symbols of the hope of a nation for freedom from foreign domination, were secretly sent to death in circumstances which call for solemn undertakings that exposure in violation of their persons would not be harmed, and in defiance of the judgment and opinion of the United Nations. It expresses its grave concern lest the end of this repression and killing may not yet be in sight.

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## ROCKEFELLER BROTHERS FUND REPORT ON THE IMPORTANCE OF EDUCATION

Mr. SMITH of New Jersey. Mr. President, the Rockefeller Brothers Fund has done the Nation an outstanding service in issuing its latest special report, entitled "The Pursuit of Excellence: Education and the Future of America."

This authoritative study focuses on the immediate necessity for strengthening our educational system. Citing the imperative need to meet the Soviet military threat, the report declares that "we must prepare ourselves for a constant and growing demand for talents of all varieties, and must attempt to meet the specific needs of the future by elevating the quality and quantity of talented individuals of all kinds."

This is the goal of the education program proposed by the administration, and I earnestly hope that an effective bill will soon be reported by the Committee on Labor and Public Welfare. The Rockefeller report is compelling evidence that at this session Congress must assume its responsibility in regard to education. It should also stimulate greater public awareness of the need for action at the local level. As the New York Herald Tribune stated this morning in an editorial praising the report:

If one thing is made clear above all, it is that any lasting improvement in the educational process cannot be imposed from above, but must spring from a widening public awareness of its importance to the Nation's future.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks the complete text of the Tribune editorial entitled "Education: A Job for All."

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

[From the New York Herald Tribune of June 23, 1958]

EDUCATION: A JOB FOR ALL

The indictment against the American educational system returned in the newest Rockefeller Brothers Fund report encompasses more than this Nation's schools. It is nothing less than an arraignment of the public attitude and lassitude that have permitted our educational practices to lag behind the Nation's needs and ideals.

Here are some of the specifications in the indictment:

There simply aren't enough schools in existence. Last fall there was a national shortage of 142,000 classrooms, and the existing classrooms accommodated nearly 2 million more pupils than they were designed to hold.

There aren't enough teachers, and some of those there are suffering from inadequate education and training. In 1956, 33 percent of all elementary teachers had no bachelor's degrees and 21 percent had fewer than 4 years of college.

Automatic promotions of pupils every year, whether they show aptitude or not, has turned the educational pattern of many schools into a lock step.

Negroes and women have been denied equal and ample educational and professional opportunities, leading to a costly waste of national talent.

Little effort is made to cater to the needs of the exceptional student by providing him with special opportunities and challenges. An undiscovered talent, a wasted skill, a misapplied ability is a threat to the capacity of a free people to survive. * * * The danger is that we forget the individual behind a facade of huge and impersonal institutions.

In graphically itemizing the shortcomings of the schools, the Rockefeller Brothers Fund has performed another signal service as part of its continuing special studies project grouped under the heading "America at Mid-Century."

But perhaps the most sobering implications of this report, compiled by 15 distinguished educators and educational authorities, lie in the attention it gives to the underlying causes of the educational lag—the cult of easiness that affects so many aspects of national and personal life in America.

"Intellectual excellence," the report points out, "has not always ranked high in the scale of values of Americans generally; but with our rising educational level and increasing prominance of intellectual pursuits, there are signs that this evaluation is changing."

The report concludes that the change can be a continuing and a growing one if it is encouraged. It warns against "underrating the capacity of the American people for devotion to anything but the more and more luxurious furnishing of their private worlds."

If one thing is made clear above all, it is that any lasting improvement in the educational process cannot be imposed from above, but must spring from a widening public awareness of its importance to the Nation's future. The national expenditure for education this year is $14 billion; by 1967, if an adequate job is to be done, according to the report, it will have to rise to at least $30 billion.

The Federal Government will have a part to play; so will local authorities. Most important of all, the people themselves will have to understand the nature of the challenge and stir themselves to meet it.

## PROPOSED EXTENSION OF EAST FRONT OF THE CAPITOL

Mr. SMITH of New Jersey. Mr. President, we still find impressive differences of opinion with regard to the moving of the east front of the Capitol.

In the Washington Post of this morning there appears a news article by Elsie Carper, staff reporter, on the views of Architect Ralph T. Walker, past president of the American Institute of Architects, who last year received the American Institute of Architect's unprecedented centennial gold medal for his contributions to the profession. Mr. Walker has just returned from a tour of restoration projects abroad, and has stated that the historic east front of the Capitol can be "repaired and restored to soundness" without having to be moved.

This subject is of such great importance and is so much on the minds of many persons throughout the United States that I ask unanimous consent to have the article reporting on Mr. Walker's trip published in the body of the RECORD, in connection with my remarks.

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

[From the Washington Post of June 23, 1958]

SEVEN MILLION DOLLARS SEEN SAVED BY FIXING CAPITOL'S FRONT—ARCHITECT SAYS COST DIFFERENCE WOULD PAY FOR SEPARATE BUILDINGS

(By Elsie Carper)

Architect Ralph T. Walker said yesterday that if Congress will repair the east front of the Capitol, rather than construct a costly addition, it will save enough money to build a separate office building.

The new building, Walker said, will provide six times the space expected to be available in the $10.1 million addition now planned.

The New York architect, who has just returned from a tour of restoration projects abroad, said the historic east front can be "repaired and restored to soundness."

Restoration, Walker said, will cost an estimated $3 million, leaving more than $7 million for construction of an office building.

At the rate of $25 a square foot (the average cost of a Government building), the $7 million would provide 280,000 square feet of usable office space, or more than six times the 45,000 square feet proposed in the 32½-foot east front extension, he said.

HONORED BY AIA

Walker, a past president of the American Institute of Architects, received the AIA's unprecedented centennial gold medal last year for his contributions to the profession.

"There is hardly an old architectural monument in the world that has not been repaired and restored after damages far more serious" than those to the east front, Walker said.

"Cracks caused by earthquakes, by faulty foundations, every known kind of erosion, have been checked, and buildings maintained for further usefulness and delight."

Walker said that he studied restoration projects in Paris, Chartres, London, and Oxford.

From all the restoration experts that he interviewed Walker said he got the same response as to why their governments were spending large sums of money for the preservation of old buildings. It was that "we really care for our monuments."

MUCH BIGGER PROJECTS

The job of restoration of the House of Parliament in London, he said, is several times as great as that needed on the east front. Extensive repairs also have been made to the Bodelian Library at Oxford. In each case, necessary repairs were made to the structural walls as well.

One of the most unusual jobs of restoration, Walker said, was on the tower at Salisbury Cathedral, which, because of poor foundations and faulty abutment, was in danger of collapse.

"Ironically enough," Walker said, "the great majority of the necessary funds was contributed by Americans.

"We seem to care," Walker said, "when the heritage is on foreign soil.

"Destruction of the east front," Walker added, "is like tearing a page out of a rare first folio of Shakespeare. It is, of course, tearing out a page of history from its context. It is destroying a work of art for the sake of dubious value returns.

"Architects," he continued, "have a duty in statesmanship as well as in doing a good job professionally. This time the professional job is clouded by an extravagance shocking even to Americans."

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## USE OR LOSE YOUR TALENTS—SERMON BY DR. EDWARD L. R. ELSON

Mr. MARTIN of Pennsylvania. Mr. President, in America the church and the state are separated. Yet the solidity of our Government depends upon the religious convictions of our people. It is heartening when courageous and outstanding ministers discuss subjects which mean so much to us as a Nation.

Dr. Edward L. R. Elson, a dedicated American, yesterday took for the subject of his sermon the Parable of the Talents. This able servant of God treated the subject in sharp contrast to the communistic philosophy. He developed the ideal that all of us are equally free and are equally important in the sight of Almighty God, provided we do the best we can at the job of our choice. The sermon is so significant that I ask unanimous consent to have it printed at this point in the RECORD as a part of my remarks.

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

USE OR LOSE YOUR TALENTS

(A sermon by Edward L. R. Elson, minister, the National Presbyterian Church, Connecticut Avenue at N Street NW., Washington, D. C.)

"A man going on a journey called his servants and entrusted to them his property; to one he gave 5 talents, to another 2, to another 1, to each according to his ability." (Matthew 25:14, 15.)

The parable of the talents is a discourse on individual endowment and individual responsibility. In it Jesus enunciates the universal principle that we either use or we lose our talents. What we are is God's gift to us. What we become is our gift to God.

Jesus was not lecturing to university students. He was talking to plain folk. He was not trying to mystify them, but to state clearly an eternal truth which everybody might understand.

This parable, spoken in Aramaic and written in Greek, has added two new words to the English language; the noun, "talent," and the adjective, "talented." The words are used to describe various kinds of ability, but most frequently are applied to artistic ability. A person is talented, we say, if he can sing, play an instrument, or paint pictures.

But this is a very limited concept. Surely there are talents beyond the artistic realm. There is the talent for conversation, the talent for friendship, the talent for sympathy, the talent for homemaking.

I know a church executive who has an uncommon talent for patient guidance of a group to make a correct decision. Dr. Glenn W. Moore, the secretary of our general council, may have thought through a problem to a correct solution a year or two ahead of others—as indeed clear-thinking men ought to do. But Dr. Moore can sit down month after month with a group of people tackling a problem, get the machinery of their minds operating, turn their discussions to every facet of the problem, and in the end see them come to the correct decision thought out by Dr. Moore long before. Yet the group believes it to be its own and no one else's decision. A man who can do that—who can think clearly, and then patiently wait until others have come to an authentic conclusion, has some kind of a talent which does not belong to all others. It is so much better in a church with a representative government that this man, its chief secretary, should do this than that he attempt to impose preconceived notions on individualistic Presbyterians. And what is more significant, this undefined but very real talent of Dr. Moore improves with the passing of the years. This is what Jesus says will happen. If you use your talents, you improve them. If you neglect them, you lose them. Use or lose is His thesis.

"God has no time to waste making nobodies," said Charles Spurgeon. Everyone has some talent. Let us examine this parable more closely.

Jesus was talking to his congregation in terms of money, and in denominations they understood. He was not talking about pin money. Even the third man in the parable received a substantial sum—a fortune in that land of poverty, where even the daily necessities came hard.

To the people who heard Jesus a "talent" was the largest money unit they knew. It was as much as a laborer could earn in 20 years. When Dr. Goodspeed made his translation of the New Testament he assumed it was worth $1,000 and thus translated the passage: "He gave one $5,000, another $2,000, and another $1,000." This was long before inflation. What we must comprehend is that the one talent man received the largest sum of money denominated in that day. The 1-talent man had a vast responsibility, but the responsibility of the 5-talent man was 5 times as great.

Our Declaration of Independence asserts that all men are created equal. In this parable Jesus takes for granted that men are unequal and attributes this inequality to God. On several occasions I have delivered addresses on the Declaration of Independence at the Jefferson Memorial and have published essays on the life of Thomas Jefferson. Do I now contradict myself? Was Jefferson in conflict with Jesus? Or are the two statements reconcilable?

Jesus' statement runs contrary to the socialistic trend in much of the world today, which says: "From each according to his ability, to each according to his need." This parable says: "To each according to his ability." The current doctrine says: "Take from the wealthy in one way or another, and thereby raise the level of the poor by various forms of subsidy or dole.

No one who ever lived had more sympathy for the poor than Jesus. He said many things to comfort them and performed many deeds to help them. And He said harsh

things about the rich. He was severe with the rich in their accountability and responsibility. To the rich young ruler He said, "How hard it will be for those who have riches to enter into the kingdom of God! It is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of God." Yet here in this parable He says in a terrifying judgment, "To everyone who has will more be given; from him who has not, even what he has will be taken away."

Is this teaching true to the realities of life, and if so, how should we live as Christians? When we look carefully we will discover that the truth of this parable is just about the most challenging and exacting truth we can hear.

Jesus is saying that men are not equally endowed but that they are equally responsible to God for the endowments they have.

The men in this story did not earn their talents. They were given them by their master—by implication, God. Modern thought confirms the ancient teaching. What we are born with—the given factor, the combination of genes—is more important than anything we acquire after we are born. To educate means to educe, to draw out. Education can draw out what is there. It cannot put in what is not there. This may be comforting to some at examination seasons. We believe this native endowment to be not an accident but the gift of God.

We are not equally endowed. Not all of us have the same talents nor are talents equally distributed. It is sad for some, but true, that those who have more to begin with, find it easier to increase what they have.

Education tends to confirm this point. The student with an I. Q. of 140 finds lessons come easy. He excels at them. He tends to do what he excels in. Everything he learns makes it easier for him to learn more. The boy nearby finds it all he can do to keep up. His incentive is to avoid failure and embarrassment to his family.

There are some whose endowments are such that they succeed academically but are miserably inept in other fields. There are doctors of philosophy who cannot change a tire or tune up a motor. Albert Einstein was a genius in science, but when he talked about religion he was a stark novice. Walt Mason could write poetry, but he was so poor in mathematics that he mistrusted everybody who could count, including his own banker and financial adviser.

Endowment is unequal. Those who have, receive more. It is true in social relations. Take the principle of popularity. One person naturally draws people to him. He is outgoing, extroverted, a natural leader. Wherever he sits is always the head of the table. Wherever he is becomes the center of interest. Another is awkward, shy, introverted. He would like to be something else, but he isn't.

This principle holds in business and the professions. One business succeeds where another fails. The market, which pleases customers, multiplies the number of buyers, turns over its stocks more frequently, has fresher produce, and therefore attracts more customers. One doctor's skill and personality is so favorably reported he gets more patients than he can handle. One lawyer turns clients away; another has not enough to be busy. And I suppose even one minister has just the touch that makes him the marrying pastor. The expert public speaker keeps lecturing; the ineffective one is unemployed.

The principle is at work everywhere. Jesus in another passage, Luke 12: 48, says: "Everyone to whom much is given; of him will much be required; and of him to whom men commit much they will demand the more." From the able, the vigorous, the successful man, the community, and the Nation expect more than from the mediocre man or the failure. The more able the man the heavier his responsibilities. But for him there are also greater incentives, because a man tends to measure up to what people expect of him.

At Gettysburg, Abraham Lincoln, with our Declaration of Independence in mind, said: "Fourscore and seven years ago our fathers brought forth on this continent a new nation * * * dedicated to the proposition that all men are created equal." Jesus tells us men are created unequal. He does not argue it; he assumes it—bases life upon it. Was Lincoln at odds with Christian truth? Of course not.

What Thomas Jefferson was trying to say in the Declaration on behalf of men in his day was that in this New World we reject utterly the Old World classification of men into lord and slave, patrician and plebeian, the master and the mastered, the ruler and the ruled. All men are equally free under God. All men are equally dear to God. Human personality is the supreme value. Each man has his own place in God's love which no other can fill. And, insofar as we can provide it, each man should have equal opportunities.

We Americans, in our democratic outlook, resent the sharp emphasis on class privilege and the neglect of uniform responsibility. We have replaced the old, aristocratic conception of education by the democratic. From kindergarten to the university, the door of opportunity is open. In spite of all our shortcomings, we believe passionately in this opportunity. More than any other social system, ours has brought equality of opportunity and a high respect for human values.

But equality of opportunity is one thing. Equality of endowment is another. This, no government can give; no educational system bestow. One person enters life equipped with a strong, robust constitution; another with a frail, sometimes deformed physique, which may be a lifelong handicap. One enters with high intelligence so that learning comes easily; another with such limited equipment that learning comes hard. One girl has a pretty face and attractive spirit; another has not. One man has a permanent foliage on the top of his head, another has a tendency to the baldness of the desert which he can't change. And young ladies might just as well resign themselves to the fact that their own prospect, whatever his contours or profit, cannot become a Gary Cooper.

The Lord only makes one of each person. That is both the hazard and the glory of human personality. If we had been consulted as to our physical or mental makeup, some of us might have a few changes to order. But we were not. We have to take the hand that is dealt us, and play it as well as we can.

In this parable, the evident inequality is attributed to God. "If I were God," we are inclined to say, "I would give men an even chance." And it is just here that God's wisdom proves to be superior to man's. When we are free of envy, of jealousy, of resentment, we know that life is richer because it is the way it is. If everyone were precisely alike, equally endowed, with the same set of skills—life would be drab indeed. We see this truth everywhere. It is better that our organist and choir master, Dr. Schaefer, should play the organ and direct the choir than that the pastor should attempt it. Better that poetic ability be concentrated in Milton, music in Beethoven, and drama in Bernard Shaw, than that there should be a dead level of mediocrity in us all. Better that Pasteur have five talents in science, Edison and Bell their talents in invention, so that all the world might benefit from their labors.

Let it be clear, very clear, that as life really is there are many tasks which require only one talent. And if that talent is not faithfully used the whole organization breaks down. Let one player on a baseball team fail and the team loses. The crew is no more important to the captain than is the captain to the crew. Leaderless men in battle are always ineffectual. The man on the assembly line is no more dependent on the production manager, than is the manager on him. Browning in Pippa Passes says, "All service ranks the same with God; there is no last nor first."

Look again at the parable. The man who buried his talent was not a scoundrel. He did not embezzle his master's money, nor dissipate it in sensuous living. He simply kept it. He did nothing with it. He lacked imagination to see that his talent was needed. He undervalued both himself and his service. He failed to realize that money is a medium of exchange and that when it is withdrawn from usage it no longer fulfills the purpose for which it was made.

So it is in life. Most of the good things in life are accomplished by ordinary people; ordinary people, who give all they have back to God in loving service. So often the world is moved forward by men of modest endowments who compensate for their limitations by the fullness of their spirit and their wholehearted dedication.

The trouble with most of us is we wish we had larger ability when we are probably not using the ability we have. If we are honest, our difficulty is not that we have so few endowments but that we do not apply the intelligence and imagination we already possess. We seldom use more than 1 percent of our brain cells for thinking, as William James said. Energy drys up in the reservoir of personality if it is not used. We are channels through which energy flows only as it is used. God expects from us no more than our best. If we fail to give that best we are wicked and slothful servants according to Jesus.

Judgment is not based upon what we have but upon how we use that which we have. If the third man in the story had brought back his single talent with its hard-earned surplus, he would have received the same commendation as the five-talented man. He is condemned, not because he has only one talent, but because he is too lazy or too timid to put it to use.

Equal fidelity in the use of equal opportunity is equally rewarded. That is the lesson. The reward of fidelity is increased capacity. The man who makes good on a modest assignment fits himself for a larger one. And every time we refuse a job which has our name on it we make ourselves less fit for the next one.

There is a penalty for sloth. "From him who has not, even that he has will be taken away." The used muscle grows stronger, the unused becomes flabby. The brain employed becomes sharper. The unused gets duller. The man who does not use his mind will in time have none to use.

Says George R. Harrison, dean of the Massachusetts Institute of Technology. "The circuits of the mind improve with use and exercise. Thinking brings an increased blood supply and more nourishment to the cells involved." There is a principle of increased returns from increased usage. Reasoning, reflection, judgment, memorization, imagination—all uses of the brain—enhance brain power.

"Use or lose" is the thesis.

When at night I look back on my day, I am more regretful and distressed in conscience by the things left undone than by anything else. So, I suppose, it is with most of us. For the most characteristic sins of respectable people are sins of omission.

I would like to live with these verses found on the body of one of our missionaries, who was accidentally killed in midcareer:

Let me die working.
Still tackling plans unfinished, tasks undone.
Clean to its end, swift may my race be run.

No laggard steps, no faltering, no shirking:
Let me die working.
Let me die thinking.
Let me fare forth still with an open mind,
Fresh secrets to unfold, new truths to find.
My soul undimmed, alert, no question blinking:
Let me die thinking.
Let me die giving.
The substance of life for life's enriching,
Time, things, and self to heaven converging.
Not selfish though—loving, redeeming, living.
Let me die giving."

## LOSS OF INDUSTRY IN PENNSYLVANIA

Mr. MARTIN of Pennsylvania. Mr. President, it is embarrassing to admit the loss of industry to another State. This is the time, however, when we must all give most careful consideration to conditions which are encouraging to industries and to the workers.

It has just been announced that the Westinghouse Electric Corp., a Pennsylvania corporation, is building a new plant at Muncie, Ind., instead of expanding its plant at Sharon, Pa. There was serious labor trouble at Sharon a year ago. The workers were divided. Indiana has a right-to-work law. Pennsylvania does not. Is that the reason that the Westinghouse management decided to locate its new plant in Indiana?

The Pittsburgh Press, which is a very ably edited newspaper, commented on this subject in an editorial entitled, "We Lose 2,000 Jobs," and I ask unanimous consent that the editorial may be printed at this point in the body of the RECORD as a part of my remarks.

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

### WE LOSE 2,000 JOBS

The Westinghouse Electric Corp. is outgrowing its transformer plant in Sharon, Pa. Future operations will require a bigger plant, with big equipment. It will cost millions of dollars and will employ more than 2,000 persons. And it will be built in Muncie, Ind.

The company's announcement said the Muncie location was picked because it is near the center of the power transformer market, is close to the sources of many materials and thus will have transportation advantages. The Sharon plant will continue to produce its present products.

Not a word was said in the company's announcement about the recent history of the Sharon plant, but there are thousands of people in Sharon who will never forget the occurrences there in 1955 and early 1956.

Sharon was the hottest spot in the 156-day strike in 1955–56 of the International Union of Electrical Workers against Westinghouse. Some employees there continued to work, and this led not only to constant violence at the plant gates but throughout the community.

Things got so bad that repeated appeals went to Governor Leader from local officials, including the mayor, sheriff, and a county judge, asking that State police be sent to prevent violence. Mr. Leader said he wasn't going to be suckered into breaking the strike.

Then Mr. Leader took the side of the strikers. His administration issued a ruling that the strike was a lockout (because the company refused arbitration on terms proposed by the Governor) in an apparent attempt to support the strike by getting $9,500,000 in unemployment compensation funds for 23,000 strikers.

The strikers still haven't seen a dime of that money and the ruling still is tied up in a court suit by Pennsylvania employers. But the spectacle of a Pennsylvania Governor supporting a violent strike against a Pennsylvania industry remains vivid in a lot of memories.

As noted above, Westinghouse has given no indication that these considerations were any part of its decision to locate the new plant in Indiana. But it seems fair to hazard a guess that they didn't add to the attractiveness of Pennsylvania when it came to deciding which State would get 2,000 new jobs.

It may be noted also that Indiana last year enacted a right-to-work law under which the union shop is prohibited and each worker decides for himself whether or not he wishes to belong to a union.

## NEED FOR EDUCATION LEGISLATION

Mr. PROXMIRE. Mr. President, with every day that passes without committee action in either House of the Congress on education legislation, Congress is neglecting a central duty to the American people.

The basic strength of America, as it is of any other modern country, is the intelligence—the organized, trained and disciplined intelligence—of its people. Of course, a part of the great genius of the American system is the decentralization of educational influence and power. That is the way it should be. That is the way it can be and will be under the educational measures which have been proposed in this session of Congress, including the Hill-Elliott bill and the Murray-Metcalf bill. Indeed, our education must remain free. But it must also become strong. By any test, it is not strong. Far from it. Saturday's New York Times carried a superb editorial calling upon Congress to act, and act promptly. Mr. President, I ask unanimous consent that the editorial from the New York Times be printed in the body of the RECORD at this point.

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

### WHAT ARE WE DOING?

One of the American educators who returned last week from a survey of the Soviet Union's school system commented that "I don't care what the Russians are doing—I am worried about what we are doing."

Although all of us, including this educator, unfortunately do have to care about what the Russians are doing because they are doing so much, the pertinency of his observation is clear: we will never meet the need or even face up to the challenge of our own educational deficiencies if we concentrate merely on looking fearsomely over our shoulder instead of directly into the mirror.

But by either test we arrive at the same answer: we are not doing nearly enough. This isn't a rhetorical expression; it is an appalling fact. We, the American people, whose democratic institutions necessarily rest upon a literate, informed and reasonably well-educated citizenry, are not remotely approaching the needs of our children for better schools, for better curricula, for better teachers and teaching, for better educational plant and facilities.

If President Eisenhower would show as much consistent and informed enthusiasm about the educational problems of the United States as he does, say, about the reorganization of the Defense Department, the prospects for a satisfactory education bill or bills would be a good deal brighter. If Congress would display as much drive on this vital issue as it does on a host of infinitely less important questions, the picture would be more reassuring. The fact is, however, that Federal aid to education, aid that is crucially necessary, has been all but bogged down in the quickmire that Congress can so easily create for anything that it would like to lose sight of.

One of the principal education measures in committee is the Elliott bill to provide nearly a billion dollars for scholarships, student loans, teacher training—with all the emphasis (mistakenly, we think) on science and mathematics. Another is the Thompson-Frelinghuysen bill for $1.5 billion in school construction assistance for the next 3 years, now so tailored as to provide immediate grants to the States as an antirecession measure. School aid ought to stand on its own feet rather than rely on the recession to bolster it; but if it can help employment as well as help the schools, so much the better. There is also the Murray-Metcalf bill, on which hearings were opened yesterday, providing $4 billion in Federal assistance to the States to be used for construction, salaries or equipment at their own discretion. Then there are various forms of tax-relief bills to help students and teachers.

We do not pretend that executive or Congressional decisions on these measures are easy to come by. They are not; some highly delicate questions, involving both religious and racial issues, are involved in the argument over Federal help to schools. But these matters can be resolved—and they must be, because the need of Federal assistance to the Nation's educational system is past the talking point.

Mr. PROXMIRE. Mr. President, following the editorial from the New York Times, I should like to say that my own bill, which I have introduced in the Senate of the United States, offers an opportunity to provide very substantial help to every school district in America without the shadow or suggestion of a whisper of Federal control or regulation. This is because, Mr. President, my bill would permit each State to retain a certain proportion of its income tax. My bill provides an equalization feature which would result in providing $25 per school age child for each State in the Union. This amount would be increased to $100 per school age child within 3 years. After that date the amount would be stabilized at 5 percent of the Federal income tax on individuals and corporations. This would permit the amount of aid to expand as the economy expanded, and would provide an invaluable supplement to the property tax, which is the backbone of most educational financing. There is no question that the principal reason for the shortcomings of American education has been that the property tax has not permitted the expansion of the sources of support for education as rapidly as needed. Supplementation with the Federal income tax provides a logical answer. What is more important in terms of the realities of political life, it provides an answer that can be achieved without abridging in the slightest degree the very important regard that many Americans and many Senators and Congressmen have for absolute protection of our school system from any form of Federal

interference. This is because people in the various States would simply be retaining their own income tax and there would be no basis, as there would be with a grant, for the establishment of standards, directives, or orders from Washington.

Mr. President, I also ask unanimous consent to have printed in the body of the RECORD a copy of the splendid analysis by Mr. Gene Currivan which appeared in the Sunday New York Times entitled "Education in Review: Education Bills Suffer Neglect as Congress Slows Drive To Counter Soviet Threat."

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

EDUCATION IN REVIEW: EDUCATION BILLS SUFFER NEGLECT AS CONGRESS SLOWS DRIVE TO COUNTER SOVIET THREAT

(By Gene Currivan)

Reports from Washington last week were not too optimistic concerning the few educational bills still in the Congressional hoppers. Procrastination seemed to be the order of the day.

While hundreds of bills were introduced in Congress as an answer to the Soviet challenge after the first sputnik went into orbit, there are now but three that look as though they will ever see the light of day. The great burst of enthusiasm that first greeted the challenge appears to have been dissipated. The first great wave of interest, according to Marion B. Folsom, Secretary of Health, Education, and Welfare, is on the wane.

"There are signs," he said last Wednesday, "that too much of our interest and concern was a flash reaction rather than a firm dedication to making our educational system a superlative vehicle for individual development and democratic advancement."

Education Commissioner Lawrence G. Derthick, who recently returned from Russia, issued a sharp warning that we cannot afford to ignore the Soviet challenge of a race for knowledge. He said he had found the Soviets convinced that they can win with world supremacy through education and hard work. He warned that the weaker and neglected schools in this country should be raised to proper standards at once by immediate action.

NO EMERGENCY FELT

But there was no evidence in the House of Representatives, where the three surviving measures are being tossed around, that there is an emergency at hand. Instead there have been interminable delays, blocking moves, extended hearings and threats of amendments, all of which have reduced the earlier race to a slow walk. In the Senate the race has come to a standstill.

The measure considered most likely to succeed, if any of them make the grade, is the $980 million science aid bill sponsored by Representative CARL ELLIOTT, Democrat, of Alabama. It includes 25,000 scholarships, $60 million for science, mathematics and language equipment grants and a $220 million student loan program. This bill is still in committee.

The second is the Thompson bill, which would spend $1,500,000,000 on school construction in the next 3 years. It is a reincarnation of President Eisenhower's 1957 construction bill but is without administration support, since the President has switched his support to science scholarships instead of school building. It was reintroduced by Representative FRANK THOMPSON, JR., Democrat, of New Jersey, after several compromises gave it a new chance for life. It has received the backing of Representative PETER FRELINGHUYSEN, Republican, of New Jersey, and is now being supported as an antirecession measure, a device which seeks to give it extra appeal. The money would be used for grants to States to build schools now planned, thus stimulating employment. It originally contained provisions for bond-purchase programs and long-range credit to State school-financing agencies.

THIRD BILL

The third entry is a bill introduced by Representative LEE METCALF, Democrat, of Montana, calling for $1 billion in general school aid the first year and rising to $3 billion the fourth year. Each State would be free to use the money as it sees fit for construction, teachers' salaries, or equipment.

So far there has been little action on this bill or on the construction measure. Most of the action has been on the science-aid bill, which could possibly survive despite the pounding it is getting. It was under consideration for 38 days, with 185 witnesses appearing for or against it.

After the hearings, 2 education subcommittees met for 9 days in closed sessions and produced a measure that is a compromise between Democratic and Republican viewpoints.

But it still is not in the clear. Representative FRELINGHUYSEN has indicated that he will ask for several amendments to bring it more in line with the President's thinking. One of these would reduce the number of scholarships from 25,000 to 10,000, which was the Eisenhower proposal in the first place. It is based on the premise that if the bill includes an extensive program for student loans there will not be as much need for scholarships.

On Thursday the committee approved an amendment that would set a ceiling of $17,500,000 on scholarships the first year, with minimum awards of $500. Anything above that and up to a $1,000 maximum would have to be determined by State boards on the basis of need. Under this plan the number of scholarships would be reduced to 21,000, which is still well above the number favored by the President.

A concession to the President was seen in another amendment that recommended special consideration to students demonstrating outstanding achievements or aptitudes in mathematics, science, and modern foreign languages.

VOCATIONAL AID

However, the bill still contains provisions for vocational aid, which the President thinks should be handled by the States. It also has provisions for improving teacher training in mathematics, science, and languages.

Other amendments that might further delay action include provisions for a means test to determine whether students actually need scholarship aid and another that would earmark scholarships principally for those who excel in mathematics and science.

While this bill will be given the right of way over the other two it still has a long way to go—probably many weeks of committee work. Representative GRAHAM A. BARDEN, chairman of the Education and Labor Committee, said recently that the committee may first take under consideration a labor bill, thus further delaying final action. If this is done it would leave little time for a floor vote on the school construction bill, which seems to be next in line.

As this is an election year, it is possible that Congress will adjourn early, but probably not before the middle of August.

## ROCKEFELLER BROTHERS FUND REPORT

Mr. PROXMIRE. Mr. President, it is doubtful if any group of Americans has made a more profound and thoughtful contribution to America's understanding of its problems than has the Rockefeller Brothers Fund report in recent months. Reports covering the defense of the Free World, the economic strength of America, and building economic power and freedom throughout the world have been immensely helpful to Members of Congress and to all American citizens. Today the Rockefeller brothers issued their most useful, and in my judgment, their most important, report to date, a report entitled "The Pursuit of Excellence: Education and the Future of America." Mr. President, this report goes to the very heart of the question of how this Nation can maintain its greatness. This report pulls no punches. It concedes that to provide the kind of educational system we need will be costly. It points out how overcrowded, understaffed, and ill-equipped are the Nation's schools.

Mr. President, I ask unanimous consent that a detailed summary of this report, as carried in this morning's New York Times, be printed in the body of the RECORD at this point following my remarks.

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

SUMMARY OF THE ROCKEFELLER BROTHERS FUND REPORT ON UNITED STATES EDUCATIONAL NEEDS

I. THE DIGNITY OF THE INDIVIDUAL

Ultimately the source of a nation's greatness is in the individuals who constitute the living substance of the nation. A concern for the realization of individual potentialities is deeply rooted in our moral heritage, our political philosophy, and the texture of our daily customs.

Our devotion to a free society can only be understood in terms of these values. It is the only form of society that puts at the very top of its agenda the opportunity of the individual to develop his potentialities. But in its deepest sense our concern for human excellence is a reflection of our ideal of the overriding importance of human dignity.

Our success or failure in this task is of crucial importance not for ourselves alone. All over the world peoples are striving for a new and fuller meaning of life. No challenge is more important than to give concrete meaning to the idea of human dignity.

II. THE NATURE OF THE CHALLENGE

*(a) The setting of the problem: Our population characteristics*

Since 1950 on an average day there has been a net rise of about 7,600 in the population; over the year, a rise of some 2,800,000. This may give us a population of not quite 225 million by 1975.

The age composition of the population in 1975 will differ markedly from that of 1955. The recent baby boom will have resulted in an enormous increase in age groups 15 to 24; and as our present middle ages attain the later brackets, there will be a large increase in the age group 65 and over.

This pattern of future population will present two vital problems. The first concerns the flood of young people who will place an immense pressure on educational institutions in the next 20 years, and on the labor market shortly thereafter. The second problem involves the social and individual problems posed by a rapidly expanding older group.

*(b) The changing demands society and the pressure on the supply of talent*

One of the striking features of contemporary life is the growing range and complexity of the tasks on which our social organization depends. This is dramatically ap-

parent in science but is no less a reality in nearly every field of endeavor.

The demand for highly trained talent is not a sudden development. It has been coming for a long time. The increase in skill and training needed by our labor force can be expected to accelerate in the years ahead. Automation will reduce the number of routine jobs and will replace them by more demanding tasks of supervision, maintenance, and regulation in addition to the production of the machines themselves.

There is a constant pressure by an ever more complex society against the total creative capacity of its people. Our most critical need a decade hence may be unknown today. Rather we must prepare ourselves for a constant and growing demand for talents of all varieties, and must attempt to meet the specific needs of the future by elevating the quality and quantity of talented individuals of all kinds.

One of our great strengths as a people has been our flexibility and adaptability under the successive waves of change that have marked our history. Never have we needed the trait more than today. It is for this reason that we should educate our young people to meet an unknown need rather than to prepare them for needs already identified.

*(c) The problem of change*

One of the characteristics of a dynamic society is that its frontiers are constantly changing. The frontier of today becomes the familiar territory of tomorrow.

A dynamic society requires above all receptivity to change.

*(d) The social ceilings on individual performance*

A consequence of the complexity and specialization of modern society has been the increasing prominence of organization in our lives. But while complex organization is necessary, it is also costly. It is often a stifling atmosphere for the exercise of individual creativity, and it may induce a conformity that becomes a threat to the society's vitality.

*(e) Excellence in a democracy*

The 18th-century philosophers who made equality a central term in our political vocabulary never meant to imply that men are equal in all respects. Nor do Americans today take such a view. It is possible to state in fairly simple terms the views concerning equality which would receive most widespread endorsement in our country today. The fundamental view is that in the final matters of human existence all men are equally worthy of our care and concern. Further, we believe that men should be equal in enjoyment of certain familiar legal, civil, and political rights. They should, as the phrase goes, be equal before the law.

But men are unequal in their native capacities and their motivations, and therefore in their attainments. In elaborating our national views of equality, the most widely accepted means of dealing with this problem has been to emphasize equality of opportunity.

The great advantage of the conception of equality of opportunity is that it candidly recognizes differences in endowment and motivation and accepts the certainty of differences in achievement. By allowing free play to these differences it preserves the freedom to excel which counts for so much in terms of individual aspirations, and has produced so much of mankind's greatness.

Every democracy must encourage high individual performance. If it does not then it closes itself off from the mainsprings of its dynamism and talent and imagination, and the traditional democratic invitation to the individual to realize his full potentialities becomes meaningless.

With respect to the pursuit of excellence there are several considerations that we must keep firmly in mind. First, our conception of excellence must embrace many kinds of achievements at many levels. Second, we must not assume that native capacity is the sole ingredient in superior performance. Excellence is a product of ability and motivation and character. Finally, we must recognize that judgments of differences in talent are not judgments of differences in human worth.

III. THE EDUCATIONAL SYSTEM

*(a) The informal educational system*

The formal educational system offers only part of the purposeful education that goes on in a society. Family, church, and school share the fundamental responsibility for education. But in a sense every institution in a society is constantly teaching its members, molding their behavior, contributing to their development: in childhood it may be the Scout leader, the playground director, the policeman on the corner; in later years the employer, the union, the mass media.

The most effective educational system can be defeated by a social environment that blunts or destroys aspiration. There can be no striving for excellence without models to inspire emulation.

*(b) The formal educational system*

Our schools are overcrowded, understaffed, and ill equipped. In the fall of 1957, and shortage of public school classrooms stood at 142,000. There were 1,943,000 pupils in excess of normal classroom capacity. These pressures will become more severe in the years ahead. Elementary school enrollments will rise from some 22 million today to about 34 million by 1960–61. By 1969 high schools will be deluged with 50 to 70 percent more students than they can now accommodate; by 1975, our colleges and universities will face at least a doubling and in some cases a tripling of present enrollments.

If we are to meet these pressures, our schools will need greatly increased public support and attention, and much more money. But they also need something besides money: an unsparing reexamination of current practices, patterns of organization and objectives.

From time to time one still hears arguments over quantity versus quality education. Behind such arguments is the assumption that a society can choose to educate a few people exceedingly well or to educate a great number of people somewhat less well, but that it cannot do both. But a modern society such as ours cannot choose to do one or the other. It has no choice but to do both.

*(c) The teaching profession*

The number of new schoolteachers needed in the next decade is between one-third and one-half of all the 4-year college graduates of every kind in the same period. The danger of a decline in the quality of our corps of teachers is obvious.

The problem of recruitment is inseparable from the preparation required to enter the teaching profession. If the programs for the preparation of teachers are rigid, formalistic and shallow, they will drive away able minds as fast as they are recruited. Unhappily, preparation for precollege teaching has come all too close to that condition. In some States the requirements for certification are so technical and trivial as to make it unlikely that individuals with a first-class liberal education would even apply—or be eligible if they did apply.

Fortunately, there appears to be a lively movement to correct these difficulties. As for the preparation of college teachers, the problem is one of reforming and expanding graduate education. There has been more emphasis on research and research training than on the preparation of teachers.

But even with aggressive recruitment there appears to be little or no likelihood that we can bring into teaching at any level anything approaching the number of qualified and gifted teachers we need. We can be certain that there will never be enough teachers with the extraordinary human gifts which make for inspired teaching. We must therefore utilize our superior teachers more effectively.

One way to make better use of the ablest teachers is to eliminate many of the petty tasks which occupy a teacher's time. Less highly trained classroom assistants may accomplish much in the lightening of this burden. Another measure is the employment of such devices as television to bring extraordinarily effective teachers into contact with larger numbers of students than they would otherwise face. Films may be similarly useful.

Such innovations as the teacher aide and television should not be thought of as stopgap measures to surmount the immediate teacher shortage, but as the beginnings of a long overdue revolution in teaching techniques.

But the root problem of the teaching profession remains financial. Salaries must be raised immediately and substantially. Almost as important is the fact that promotional policy for most school systems is routine and depends much more on seniority than on merit.

*(d) The curriculum*

At the precollege level, the gravest problem today is to reach some agreement on priorities in subject matter. This problem is particularly critical for those academically talented students who will go on to college. Without presuming to lay down an inflexible set of recommendations, we may suggest what these high-priority items in a solid high school curriculum might be for those of considerable academic ability:

In addition to the general education prescribed for all—4 years of English, 3 to 4 years of social studies, 1 year of mathematics and 1 year of science—the academically talented student should have 2 to 3 additional years of science, 3 additional years of mathematics, and at least 3 years of a foreign language. For certain students the study of a second foreign language, for at least 3 years, might replace the fourth year of mathematics and the third year of science.

Particularly with respect to the highest-priority subjects, we must modernize and improve the quality of the courses themselves.

*(e) Science education*

The crisis in our science education is not an invention of the newspapers, or scientists, or the Pentagon. It is a real crisis.

The U. S. S. R. is not the cause of the crisis. The cause of the crisis is our breathtaking movement into a new technological era. The U. S. S. R. has served as a rude stimulus to awaken us to that reality.

The heart of the matter is that we are moving with headlong speed into a new phase in man's long struggle to control his environment, a phase beside which the industrial revolution may appear a modest alteration of human affairs. Nuclear energy, exploration of outer space, revolutionary studies of brain functioning, important new work on the living cell—all point to changes in our lives so startling as to test to the utmost our adaptive capacities. We need quality and we need it in considerable quantity. We must develop guidance efforts designed to reach all able youngsters, and we must engage in a major expansion of the facilities for science teaching.

There is a danger of training scientists so narrowly in their specialties that they are unprepared to shoulder the moral and civic responsibilities which the modern world thrusts upon them. But just as we must

insist that every scientist be broadly educated, so we must see to it that every educated person is literate in science.

*(f) The identification of talent and the uses of diversity*

One of the most important goals of any education system is to identify and guide able students and to challenge each student to develop his capacities to the utmost. Tests are most effective in measuring academic aptitude and achievement.

Used with a sound understanding of their strengths and limitations, present testing procedures can contribute significantly to a program of talent identification.

But testing procedures unwisely used can do harm. A few basic considerations must be understood: First, tests are effective on a limited front. Second, no single test should become a basis for important decisions. Third, test scores are one kind of data to be placed alongside other kinds of data.

The identification of talent is no more than the first step. It should be only part of a strong guidance program. As many teachers as possible should be trained to take part in it. As many high schools as possible should have special guidance officers.

The objective of all educational guidance should be to stimulate the individual to make the most of his potentialities. The fact that a substantial fraction of the top quarter of high-school graduates fail to go on to college is a startling indictment of our guidance system.

The general academic capacity of students should be at least tentatively identified by the eighth grade as the result of repeated testings and classroom performance in the elementary grades. An adequate guidance system would insure that each student would then be exposed to the sort of program that will develop to the full the gifts which he possesses.

Our schools have made far more progress in identifying different levels of talent than in the development of programs for these different levels. Adequate attention to individual differences means rejecting a rigid policy of promotion by age; and it means sensible experimentation with various kinds of flexibility in the curriculum to meet the varying needs of young people.

A more special problem is presented by the top 2 percent of the high-school population. For this group particularly the advanced placement program is important. Under this, an expanding number of secondary schools, both public and private, are offering college-level courses to their best juniors and seniors. Many colleges are prepared to permit such students to leapfrog freshman college courses and get credit for them. Another approach is represented by the experiental program for early admission to college, under which about 1,000 able students have entered 12 different colleges over the last 5 years before completing the last year or two of high school.

*(g) Financing*

All of the problems of the schools lead us back sooner or later to one basic problem—financing. It is a problem with which we cannot afford to cope halfheartedly. An educational system grudgingly and tardily patched to meet the needs of the moment will be perpetually out of date.

It is likely that 10 years hence our schools and colleges will require at least double their present level of financial support.

It is the weakness in the State and local taxing systems more than anything else that gives rise to current proposals for increased Federal support of education. For those who wish to resist or postpone the resort to Federal funds and at the same time not constrict educational services there seems to be only one alternative: a thorough, painful, politically courageous overhaul of State and local tax systems.

Federal programs in education now exist on a large scale. It is certain that they will increase both in scale and in variety. There are educational problems gravely affecting the national interest which may be soluble only through Federal action.

It would be well to bear in mind four principles in appraising proposals for Federal support of education:

1. The Federal Government should address itself to those needs which educational leaders have identified as having a high priority.

2. Federal funds should constitute one source of support among many. State, local and private sources of funds should continue to be the major factor in the support of education.

3. It should preserve local leadership and local control over education.

4. It should be based on a recognition that the Government inevitably exercises a certain leadership function in whatever it does.

Perhaps the most popular form of Federal support for education is the scholarship program. Scholarships involve a minimum hazard of Federal interference. As long as very few institutions charge tuition covering the full cost of education, a scholarship program which enables the student to pay his tuition should provide the college with a supplementary grant to make up the full cost of his education.

To the extent that the Federal Government can assist in building construction, either through loans or outright grants, it will be engaging in one of the most helpful and least hazardous forms of support to education.

The share of privately financed colleges and universities of total enrollments has already declined to well below 50 percent; and within 15 years their share of students could easily be closer to 25 percent.

Unquestionably the solution for the privately financed institutions lies not in any one device but in the simultaneous exploration of numerous paths—both for cutting costs and for raising money, for example eliminating unnecessary frills in the curriculum; sharing facilities with neighboring institutions; dropping the extravagant notion that every other institution must offer a carbon copy of the curriculum offered by every other institution; making radically better use of physical facilities; raising tuition; cultivating increased corporate and alumni giving; and obtaining certain kinds of Federal support.

Unless changes such as these are carried out there is real danger that the influence of private higher education will progressively decline.

IV. THE USE AND MISUSE OF HUMAN ABILITIES

*(a) The inadequate use of talent*

1. The fuller use of underprivileged minorities: Primarily among these groups is, of course, the Negro, who has been disadvantaged economically as well as politically and socially in the United States. The end of segregation, with all the difficult adjustments it imposes, is of course a step in the right direction. Legislation such as fair employment practices acts will add a necessary stimulus to private reorientation of attitudes. Until the Negro has been offered equal opportunity with the non-Negro to develop and use his individual talents to the utmost, and until he can be encouraged to make the most of his opportunity, we shall have failed to achieve our moral goal.

2. Better use of the talents of women: One out of every three workers in our regular labor force of nearly 70 million is a woman. To this already large contribution, we can expect a substantial increase over the next decades due to the age composition of our population. There are still relatively few professional fields beyond nursing and teaching in which women participate extensively. Many firms still hesitate to use women in executive capacities or to include in executive training programs even those women who expect to remain in employment.

3. The rehabilitation of economically depressed areas and segments of the population: The Nation is paying a high price for its depressed areas in terms of the wastage of human abilities.

4. Better use of older workers: Only for a portion of older people has retirement with economic security become a treasured period of leisure when one can do "what one always wanted to." For others it is a dreaded break in the texture and tempo of life, leading to personal dissatisfaction on the one hand, and to wasted ability on the other. Remedial action might take the form of a later retirement age. Or it might involve the development of special job opportunities for people over 65. Such opportunities have already been provided in college teaching: the professor retiring from one campus may be hired on special status by some other college.

*(b) The use of talent in large organizations*

Every corporation, union, Government agency, military service and professional group should—in its own best interest as well as that of its personnel—conduct a never ending search for talent within its own staff.

Sometimes a change of jobs is extremely useful in lifting the individual out of his rut and exposing him to new challenges. In this connection it must be noted that nontransferable pension and benefit plans weaken the incentives of men and women to move to positions where better use could be made of their capacities and experience. There seems to be a need for more vesting of pension rights, so that the employee who moves to another job need not leave behind years of accumulated benefits.

Improved opportunities for further education within employing organizations and under community auspices can help mature people to test their own unexplored interests and abilities and to develop their potentialities more fully.

One consequence of the scarcity of professional skills is the hoarding of talent—a practice visible in a good many areas of government, business and academic life.

V. MOTIVATION AND VALUES

Some of our more discerning critics are uneasy about the current aspirations and values of Americans. They sense a lack of purpose in Americans; they see evidence that security, conformity, and comfort are idols of the day; and they fear that our young people have lost youth's immemorial fondness for adventure, far horizons and the challenge of the unpredictable.

Fortunately we do not need to decide whether the situation is seriously deplorable or only mildly so. The truth is that never in our history have we been in a better position to commit ourselves wholeheartedly to the pursuit of excellence in every phase of our national life. Intellectual and moral excellence has come to play a uniquely important role. It is essential that we enable young people to see themselves as participants in one of the most exciting eras in history and to have a sense of purpose in relation to it.

Still another challenge is that of providing models for young people. The life goals of young people are in considerable measure determined by the fact that they identify themselves with admired figures in the adult world.

If we ask what our society invites in the way of high performance we are led to the conclusion that we may have, to a startling degree, lost the gift for demanding high performance of ourselves. It is a point worth exploring.

What most people, young or old, want is not merely security or comfort or luxury—although they are glad enough to have these. They want meaning in their lives. If their era and their culture and their leaders do not or cannot offer them great meanings, great objectives, great convictions, then they will settle for shallow and trivial meanings. People who live aimlessly, who allow the search for meaning in their lives to be satisfied by shoddy and meretricious experiences have simply not been stirred by any alternative meanings—religious meanings, ethical values, ideals of social and civic responsibility, high standards of self-realization.

This is a deficiency for which we all bear a responsibility. It is a failure of home, church, school, government—a failure of all of us.

No inspired and inspiring education can go forward without powerful undergirding by the deepest values of our society. The students are there in the first place because generations of Americans have been profoundly committed to a republican form of government and to equality of opportunity. They benefit by a tradition of intellectual freedom because generations of ardent and stubborn men and women nourished that tradition in western civilization. Their education is based upon the notion of the dignity and worth of the individual because those values are rooted in our religious and philosophical heritage.

We would not wish to impose upon students a rigidly defined set of values. Each student is free to vary the nature of his commitment. But this freedom must be understood in its true light. We believe that the individual should be free and morally responsible: The two are inseparable. The fact that we tolerate differing values must not be confused with moral neutrality. Such tolerance must be built upon a base of moral commitment; otherwise it degenerates into a flaccid indifference, purged of all belief and devotion.

In short, we wish to allow wide latitude in the choice of values but we must assume that education is a process that should be infused with meaning and purpose; that everyone will have deeply held beliefs; that every young American will wish to serve the values which have nurtured him and made possible his education and his freedom as an individual.

## TRIBUTE TO CERTAIN AIR FORCE LEGISLATIVE LIAISON OFFICERS

Mr. GOLDWATER. Mr. President, some of the most pleasant associations Senators are privileged to make during years on the Hill are those with the members of legislative liaison of the various services. It is to them that we look for assistance in the busy field of military affairs, and it is from them that we receive the answers to our many questions relative to this field.

As a member of the United States Air Force Reserve, I have been particularly aware of the activities of the legislative liaison officers from the Air Force office, and I today wish to pay particular tribute to four members of that team who are leaving us for new assignments. This singling out of the Air Force group in no way indicates a lessening of my admiration for those performing the same duties in the other services, but I do not want the departure of these four men to occur without my having inserted in the CONGRESSIONAL RECORD remarks of commendation and thanks.

To Maj. Gen. Joe W. Kelly, Lt. Col. Hugh W. Stewart, Maj. John M. Torbet, and Maj. Harold G. Martin go the thanks and appreciation of my office for the diligent and competent manner in which they have discharged their duties, and my thanks personally as a Reserve officer of the Air Force for the luster they have added to our service.

I ask unanimous consent to have printed at this point in my remarks the individual records of the four officers I have mentioned.

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

### MAJ. GEN. JOE W. KELLY, UNITED STATES AIR FORCE

Joe William Kelly was born in Waverly, Ind., January 19, 1910. He was graduated from high school at Martinsville, Ind., in 1927; attended Depauw University in Indiana for a year; was graduated from the United States Military Academy June 10, 1932, and commissioned a second lieutenant of Infantry.

Entering primary flying school the following month, he was graduated from advanced flying school a year later, and was assigned to the 94th Pursuit Squadron at Selfridge Field, Mich. On February 16, 1934, he was transferred to the Air Corps. From February to May 1934 he served as an airmail pilot in Newark, N. J., and Columbus, Ohio, and then rejoined the 94th. He entered the Air Corps Technical School at Chanute Field, Ill., in October 1935, was graduated the following June, and became a flying instructor at Randolph Field, Tex. Moving to Santiago, Chile, in July 1940, he was a member of the United States Military Mission. In January 1943 he was named assistant chief of staff for supply of the Third Bomber Command at MacDill Field, Fla.

Going overseas that July, General Kelly assumed command of the 335th Bomb Group in the European Theater. In November 1943 he was named air inspector of the 9th Bomber Command there; became commanding officer of the 386th Bomb Group in January 1944; and in October 1944 rejoined the 9th Bomber Command as its intelligence officer. The following month he was appointed chief of staff of the Air Disarmament Command in the European Theater.

Returning to the United States Military Academy in December 1944, General Kelly was named director of aviation there a month later. The next July he was appointed assistant chief of staff for operations of the Army Air Force Training Command at Fort Worth, Tex., becoming its deputy chief of staff that December, and moving with it to Barksdale Field, La., the following month.

Enrolling in the Air War College at Maxwell Field, Ala., in August 1946, General Kelly was a student and also served as an instructor in the management and training division, graduating the following June. Remaining there, he was named chief of the management and training division, and in July 1948 he was appointed chief of the plans and operations division of the Air War College.

Joining the Strategic Air Command in January 1949, General Kelly assumed command of the 301st Bomb Wing at Smoky Hill Air Force Base, Kans., moving with it to Barksdale Air Force Base that November. From June to August 1950 he served as commander of the 590th Composite Wing at Ramey Air Force Base, Puerto Rico. Moving to Fairfield-Suisun Air Force Base, Calif. (later redesignated Travis Air Force Base), he assumed command of the 9th Bomb Wing, SAC. He assumed command of the 14th Air Division there in March 1951, retaining command when it was redesignated the 47th Air Division, SAC, there, that May.

### LT. COL. HUGH W. STEWART, UNITED STATES AIR FORCE

Hugh William Stewart was born in Chicago, Ill., February 27, 1921. He was ordered to active duty from Tuscon, Ariz. He undertook pre-law schooling at the Austin Junior College in Illinois in 1941 and at the University of Arizona in 1947. He completed his law training and was awarded a bachelor of laws degree from the University of Arizona in 1949.

Lieutenant Colonel Stewart entered flying training and graduated in 1942. He was assigned to Italy during World War II, returning to the United States in May 1944. His combat record includes Sicily, Naples-Foggia, Rome-Arno, Air Offense, Europe, and Anzio. He flew 55 combat missions for a total of 193 combat hours.

Lieutenant Colonel Stewart held assignments as legal officer at Perrin Air Force Base, Tex., and Nellis Air Force Base, Nev., prior to entering C-46 combat crew training in 1952. He was assigned as pilot, C-46, in the Far East Air Force in February 1953, and returned in May 1954 after completing 8 combat missions and 83 combat support hours during the Korean conflict.

Lieutenant Colonel Stewart was assigned to the office of Legislative liaison in June 1954 and assumed his present position as liaison officer to the United States Senate in July 1957.

Lieutenant Colonel Stewart is a command pilot. He is a member of the Arizona Bar Association and was admitted to practice before the United States Supreme Court in 1957.

His decorations include the Distinguished Flying Cross, the Air Medal with four oak leaf clusters, and the Commendation ribbon.

Promotions: second lieutenant, December 3, 1942; first lieutenant, January 28, 1944; captain, January 28, 1946; major, June 1, 1952; and lieutenant colonel, April 17, 1958. Lieutenant Colonel Stewart has the permanent rank of major with date of rank of December 3, 1956.

### MAJ. HAROLD G. MARTIN, UNITED STATES AIR FORCE

Harold George Martin was born in Matawan, N. J., on January 7, 1922. He was ordered to active duty from Gainesville, Fla. He attended the University of Florida.

Major Martin entered flying training and graduated in 1945. In July 1946 he was assigned overseas and participated in the Berlin Airlift, and remained at Rhein Main Air Force Base, Germany, until his return from overseas. In September 1948 he was assigned as B-36 pilot at Carswell Air Force Base, Tex., with the Strategic Air Command. He remained at Carswell until his assignment with the Office of Legislative Liaison here in Washington. While at Carswell he was a C-54 pilot, flying safety officer, ground training officer, and air operations officer, and for the period of 8 weeks attended the squadron officers course at Maxwell Air Force Base. Major Martin has been assigned as air operations officer, Office of Legislative Liaison, Office of the Secretary of the Air Force since September 1953. Major Martin is a senior pilot.

His decorations include the Medal for Humane Action, the Air Medal with three oak leaf clusters, and the Commendation ribbon.

Promotions: Second lieutenant, January 22, 1946; first lieutenant, January 2, 1948; captain, June 30, 1951; and major, April 20, 1956. Major Martin has the permanent rank of captain with date of rank of January 22, 1953.

### MAJ. JOHN M. TORBET, UNITED STATES AIR FORCE

John Mathewson Torbet was born in Detroit, Mich., on July 20, 1918. He was ordered to active duty from Grosse Point

Woods, Mich. He received his bachelor of arts degree from Michigan State College in 1940, and studied law at the University of Michigan for 2 years.

Major Torbet entered flying training and graduated in 1942. He was ordered to the southwest Pacific in October 1943 where he flew 118 combat missions for a total of 623 combat hours. He returned in July 1945.

Major Torbet was assigned as a B-36 pilot at Carswell Air Force Base and remained at that base in that capacity and as operations officer until August 1953 when he was transferred to Headquarters 8th Air Force at Fort Worth, Tex. He reported to the Office of Legislative Liaison, Office of the Secretary of the Air Force, in February 1954, and assumed his present position as liaison officer to the United States Senate in December the same year.

His decorations include the Air Medal and the Commendation ribbon. Major Torbet is a command pilot. He has received orders for reassignment to Madrid, Spain.

Promotions: Second lieutenant, October 30, 1942; captain, November 13, 1943; and major, May 13, 1954. Major Torbet holds the permanent rank of captain with date of rank January 13, 1955. He was integrated into the Regular Air Force on April 1, 1958.

## REVEILLE—POEM BY N. E. GRAHAM

Mr. CURTIS. Mr. President, one of the most hallowed spots in the entire United States is the Tomb of the Unknown Soldier. It has now become the Tomb of the Unknown Soldiers. A short time ago there was placed there the bodies of two soldiers from our recent wars. The Congress of the United States and other branches of our Government took part in the ceremonies incident to that occasion in order that we might represent all the people in that solemn hour of dedication.

Mr. President, N. E. Graham, of 805 Ellis Street, Beatrice, Nebr., has written a very short poem in honor of those men. I wish to read it into the RECORD. I feel is is of great value. I think it would even merit a place of inscription on the monument at the Tomb of the Unknown Soldiers. The title of it is "Reveille," and it reads as follows:

REVEILLE

Sleep, my son, thy duty done—
And everlasting peace has come.

Rest thy burdens of the fight—
In dreamless sleep throughout the night.

Sleep—in thy bed of hallowed sod—
Until you hear at dawn—
The low, sweet reveille of God.

—*Graham.*

## TWENTIETH ANNIVERSARY OF PASSAGE OF CIVIL AERONAUTICS ACT

Mr. PAYNE. Mr. President, I ask unanimous consent that a statement I have prepared on the 20th anniversary of the Civil Aeronautics Act may be printed in the RECORD at this point.

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

STATEMENT BY SENATOR FREDERICK G. PAYNE ON THE 20TH ANNIVERSARY OF THE PASSAGE OF THE CIVIL AERONAUTICS ACT

Twenty years ago today the Congress passed the Civil Aeronautics Act of 1938 setting up the necessary organizations and formulating the policies to guide the development of aviation in the United States. The act was the birth of the Civil Aeronautics Administration and thereby gave the Nation an agency dedicated to the "encouragement and development of an air transportation system properly adapted to the present and future needs of foreign and domestic commerce of the United States, of the postal service, and of the national defense."

The 20 years since 1938 have been among the most hectic in the annals of history. They also marked the unparalleled growth and progress of civil aviation as shown by the following facts:

| | 1938 | 1958 |
|---|---|---|
| Number of airports | 2,000 | 7,000 |
| Number of aircraft | 11,000 | 67,500 |
| Number of airmen | 62,000 | 997,000 |
| Miles of airways | 23,000 | 198,000 |
| Takeoffs and landings | 150,000 | 25,200,000 |
| Passengers (scheduled airlines) | 1,300,000 | 50,000,000 |
| Total hours flown, general aviation | 1,478,000 | 10,500,000 |

This phenomenal growth has surpassed the predictions of even the boldest aviation prophet of two decades ago. The CAA can well be proud of the role it has played in the growth and development of civil aviation. Wherever airplanes fly in the United States the CAA is present and indeed its far-flung employees, some 25,000, are distributed throughout the continental United States, Alaska, Hawaii, and 27 foreign countries.

The primary concern of CAA and its dedicated employees is and has been safety in aviation. The accomplishments of the agency in making the air as safe as humanly possible can best be measured by noting that in 1938 there were more airline accidents and passenger fatalities than there were in 1957. This is all the more dramatic when we consider that 20 years ago the air carriers flew less than 2 percent of the passenger miles flown last year.

Today aviation stands on the threshold of new frontiers of travel, safety, and comfort. The civil jet air age, which will bring with it many new comforts and conveniences for the traveler, is only months away. The jet age will also bring with it problems of untold complexity which must be overcome with competent speed if we are to continue the development of the air transportation system.

At the present time legislation is under consideration by the Senate Aviation Subcommittee, on which I serve, and which has been endorsed by President Eisenhower to create a new Federal Aviation Agency which would have greater authority and be better able to meet the needs of modern aviation. It is vital that this legislation to place authority over peacetime aviation of all types in a single agency be promptly enacted.

On this, the 20th anniversary of the Civil Aeronautics Act, it is fitting that we look with pride on the tremendous accomplishments that have been made. It is also appropriate and of vital importance that we explore with all deliberate speed the actions necessary now to meet the problems of the future in order to insure the continued development and growth of our remarkable air transportation system.

## UNITED NATIONS POLICE FORCE

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial from the Memphis, Tenn., Press-Scimitar of June 20, 1958, entitled "The Lebanon Trap." The editorial constitutes an excellent discussion of the extremely critical situation which prevails in the country of Lebanon today.

There is one point to which I invite attention particularly, which is emphasized in the editorial. That is the need for a permanent United Nations police force.

The editorial calls quite strongly upon the United States to assume leadership in the United Nations to provide for such a permanent police force, and points out quite clearly how helpful the force would be in the present situation.

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

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

THE LEBANON TRAP

Any day the United States may be maneuvered into military intervention to protect American citizens and save the legal Lebanese Government from overthrow by Moscow and Nasser-aided revolutionists.

Such intevention could be disastrous. It would turn most of the Arab world against us. It could precipitate a general mid-eastern war—which Moscow and Cairo threaten—and perhaps even a world war.

Washington is trying to avoid involvement. For over a month it has been pleading with Nasser to call off his dogs, and meanwhile it has been leaning over backward not to offend him.

The net result of Washington's efforts has been to give Nasser and the Reds more time to infiltrate Lebanon, arm the rebels, and intensify radio pressure on the Lebanese people to accept a Nasser puppet regime.

Meanwhile, Washington has sent the 6th Fleet, and its reinforced marines, into the eastern Mediterranean to deal with an emergency if all else fails.

But our Government has not done the one thing which could prevent separate American military intervention, or would reduce the disastrous effects if that becomes necessary. This is to lead the movement for a United Nations police force to save Lebanon.

The handful of U. N. observers, belatedly sent to Lebanon, lack either the force or authority to seal the 150-mile frontier. Every day more Nasser infiltrators and Red arms flow across, undeterred by the presence of U. N. Secretary General Dag Hammarskjold in Beirut and his planned visit to Cairo.

Late as it is, there still may be time to get a quick Security Council vote on a U. N. police force and—after the inevitable Soviet veto—an immediate emergency session of the General Assembly.

Only if the United States has tried and failed to obtain an international police force, can an American-British force do the job with less risk of blundering into a political and military trap.

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

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## FBI CRIME STATISTICS FOR 1957 AND COMPARATIVE RATING OF PORTLAND, OREG.

Mr. NEUBERGER. Mr. President, during 1957 the Select Committee on Im-

proper Activities in the Labor or Management Field spent more time investigating conditions in my home city of Portland, Oreg., than in any other community in the Nation.

I now desire to invite the attention of the Senate to the crime statistics for 1957 recently released by the Federal Bureau of Investigation, for cities of over 250,000 population.

Among 34 metropolitan communities in this category, Portland ranks 13th from the top with respect to serious criminal offenses per each 1,000 inhabitants. At the unenviable top is Los Angeles, with 51 crimes per 1,000 people, and at the other end of the classification—the desirable end—is Buffalo, with only 8.5 crimes.

Portland has 31.2 crimes per 1,000 residents. This is not as good a record as we would like, and it ought to be better. Yet it is a long way from as bad or deplorable as the crime record in such other cities as Denver, Atlanta, St. Louis, Seattle, and elsewhere—and for that we are highly grateful.

I feel the RECORD should contain this entire crime-study rating from the Federal Bureau of Investigation, so that Members of the Senate could realize that Portland, Oreg., is definitely not the city in the Nation with the highest crime rate—a long, long way from it.

I am aware that we had some situations which called for study and hearings. That I have never doubted. I myself had criticized some of those conditions before the select committee ever undertook its Portland hearings. But some people in other sections of the country derived a false and distorted impression of Portland because of the emphasis on our community. That is why I am glad to include in the CONGRESSIONAL RECORD a survey from the FBI, which makes evident that Portland is a long distance from leading the Nation in adverse crime statistics.

Mr. President, I ask unanimous consent that the table entitled "Crime Ranking," as published in the New York Times of June 22, 1958, be printed in the pages of the RECORD.

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

CRIME RANKING

The following table lists the Federal Bureau of Investigation ranking of cities of population of 250,000 or more for class I or serious offenses for 1957. The figures provide a rate of incidence to each 1,000 of total population, based on the 1950 census:

| | |
|---|---|
| Los Angeles | 51.0 |
| Atlanta | 44.7 |
| St. Louis | 43.8 |
| Denver | 39.3 |
| Seattle | 39.3 |
| Newark | 37.4 |
| Houston | 35.3 |
| Dallas | 35.2 |
| San Francisco | 34.8 |
| Oakland | 34.1 |
| Fort Worth, Tex | 33.6 |
| Louisville | 32.3 |
| Portland, Oreg | 31.2 |
| San Antonio, Tex | 32.0 |
| New Orleans | 29.2 |
| Detroit | 28.0 |
| Columbus | 26.8 |
| Indianapolis | 26.5 |
| Akron | 25.2 |
| Toledo | 24.8 |
| St. Paul | 24.6 |
| Cleveland | 23.0 |
| Birmingham | 21.5 |
| Minneapolis | 21.2 |
| Boston | 21.0 |
| Pittsburgh | 20.0 |
| New York City | 17.7 |
| Memphis | 17.1 |
| Philadelphia | 16.9 |
| Rochester, N. Y | 16.4 |
| Cincinnati | 16.0 |
| Kansas City | 13.3 |
| Chicago | 12.9 |
| Buffalo | 8.5 |

The VICE PRESIDENT. Is there further morning business?

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

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

## EIGHT DAYS UNTIL JULY 1

Mr. KEFAUVER. Mr. President, in daily statements since June 13, with the exception of Friday, when I found it necessary to visit my home State, I have endeavored to impress this body with the serious effect on our economy of the steel price increase expected to be announced on July 1.

I have received no information to dispel my conviction that another round of inflation, decreased production and further unemployment will flow from such an increase in steel prices.

I publicly disclosed on June 13, during my speech before the Senate, that on May 22 I had transmitted by letter to President Eisenhower a program to obtain stability on a voluntary basis which I believe would be most effective.

As I stated at that time, the President advised me by letter of June 3, that rather than adopt my program, he intended to continue on the course which he had set.

As the result of the disclosure of this correspondence, I received a most interesting letter from Mr. William L. Litle, chairman of the board and president of Bucyrus-Erie Co. Mr. Litle attached a letter which he had addressed to the President, a reply from Secretary of Labor Mitchell, and his answer to Secretary Mitchell. I ask that these letters be made a part of my remarks at this point and I send them to the desk for that purpose.

Mr. President, Mr. Litle is the chief executive officer of one of the 400 largest industrial corporations in the United States. Just as I am perturbed by the expected steel price increases, Mr. Litle is also perturbed. It will be noted that Mr. Litle also suggested to the President that he use the powers of his office to stop the vicious spiral to which the country is being subjected. Mr. Litle was not as fortunate as I; his letter was answered, not by the President, to whom it was addressed, but by the Secretary of Labor. However, although my answer came from the President, it did not disclose what policy the President is pursuing in order to effectuate stabilization. Mr. Mitchell's letter casts more light on this policy. It is apparent that the executive branch of our Government has no policy to meet this problem because the Secretary blandly states that the problem should be worked out between management and labor.

Both Mr. Litle and I have been turned down by the President; however, there are 8 days left before the expected steel price increases will be put into effect. Let us hope that in the public interest the President will see fit within that time to make full use of the powers of his office to bring together the leaders of the steel industry and labor with a definite view of formulating such a program. There are only 8 days left until July 1.

I ask unanimous consent that the letters be printed in the RECORD.

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

BUCYRUS-ERIE CO.,
*South Milwaukee, Wis., June 16, 1958.*

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

DEAR SENATOR KEFAUVER: In view of your proposal for public conferences between steel industry and labor leaders and Government representatives, aimed at averting steel price advances at midyear, I thought you might like to read a letter I addressed to the President; a reply from Secretary of Labor Mitchell, and my answer to him. Copies of these three letters are attached.

Very sincerely,

W. L. LITLE,
*Chairman.*

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APRIL 22, 1958.

The PRESIDENT,
*The White House,*
*Washington, D. C.*

MY DEAR MR. PRESIDENT: I am the chief executive officer of 1 of the 400 largest industrial corporations in the United States. Our company is the foremost manufacturer of power cranes and excavators in the world. Export business comprises about 25 percent of our total shipments.

Inflation has been a matter of concern to us for years and we have continually stressed its danger in our annual reports.

We believe that unless the wage-price spiral, which has been permitted to run rampant for years, is stopped promptly, the United States is headed for serious trouble. We, together with other manufacturers, are already pricing ourselves out of world markets and, if the wage-price spiral is to be accepted as a way of life in the United States, the only course left to us is to build plants in foreign countries. Manifestly, that would have the effect of reducing domestic employment.

We believe that there is a way for you to stop the vicious wage-price spiral. If you would call Mr. Meany, Mr. Reuther, Mr. MacDonald, and Mr. Carey to your office and obtain from them a firm commitment that their unions would forego wage and fringe benefit increases for at least 1 year in the case of any employer who agreed to reduce the prices of his products by 3 percent, there would be a good chance that depression could be avoided and inflation arrested.

Mr. Reuther has made unconscionable demands on the automobile manufacturers, and many of us who deal with the United Steelworkers of America are faced with equally unrealistic increases in wage costs a little later in the year. The time is not right for price increases and, therefore, the

profit squeeze will be intensified. The effect of all that is going on is likely to have more serious impact on Government revenue than you may think. For 1957, our company will pay $6,168,000 in Federal income tax. For 1958, it will be only a small fraction of that amount, if any.

Deficit spending and tax reduction cannot be effective in solving the country's problems unless they are tied in with positive measures to stop the wage-price spiral. You will do well to give most careful consideration to every word Mr. Baruch said in his statement before the Senate Finance Committee on April 1.

Sincerely,

W. L. LITLE,
*Chairman.*

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UNITED STATES DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
*Washington, May 14, 1958.*

Mr. WILLIAM L. LITLE,
*Chairman of the Board, Bucyrus-Erie Co., South Milwaukee, Wis.*

DEAR MR. LITLE: The President has asked me to acknowledge your letter of April 22, and to thank you for sending him your suggestions concerning the handling of major wage and price movements in the current period.

I truly appreciate the deep concern which motivates your suggestions, and the constructive form which they take. I have given them careful study. As a leader of American industry, you will recognize the many difficulties that would confront such an undertaking by the Government. The Government, out of deep respect for our system of free enterprise, would, I am sure, be reluctant to take steps that could amount to intervention in an area of private labor and management responsibilities. Even were the Government to embark upon a program of the kind you suggest, difficulties and delays would be encountered in arranging for appropriate attendance and in studying the wage-price relationships that might properly be subject to consideration at such meetings. Serious questions would, of course, arise as to the appropriateness of any one formula for all situations, the manner in which price reductions might be measured or insured, and the responsibilities of the parties as well as the Government in the matter of prices.

Under all of these circumstances, I am of the view that the most appropriate means of exploring the proposal you have made would be through direct explorations between management and labor.

Sincerely yours,

JAMES D. MITCHELL,
*Secretary of Labor.*

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MAY 16, 1958.

The Honorable JAMES D. MITCHELL,
*United States Department of Labor, Washington, D. C.*

MY DEAR MR. SECRETARY: You wrote a very nice letter in reply to mine of April 22 to the President, but really it was nothing but a polite brushoff. I had every right to expect a reply from the President himself.

My immediate observation was that you are not aware that the United States is in depression.

For years the Russians have relied on economic chaos in our country to accomplish their ends and this Republican administration is doing its best to help them. Sooner or later you will be driven to advocating wage and price controls to stop the inflationary spiral. That will not be good for anyone.

My question to you is this. How can you reasonably expect we Republican businessmen to support this administration?

Sincerely,

——— ———,
*Chairman.*

Mr. KEFAUVER. Mr. President, the Bucyrus-Erie Co. is engaged in the manufacture of earth-moving machinery. The president of that company points out the decline in foreign shipments, and states that the manufacturers of earth-moving equipment are already pricing themselves out of the market because of the increases in the price of steel which have occurred in the past. If we have another run of price increases, and a price and wage increase in the steel industry, it will be practically impossible for them to sell heavy machinery abroad, as they have been doing in the past. There are only a few more days left before another price increase may go into effect. I wish to repeat that it is in the interest of labor and industry to make some concessions in order to try to hold the line and prevent another ruinous round of inflation.

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## LEASING OF OIL AND GAS DEPOSITS, TERRITORY OF ALASKA

Mr. MANSFIELD. Mr. President, on Friday last, June 20, the Senate passed Calendar No. 1754, H. R. 8054, to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska.

Later in the afternoon of that day the Senator from New Mexico [Mr. ANDERSON] asked that the vote by which the bill was passed be reconsidered. I now ask unanimous consent that the Senate reconsider the vote by which the committee amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which the committee amendments were ordered to be engrossed and the bill to be read the third time.

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

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of the bill so as to permit the Senator from New Mexico to offer an amendment on page 7, line 12.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H. R. 8054) to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska.

Mr. ANDERSON. Mr. President, I call up my amendment identified as "6-20-58-A".

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 8, after line 16, it is proposed to insert the following:

The Secretary of the Interior shall neither prescribe nor approve any cooperative or unit plan of development or operation nor any operating, drilling, or development contract establishing different royalty or rental rates for Alaska lands than for similar lands within the States of the United States.

Mr. ANDERSON. Mr. President, this subject has been a matter of long discussion between the Department of the Interior and the Committee on Interior and Insular Affairs. Under the unitization rule in Alaska the minimum royalty is to be effective to the entire unit. In the Alaska situation a discovery well pays a 5 percent royalty. This could mean that all the oil produced in Alaska might come under a 5 percent royalty. If that royalty were made available to the Territory of Alaska, it would be available also to the State of Alaska, if Alaska should be admitted to the Union. It is important that the royalty basis be one-eighth, similar to the rate applying in the rest of the United States. The sole purpose of the amendment is to make it possible for the Secretary of the Interior to enforce the one-eighth royalty except for a discovery well.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was 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 PRESIDING OFFICER. The title is amended as previously noted.

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## 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, without amendment, the bill (S. 1706) to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12695) to provide a 1-year extension of the existing corporate normal tax rate and of certain excise-tax rates; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING, Mr. REED, and Mr. SIMPSON of Pennsylvania were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H. R. 6641) to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes, in which it requested the concurrence of the Senate.

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## ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2224) to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property, and it was signed by the President pro tempore.

## CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed. Under the order previously entered, the Senate will proceed to the consideration of the legislative calendar, beginning with Calendar No. 1647, Senate Joint Resolution 16.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senate will proceed to the call of the calendar. The clerk will call the first bill in order on the calendar.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Illinois be permitted to speak at this time.

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

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## DEPARTMENT OF DEFENSE REORGANIZATION

Mr. DOUGLAS. Mr. President, one of the most important measures which the Senate has before it is the so-called Department of Defense Reorganization bill. The Pentagon and the White House are putting great pressure upon the armed services, the press, business, public opinion, and, indeed, upon Members of the Senate in favor of a bill which will greatly centralize the powers of the President and the general staff over the conduct of defense affairs. This, in my judgment, will seriously impair the constitutional powers of Congress over the Nation's defense.

I shall ask unanimous consent to have printed in the body of the RECORD three very important and recent articles on this subject. First, I ask unanimous consent to have printed in the body of the RECORD an article entitled "The Pentagon Pressure," written by Hanson W. Baldwin, and published in the New York Times of June 21, 1958. In this article, Mr. Baldwin points out the ways in which the Pentagon officials seek to reduce the system of checks and balances on the military. I may say, parenthetically, that Mr. Baldwin is, I believe, the ablest civilian expert on military affairs in the country and is a patriot of real standing. His views deserve very careful consideration.

I ask unanimous consent also that a very brilliant article entitled "Strategic Planning," written by Walter Lippmann, and published in the Washington Post and Times Herald of June 16, 1958, be printed in the body of the RECORD. Mr. Lippmann's article is very critical of the President's proposals.

Finally, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Centralizing the Powers," written by Hanson W. Baldwin, and published in the New York Times of June 15, 1958. In this article, Mr. Baldwin suggests that centralization and pressure for conformity, which is one of the great dangers in the bill and which the President's proposal seeks to cover, are already observable. In this connection, the comments of Secretary of Defense McElroy about the testimony of Admiral Burke are very much in point.

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

[From the New York Times of June 21, 1958]

THE PENTAGON PRESSURE—WHITE HOUSE TELLS SERVICE CHIEFS TO BACK PRESIDENT'S PLAN ACTIVELY

(By Hanson W. Baldwin)

WASHINGTON, June 20.—New evidence of the extraordinary measures adopted by the administration to force its version of a Pentagon reorganization bill through Congress came to light today.

Neil H. McElroy, Secretary of Defense, told the Joint Chiefs of Staff and the service secretaries earlier this week that he had just seen President Eisenhower. The Defense Secretary said that the President was angry about the House's action in voting more money for several defense items than the administration had asked, and that he was also angry about the House's rejection of some of the White House recommendations for reorganization.

Mr. McElroy warned all the service leaders that their "active support" of the President's proposals, rather than mere "passive support," would be required when they testified before the Senate Armed Services Committee.

STIFFEST WARNING YET

This warning was the most open pressure yet exerted.

The Pentagon, moreover, has established a special reorganization task force. It is supervised by Oliver M. Gale, a public relations executive from Procter and Gamble who was brought into the Pentagon by Mr. McElroy as a special assistant.

This group of civilians, and selected officers, working with Robert Dechert, general counsel of the Department of Defense, has supplied all witnesses before House and Senate committees with reference books of about 120 pages—"little black books," they have been called. These summarize arguments and statistics in favor of the President's plan.

This task group also has undertaken the monitoring of all testimony given by Pentagon witnesses. It reviews the transcripts of this testimony, and has "suggested" changes to the witnesses.

Some of its members are believed to have assisted in writing the President's extraordinarily sharp rebuttal to the changes in the administration measure that were made by the House Armed Services Committee and approved later by the House.

The pressure "to conform or else" has even taken the form of surveillance of some officers by civilian intelligence operatives.

Previously Mr. McElroy, in a talk to the National Press Club, had established somewhat more liberal guidelines covering the testimony of service witnesses on the reorganization bill.

NAVY, MARINES SEEN TARGETS

In April he said that "officials of the Department are required when testifying before Congress to give their personal judgments and opinions when asked for them."

"Certainly," he said then, "I would expect each Department witness to answer such questions frankly and fully in light of his professional knowledge and experience and with full consideration of his position as a member of the defense organization which is commanded by the President.

"I would think if a man of integrity and conscience felt so strongly opposed to the basic policies and programs of his organization that he could not effectively discharge his responsibilities he would so advise his superiors."

This week's much more pointed warning to give active support to the reorganization measure was probably directed primarily at the Navy and the Marine Corps.

Both Adm. Arleigh A. Burke, Chief of Naval Operations, and Gen. Randolph McC. Pate, Commandant of the Marine Corps, stressed the potential dangers of some of the key provisions of the administration measures in testimony before the House Armed Services Committee.

Yesterday Admiral Burke, in polite but unmistakable language, again opposed in testimony before the Senate committee two administration provisions that the Navy is known to consider potentially dangerous to the security of the country.

PATE TESTIFIES NEXT WEEK

These provisions would diminish the administrative role of the service Secretaries and the function of the service Chiefs in abolishing or transferring combat functions.

General Pate, who was particularly outspoken before the House committee, is scheduled to testify before the Senate committee next week.

The tougher line taken by the Secretary of Defense this week, which in effect seemed to be an invitation to conform or resign, is another in a series of actions, some without any recent precedent.

The President personally has written scores of letters to publishers, businessmen, and community leaders throughout the country asking for support.

CONGRESSMEN PRODDED

He has sent the White House legislative assistants to the corridors of the House and Senate Office Building to buttonhole Congressmen and to corral their votes.

He has used all the political and public prestige of his Office to force support. He has lashed Republicans into line by invoking party regularity and by threatening, tacitly, the loss of patronage.

The Army, Navy, and Air Force Journal, commenting on these measures last week, noted that "while witnesses were told they could speak their mind, the implied pressure for conformity was strong." But this week Mr. McElroy, obviously acting as the spokesman of the White House, demanded active, not passive, agreement.

Despite these pressures the Senate Armed Services Committee is expected to report out next week a reorganization bill generally similar to the one passed by the House, which defeated several Presidential recommendations. Some efforts may even be made to amend the President's program further.

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[From the Washington Post and Times Herald of June 16, 1958]

STRATEGIC PLANNING

(By Walter Lippmann)

On the bill to reorganize the Pentagon the President got from the House most but not all of what he wanted. Broadly speaking, the House, which is under Democratic control, followed him in everything that has to do with the command of the Armed Forces. But the House opposed and defeated him on certain basic questions which have to do with strategic planning—fundamentally on the question of whether the high and longer range planning shall be centralized in one staff or shall remain the joint responsibility of the services.

During the past months since the President put forward his proposals, it has often been said that on a military question the country was bound to accept the views of its most famous soldier. But the majority

in the House drew a line between the President's recommendations which they would accept and those which they rejected. They followed General Eisenhower on those military questions where as the former supreme commander during the World War he could speak with great experience and authority—on the questions which relate to the command in operation of great complicated forces. But the majority did not follow him in the field where he has not had great experience, and has not earned any special distinction. This is the field of strategic planning.

Thus during the Second World War General Eisenhower was a successful supreme commander. But he did not do the strategic planning of the war. That was done at a much higher level than his, at the level of Churchill and Roosevelt and of the combined Chiefs of Staff. General Eisenhower was in the European theater the supreme operator, not the supreme planner. When for a time after the war he was in the Pentagon as Chief of Staff of the Army, which was before the Korean war, he did not make a record for strategic insight and foresight. And later, when he became Supreme Commander of NATO, there is little in the record to show that he grasped the import of nuclear weapons on the strategical planning of the NATO forces.

There is, therefore, substantial ground for the discrimination shown by the House following him on operational matters but not on strategic planning.

The basic issue between the President and the leadership of the House is expounded in the very able report brought in by Representative VINSON for the Committee on Armed Services.

"There are," says the report, "two well-defined systems of strategic planning and direction of military operations. One is the authoritarian system, topped by an all-powerful single military chief of staff, supported by an overall Armed Forces general staff which he dominates and controls. This system * * * is superficially effective in arriving at swift decisions—a faculty which it possesses because it is shaped to eliminate from consideration alternative courses of action. The second system for strategical planning is exemplified by the Joint Chiefs of Staff, each of whom is subject to the civilian authority of the Secretary of Defense * * * is free to express and to advocate his views and to present and press for the full, proper, and effective employment of the particular capabilities of his own service."

What the President asked for was not in name a general staff system. But he did ask for something very close to it in principle. He asked for the virtual suppression of the civilian secretaries of the various services and he wanted to take away from the Chiefs of Staff their present right to appeal to the Congress. It is this right of appeal which prevents any one of the services from being overridden by a combination of the other two, and makes certain that on a great issue its views cannot be suppressed and must be debated.

It was on this point that the House opposed the President. It is a point of great importance. In the President's hot-tempered statement of May 28, he described the right of appeal to Congress, which is in the present law, as legalized insubordination.

It is a revealing and telltale phrase. For it shows that the President is fundamentally opposed to the principle of strategic planning by the Joint Chiefs; he is really in favor of a staff system of planning which will give quick and uncontested decisions so that the man at the top has only to approve or disapprove—but not to weigh alternatives.

That is the most effective way to command and operate an army. It would be a dangerously inadequate way to make high military policy, to do the strategic planning for our global commitments and our rapidly evolving weapons.

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[From the New York Times of June 15, 1958]

CENTRALIZING THE POWERS—PENTAGON BILL REFLECTS TREND TO EASE CHECKS AND BALANCES ON THE MILITARY

(By Hanson W. Baldwin)

The House vote on the Pentagon reorganization bill was obviously influenced as much by political considerations as by constitutional issues. But the fundamental importance of the bill centers on one of the oldest problems in American Government—the separation of powers between the legislative and the executive branches. Samuel Adams wrote in 1768: "Even where there is a necessity of the military power * * * a wise and prudent people will always have a watchful and jealous eye over it; for the maxims and rules of the Army are essentially different from the genius of a free people and the laws of a free government."

The warning of Adams—and the long and unhappy experience of Europe with militarism—was reflected in the United States Constitution and in the checks and balances and divided powers over our military forces it provided.

CIVIL-MILITARY POWERS

It is this issue—the issue of civil-military relationships—that looms in the background of the Congressional vote.

In his book, The Soldier and the State, Samuel P. Huntington points out that the Constitution divided "civilian responsibility for military affairs and fostered the direct access of the militia (National Guard) between the State and National Governments.

"Within the total Federal system of Government, the militia clauses divide control over the militia [National Guard] between the State and National Governments.

"Within the National Government the separation of powers divides control of the national military forces between Congress and the President.

"Within the executive branch of the National Government the Commander in Chief clause tends to divide control over the military between the President and departmental secretaries."

BALANCES WEAKENED

Every one of these checks and balances has been materially weakened in the last half century, particularly during and since World War II. The Pentagon reorganization bill, even as modified against the President's wishes by the House Armed Services Committee, carries the trend, pronounced since the National Security Act (Unification Act) of 1947, a small but distinct step further.

LONG-TERM DANGER SEEN

The trend unmistakably has been toward greater Federal power over the National Guard at the expense of the States, greater executive authority over the military at the expense of legislative power and within the executive branch, greater centralization of authority in a more and more monolithic system in which the powers of the Commander in Chief (the President), and his alter ego, the Secretary of Defense, have been strengthened at the expense of departmental Secretaries.

The long-term danger of this trend is pronounced, even though the short-term implications of the proposed Pentagon changes should not be exaggerated.

The lessons of military history show that strong executive and weak legislative control over the military may tend to promote military professionalism. But it is promoted at the expense of sound political (strategic) decisions and with the accompanying danger of militarism.

Germany, through much of her modern history, is a good example; the armed forces were tightly controlled by a monolithic structure that owed allegiance to an ultra-professionalism, to the Kaisers and to Hitler.

Bismarck was statesman enough to control this. But throughout most of modern German history, the legislative control over the armed forces was either nominal or nonexistent. After Bismarck, as Gordon A. Craig points out in his book The Politics of the Prussian Army, "operational plans for future wars were adopted * * * in a form which seriously limited the diplomatic freedom of the state, although this clearly violated Clausewitz's dictum that strategical ideas should never be considered without due consideration of their political implications."

The passage has pertinence to United States military policies in the nuclear age.

TRAGEDY OF GERMANY

The tragedy of modern Germany, in part a direct result of her failure to solve the problem of military-civil relations, is well known.

But the same basic mistake was made in the United States of World War II when the power of Congress over the military was minimal and Executive authority supreme. Here civilian control was concentrated and dominant in the office of the Commander in Chief, and, due in part to a weak State Department, military decisions dictated the political complexion of the peace.

In any democratic regime, there is, of course, the counterdanger—so well illustrated by the France of the Fourth Republic. Weak executive authority over the military and the overcentralization of power in legislative authority tends inevitably to reduce professionalism and create a "political army."

The armed forces become involved in domestic political issues, particularly if—as in France—the legislature is divided into many quarreling cliques.

History shows that the nicest sort of balance between executive and legislative authority, and the decentralization of control within the executive branch are essential in a democracy if the nation's armed forces are to develop professionalism without militarism and are to be servants of the state rather than its masters.

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## THE ADMINISTRATION'S REMAINING 2 YEARS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a very searching and well-written article entitled "The Problem of Governing Until 1961," written by James Reston, and published in this morning's New York Times.

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

THE PROBLEM OF GOVERNING UNTIL 1961

(By James Reston)

WASHINGTON, June 21.—It is easy to poke fun at the unhorsed crusaders in the administration, but this is not going to help govern the country for the next 2½ years.

The prestige and authority of the Executive have been badly shaken and this has happened during a period of crisis for the national economy and the Western alliance.

A year ago the electorate had confidence in the Administration's conduct of foreign policy: the war in Suez and trouble everywhere from Latin America and Canada to Algeria, Cyprus, Lebanon and Indonesia have shaken that.

A year ago there was general confidence in defense policy under the most illustrious American soldier of our time: the Soviet sputniks shattered the cozy assumption of United States technical military superiority.

A year ago there was prosperity in the Nation instead of recession, and while the President was having to conserve his energies, Sherman Adams was aboard providing the necessary moral authority and executive energy. Now both the economy and Mr. Adams look a little sad.

I NEED HIM

All this is not likely to be corrected merely by saying that Mr. Adams is a misunderstood man whose penuriousness led him into unfortunate indiscretions. Nor is everything going to get better by dismissing Mr. Adams and voting the Democrats into power with whopping majorities next November.

When the President said this week "I need him," he spoke the plain truth. This whole White House staff is built around Adams. It is a weak staff. If he were suddenly removed, there is nobody under him to take his place.

There is nothing to prevent, however—and much to recommend—immediate action to strengthen that staff, as Eisenhower himself wished to do in 1956 by the addition of Gen. Walter Bedell Smith. Vice President NIXON has been pleading for a chance to get executive experience and the President has brushed aside the idea of bringing him into the executive without even looking up the precedents for such action.

General Smith, who was told one afternoon to report to the White House at 9 the next morning and was then dropped when Herbert Hoover, Jr., made an issue of the appointment, is still available. So are NIXON and many others. But this requires, first, a realization by the President that the present slippage of the administration is serious and, second, fast Presidential action.

The Congress cannot do much about the degeneration of the administration. Nor can the electorate help much by creating vast Democratic majorities in the Congress this November. More than likely this would merely add to the paralysis for the last 2 years of the administration.

If, however, the electorate does return Democratic majorities again in both Houses, the President might at least take this as an expression of the national will and rebuild his Cabinet on a national nonpartisan basis. This at least would help create a sense of a new beginning.

MIRROR OF NATION

Meanwhile, a more reflective and honest look at Washington is probably in order. The Nation is criticizing the Capital severely—and may have to keep it up to make Eisenhower and Adams stop sulking—but Washington is, after all, merely a mirror of the Nation itself.

It may magnify or distort the Nation's image of itself, but it is reflecting and not creating something of its own.

The Nation admires personality more than it does wisdom, and Washington dramatizes this fact by displaying, at the very pinnacle of the Government, the very symbol of our own cult of personality, President Eisenhower.

The Nation has concentrated on the mastery of techniques, often to the detriment of substance, and Washington reflects this, too, for it has produced a list of presidential candidates for 1960 who are, almost to a man, not political philosophers but political mechanics.

The Nation has simultaneously proclaimed moral virtue and tolerated slack personal ethics, and Washington has produced, in the Adams case, a walking symbol of both.

Maybe this is what is meant by "representative government." A nation rewards what it admires and perpetuates what it rewards. It may not like what it gets in the end—usually doesn't—but it cannot put all the blame on the people who represent its own defects, especially since they still have to govern the country for over 2 years.

## ADEQUATE TORNADO RESEARCH THIS YEAR MAY SAVE MANY AMERICAN LIVES IN 1960

Mr. WILEY. Mr. President, last week I addressed a letter to the chairman of the House Appropriations Committee, Mr. CANNON, urging that his committee give favorable consideration to a substantial increase in the Weather Bureau's current supplemental appropriation request. The specific purpose of the requested increase would be for expanding and expediting tornado research.

It will be recalled that 2 weeks ago a tornado ravaged my own State of Wisconsin, taking a tragic toll in lives and property. Subsequent to the Wisconsin storm, tornadoes have struck Kansas and other areas of the Nation, causing great misery and devastation. Regrettably, the 1958 tornado season is far from over. There will be more of these storms in the next few months. There will be millions of dollars worth of damage. Most tragic of all, many more lives will be lost before the present tornado season ends.

Unfortunately, it is much too late for any research program to prevent the loss of life in 1958 or even in 1959 tornadoes, because research is a slow, painstaking job. However, if adequate funds are granted now, and an immediate expansion of tornado research is authorized without delay, there is a possibility that money spent on research this year and next year may make possible longer range forecasting, thus enabling many hundreds of people to seek shelter from the wrath of storms. Research now may make this possible as early as 1960.

As you are aware, Mr. President, the House has passed S. 86, a bill calling for weather research under the auspices of the National Science Foundation. A conference committee will soon meet to resolve the differences between the House version of this bill and the one passed earlier by the Senate. The purpose of this bill is very worth while. The National Science Foundation has already done a sizable amount of research on weather control, particularly with regard to the creation of rainfall by cloud-seeding. The new bill, basically, calls for a continuation and expansion of this type of research. Studies of tornadoes and other violent storms will be only byproducts of the cloud-seeding investigation.

On the other hand, the United States Weather Bureau has been making significant strides in weather forecasting research, particularly with regard to violent storms such as tornadoes and cyclones, such as the ones which have caused so much misery in Wisconsin, Kansas, Missouri, Texas, and virtually all other States of the Union.

It is this type of research that I wish to see expedited as soon as possible. I, for one, would feel that I had been derelict in my duty as a United States Senator if I did not do everything possible to bring future relief from these catastrophies with the resulting probability of saving American lives.

In my letter to the chairman of the House Appropriations Committee, I cited a number of significant advances in weather research which, I believe, would be of interest to many Members of the Senate. I therefore ask unanimous consent that my letter be printed in the body of the RECORD.

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

JUNE 18, 1958.

The Honorable CLARENCE CANNON,
*Chairman, House Committee on Appropriations, House Office Building, Washington, D. C.*

DEAR MR. CHAIRMAN: You will recall that on the night of June 4, a tornado devastated four counties in the State of Wisconsin, causing a tragic loss of life, and millions of dollars in damage to property. Subsequent to this storm, tornadoes have wreaked havoc elsewhere in the Midwest and in other areas of our Nation, destroying property worth untold millions of dollars. I know you are vitally interested in the tornado problem in view of the average of 10 storms a year which hit your own State of Missouri.

On June 9, only 5 days after the tornado which did so much damage to my home State, President Eisenhower submitted to the House of Representatives his proposal for supplemental appropriations. This proposal, which is now before your committee, included a sum of more than $2 million for the United States Weather Bureau. Of this appropriation, more than $840,000 was earmarked for salaries and expenses, and $1,300,000 was allocated for the establishment of meteorological research facilities. Regrettably, the language of the President's message restricted the meteorological research to the subject of hurricanes, leaving nothing for additional research into other types of storms, such as tornadoes and cyclones.

I, of course, do not wish in any way to minimize the vital importance of research into hurricanes. Each year these so-called tropical storms lay waste to many sections of our country. Everyone is gratified that some progress may be made in bringing these storms under control. However, I feel that a supplemental appropriation which does not include a reasonable sum for research into other aspects of adverse weather phenomena is not realistic or in the overall best interests for the Nation.

I have for many years been vitally interested in furthering weather research. I have made several studies of this subject in order to determine just how far our weather forecasting and control programs have progressed. In my investigations, I have determined that a great deal of progress is being made by the Weather Bureau, at least in long-range tornado forecasting.

For example, since 1950, much progress has been made in techniques for analyzing conditions which produce destructive storms, including tornadoes. Several factors have contributed to this progress. Upper air soundings have been improved. Local cooperative observer networks have been organized and precautionary measures which must be taken under tornado conditions have been widely publicized through cooperation of local and State authorities, as well as private enterprise, working for better observation methods with the United States Weather Bureau.

Major improvements in radar for storm detection, and particularly the Doppler-type radar have enabled meteorologists to see through clouds and rain, thus detecting tornadoes in many cases, many miles distant.

The Severe Storm Warning Center in Kansas City, Mo., where, as you know, Air Force and Weather Bureau specialists have been working on these problems, has contributed much to progress. It has been estimated that casualties from tornadoes have

been reduced perhaps 25 percent or less, of the losses in life that would occur without these storm warning services. Thus, you see, Mr. Chairman, we have come a long way in a program for reducing the misery caused by storms of this type.

I have found that the Weather Bureau is developing further plans for research facilities, along lines which offer the most immediate promise for advance predictions of tornadoes, which would provide basic data for study of control possibilities.

I do not believe that sufficient funds for this type of program are, however, available.

There are many programs of meteorological research in blueprint stages, which according to the information I have received, hold great promise for more advanced predictions of tornadoes, and which would provide basic data for additional studies.

First, the Doppler-type radar should be perfected for use as a regular meteorological service instrument, in those regions where tornadoes are most frequent. The principles of the Doppler radar have been demonstrated to be sound, and the present job is to carry on the engineering development of this equipment so that the radar may be put into production.

Second, aircraft instrumented for accurate meteorological measurements in the vicinity of severe storms are needed to collect the type of basic data, which holds the key to factors that lead to the formation of destructive local storms. The Weather Bureau has at the present time but one small aircraft in use for this purpose, during the tornado season. It is obvious from the results so far obtained, that not less than 3 to 5 aircraft operating simultaneously will be required to sweep through affected areas, so that the interrelationships of temperature, humidity, wind current, etc., that lead to the formation of destrucive funnel-shaped clouds can be surveyed.

Third, the number and frequency of upper-air soundings for the purpose of keeping watch on atmospheric conditions approaching critical values in tornado situations will have to be increased, at least until such time as these conditions are analyzed and the causes identified. After this, it may be hoped that the significant factors can be identified in larger-scale patterns, without as much detailed local study.

I do not profess to be an expert in the field of weather research, Mr. Chairman. However, I believe that in view of the facts presented herein, I believe there is every reason for an accelerated, reasonable, and continued research program on tornadoes by the Weather Bureau. It is impossible to state just exactly what the cost of such a research program would be. This is for experts to determine. However, Mr. Chairman, each year tornadoes cause damage running into tens of millions of dollars in the United States.

I therefore respectfully urge that you, and the members of your committee, give careful consideration to the vital necessity for this type of research. I respectfully suggest that you not pass the present supplemental appropriation without adding sufficient funds for a realistic Weather Bureau research, in order that the not too distant future will see a sizable reduction in the death and destruction caused by these windstorms. A sound research program of this type at the present time could well lead to eventual control and elimination of these storms.

I frankly believe that we in Congress would be negligent if we did not do everything possible to add sufficient funds this year to further this vitally important type of research.

Thank you very much for your kind attention to this request. I will be most grateful for any consideration which you and the members of your committee can give it.

With all good wishes, I am,

Sincerely yours,

ALEXANDER WILEY.

## CALL OF THE CALENDAR

The PRESIDING OFFICER (Mr. PAYNE in the chair). The clerk will state the first measure in order on the calendar.

## JOINT COMMITTEE TO INVESTIGATE THE GOLD MINING INDUSTRY

The joint resolution (S. J. Res. 16) to establish a joint committee to investigate the gold mining industry was announced as first in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

## BILLS PASSED OVER

The bill (S. 921) to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 8439) to cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended, or the Immigration and Nationality Act, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

## PRICE SUPPORT FOR CROPS OF EXTRA-LONG-STAPLE COTTON

The bill (H. R. 11399) relating to price support for the 1958 and subsequent crops of extra-long-staple cotton was announced as next in order.

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

Mr. KNOWLAND. Over.

Mr. ANDERSON. Mr. President, will the Senator from California withhold his objection for a moment, while I make a statement?

Mr. KNOWLAND. I withhold my objection.

Mr. ANDERSON. The bill will allow the producers of extra-long-staple cotton—and its production is confined to about 3 States—to have their support level reduced from 75 percent to 60 percent by the Secretary of Agriculture. This will enable those producers to meet the competition of Egyptian cotton. There never has been objection to such a proposal at any time it has been brought up. I know of no objection to it now. There certainly is no objection whatever on the part of those who produce this kind of cotton in west Texas, New Mexico, Arizona, and, in a small quantity, in California. The amount of production is small, perhaps only a few thousand bales.

The producers of this type of cotton have done well in developing a market for it.

The Senator from Arizona [Mr. HAYDEN] is fully acquainted with the development of this type of cotton. I know of no objection to the proposal.

Mr. KNOWLAND. I simply questioned whether the bill was calendar business. But since there has been an explanation of the bill——

Mr. ANDERSON. I assure the able Senator from California that there is no real objection to the bill.

Mr. JOHNSTON of South Carolina. I handled the bill in the committee and reported it for the committee. I have heard of no opposition whatsoever to the bill from either side.

The bill would establish price support for extra-long-staple cotton at 60 to 75 percent of parity, instead of 75 percent as now required.

The United States does not produce its requirements of this type of cotton, and the bill would put American cotton of this type in a better competitive position with similar foreign cotton, thereby giving American producers an opportunity to develop their markets.

The PRESIDING OFFICER. Does the Senator from California renew his objection?

Mr. KNOWLAND. No; I withdraw my objection.

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

There being no objection, the bill (H. R. 11399) was considered, ordered to a third reading, read the third time, and passed.

## BILLS PASSED OVER

The bill (H. R. 5497) to amend the Watershed Protection and Flood Prevention Act, was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 376) to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges was announced as next in order.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

## MARIA PONTILLO

The bill (S. 2850) for the relief of Maria Pontillo 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, Maria Pontillo 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.

## MISS ALLEGRA AZOUZ

The bill (S. 3042) for the relief of Miss Allegra Azouz 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, Miss Allegra Azouz 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.

## FEOFANIA BANKEVITZ

The Senate proceeded to consider the bill (S. 2936) for the relief of Feofania Bankevitz, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Feofania Bankevitz 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 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 if the beneficiary is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), 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 provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of Justice or the Department of State had knowledge prior to 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.

The title was amended so as to read: "A bill for the relief of Feofania Bankevitz."

## BERNABE MIRANDA AND OTHERS

The Senate proceeded to consider the bill (S. 2983) for the relief of Bernabe Miranda, Manuel Miranda, and Anastacio Miranda, which had been reported from the Committee on the Judiciary, with amendments, in line 5, after the name "Miranda," where it appears the first time, to insert "and," and, in the same line, after the name "Miranda," where it appears the second time, to strike out the comma and "and Anastacio Minda," 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, Bernabe Miranda, and Manuel Miranda, shall be held and considered to be the minor alien children of Sergeant First Class Elisha Miranda, a citizen of the United States.

The amendments were 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 for the relief of Bernabe Miranda and Manuel Miranda."

## GEORGIOS PAPAKONSTANTINOU

The Senate proceeded to consider the bill (S. 3130) for the relief of Georgios Papakonstantinou, which had been reported from the Committee on the Judiciary, with an amendment, in line 4, after the word "act", to strike out "Georgios Papakonstantinou shall be held and considered to be under 21 years of age" and insert "Georgios Papakonstantinou shall be held and considered to be the minor alien child of Mr. and Mrs. Gabriel Konstantinou, citizens of the United States.", 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, Georgios Papakonstantinou shall be held and considered to be the minor alien child of Mr. and Mrs. Gabriel Konstantinou, citizens of the United States.

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 for the relief of Georgios Papakonstantinou."

## ADAMANTIA ANDRIKOPOULOUS (PAPPAS) PAPAVASILIOU

The Senate proceeded to consider the bill (S. 3305) for the relief of Adamantia Andrikopoulous (Pappas) Papavasiliou, which had been reported from the Committee on the Judiciary, with amendments, in line 5, after the name "Adamantia", to strike out "Andrikopoulous (Pappas)", and in line 8, after the words "United States", to insert a colon and "*Provided*, That no natural parent of the beneficiary, by virtue of such relationship, 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, the minor child, Adamantia Papavasiliou, shall be held and considered to be the natural-born alien child of Mr. and Mrs. George (Pappas) Papavasiliou, citizens of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such relationship, shall be accorded any right, status, or privilege under the Immigration and Nationality Act.

The amendments were 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 for the relief of Adamantia Papavasiliou."

## BILLS PASSED OVER

The bill (S. 3493) to amend the District of Columbia Unemployment Compensation Act of 1935, as amended, was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (S. 3918) to authorize the sale of nonessential vessels of the merchant marine national defense reserve fleet was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

## EXCHANGE OF CERTAIN LANDS

The Senate proceeded to consider the bill (S. 3569) to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by the State of Utah, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, line 19, after the word "east", to strike out "864.65" and insert "864.35", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior is authorized and directed to accept on behalf of the United States from the State of Utah the conveyance in fee simple of the following described lands situated in such State:

Beginning at United States Government monument numbered 6 (monument numbered 6 is 876.31 feet south and 2,453.795 feet east more or less from the northwest corner of section numbered 4, township 1 south, range 1 east, Salt Lake meridian) and running thence south 480 feet to the south boundary of the United States Bureau of Mines property; thence west 60 feet; thence north 400 feet; thence west 544.5 feet; thence south 400.0 feet; thence west 60.0 feet; thence north 480 feet; thence east 664.5 feet more or less to the point of beginning and containing 2.32 acres more or less.

SEC. 2. In return for the lands described in the first section of this act the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of Utah all right, title, and interest of the United States in and to the following described lands situated in such State:

PARCEL NO. 1

Beginning at a point 664.5 feet west of United States Government monument numbered 6 (monument numbered 6 is 876.31 feet south and 2,453.795 feet east more or less from the northwest corner of section numbered 4, township 1 south, range 1 east, Salt Lake meridian) and running thence north 160.0 feet; thence east 864.35 feet more or less to the east boundary of the United States Bureau of Mines property; thence north 0 degrees 00 minutes 50 seconds west 287.6 feet; thence south 67 degrees 11 minutes 40 seconds west 366.35 feet; thence north 88 degrees 21 minutes 10 seconds west 682.72 feet; thence south 325.41 feet; thence east 155.5 feet more or less to the point of beginning and containing 4.69 acres more or less.

PARCEL NO. 2

Beginning at a point 480 feet south of United States Government monument numbered 6; thence north 89 degrees 59 minutes 10 seconds east 200.00 feet; thence north 0 degrees 00 minutes 50 seconds west 136.10 feet; thence south 55 degrees 45 minutes 00 seconds west 241.92 feet more or less to the point of beginning and containing 0.31 acres more or less.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN PROPERTIES WITHIN DEATH VALLEY NATIONAL MONUMENT, CALIF.

The bill (H. R. 10349) to authorize the acquisition by exchange of certain properties within Death Valley National Monument, Calif., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1436) to amend section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended, to provide for administration of farm programs by democratically elected farmer committeemen was announced as next in order.

Mr. TALMADGE. I ask that the bill go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

CONVEYANCE OF CERTAIN PROPERTY TO THE VILLAGE OF CAREY, OHIO

The bill (S. 3139) to repeal the act of July 2, 1956, concerning the conveyance of certain property of the United States to the village of Carey, Ohio, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the act of July 2, 1956 (70 Stat. 486, ch. 496), is hereby repealed.

REMOVAL OF CLOUD ON TITLE TO CERTAIN REAL PROPERTY, STATE OF ILLINOIS

The bill (H. R. 7081) to provide for the removal of a cloud on the title to certain real property located in the State of Illinois was considered, ordered to a third reading, read the third time, and passed.

RECONVEYANCE OF CERTAIN REAL PROPERTY TO NEWAYGO, MICH.

The bill (H. R. 10009) to provide for the reconveyance of certain surplus real property to Newaygo, Mich., was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3560) to authorize the construction of a courthouse and a Federal office building in Memphis, Tenn., and for other purposes, was announced as next in order.

Mr. HRUSKA. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3912) to amend the Atomic Energy Act of 1954, as amended, was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (H. R. 469) to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes, was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

WAIVER OF CERTAIN PROVISIONS OF IMMIGRATION AND NATIONALITY ACT

The joint resolution (H. J. Res. 577) 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.

JESUS ANGEL-MORENO

The concurrent resolution (S. Con. Res. 92) withdrawing suspension of deportation in the case of Jesus Angel-Moreno was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress, in accordance with section 246 (a) of the Immigration and Nationality Act (8 U. S. C. A. 1256 (a)), withdraws the suspension of deportation in the case of Jesus Angel-Moreno (A-8065711) which was previously granted by the Attorney General and approved by the Congress.

HASAN MUHAMMAD TIRO

The bill (S. 2262) for the relief of Hasan Muhammad Tiro 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, Hasan Muhammad Tiro 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.

MISS SUSANA CLARA MAGALONA

The bill (S. 2860) for the relief of Miss Susana Clara Magalona 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, Miss Susana Clara Magalona 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.

JOHN FAVIA (JOHN J. CURRY)

The bill (S. 2941) for the relief of John Favia (John J. Curry) 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, the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest and bond, which may have issued in the case of John Favia (John J. Curry). From and after the date of the enactment of this act, the said John Favia (John J. Curry) 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.

LETITIA OLTEANU

The bill (S. 2943) for the relief of Letitia Olteanu 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 sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Letitia Olteanu shall be held and considered to be the minor alien child of Ilie Olteanu, a citizen of the United States.

STANISLAWA WOJCZUL

The bill (S. 3021) for the relief of Stanislawa Wojczul 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, Stanislawa Wojczul 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.

AMILE HATEM AND LINDA HATEM

The bill (S. 3131) for the relief of Amile Hatem and Linda Hatem 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, Amile Hatem and Linda Hatem 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.

CARL EBERT AND HIS WIFE

The bill (S. 3276) for the relief of Carl Ebert and his wife, Gertrude Ebert, 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,

Carl Ebert and his wife, Gertrude Ebert, naturalized citizens of the United States, shall be permitted to reside in Germany until 3 years following the date of the enactment of this act without losing their United States citizenship under section 352 (a) of such act.

## FUAD E. KATTUAH

The bill (S. 3354) for the relief of Fuad E. Kattuah 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, Fuad E. Kattuah 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.

## ERNST HAEUSSERMAN

The bill (H. R. 7917) for the relief of Ernst Haeusserman was considered, ordered to a third reading, read the third time, and passed.

## FEDERICO LUSS

The bill (H. R. 10035) for the relief of Federico Luss was considered, ordered to a third reading, read the third time, and passed.

## JOSE MARARAC

The Senate proceded to consider the bill (S. 3010) for the relief of Jose Mararac, which had been reported from the Committee on the Judiciary with an amendment in line 6, after the words "United States", to insert a colon and "*Provided*, That no natural parent of the beneficiary, by virtue of such relationship, 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, Jose Mararac shall be held and considered to be the natural-born alien child of Juan Juan Mararac, a citizen of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such relationship, 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.

## EDELTRAUD MARIA THERESIA COLLOM

The Senate proceeded to consider the bill (S. 3192) for the relief of Edeltraud Maria Theresia Collom, which had been reported from the Committee on the Judiciary with an amendment in 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 paragraph (4) of section 212 (a) of the Immigration and Nationality Act, Edeltraud Maria Theresia Collom 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. This act shall apply only to grounds for exclusion under such paragraph 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.

## JEAN ANDRE PARIS

The Senate proceeded to consider the bill (S. 3300) for the relief of Jean Andre Paris, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have issued in the case of Jean Andre Paris. From and after the date of the enactment of this act, the said Jean Andre Paris 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: *Provided*, That nothing in this act shall be construed to waive the provisions of section 315 of 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.

## ALEXANDER NAGY

The Senate proceeded to consider the bill (S. 3421) for the relief of Alexander Nagy, which had been reported from the Committee on the Judiciary with an amendment in line 7, 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: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act."; so as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding the provision of section 212 (a) (3) of the Immigration and Nationality Act, Alexander Nagy 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: *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: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to 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.

## RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 551) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 2, after line 9, to strike out:

SEC. 3. For the purposes of the Immigration and Nationality Act, Ali Dawud Abu Ghannam 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 section of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the number of immigrant visas authorized to be issued to refugee escapees pursuant to section 15 of the act of September 11, 1957 (71 Stat. 643-644).

And, at the beginning of line 21, to change the section number from "4" to "3."

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.

## ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 576) 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 line 6, to strike out:

SEC. 2. Notwithstanding the provisions of section 202 (a) and (b) of the Immigration and Nationality Act, Mrs. Dudley Anthony Rhodes, nee Mary Grundy, shall be held to be a native of Great Britain for immigration purposes.

And insert:

SEC. 2. In the administration of the Immigration and Nationality Act, sections 202 (a) (5) and 202 (b) of that act shall not be applicable in connection with the application for an immigrant visa by Mrs. Dudley Anthony Rhodes, nee Mary Grundy.

And, on page 4, line 8, after the word "of", to insert "sections 203 (a) (1) (B) and 204 of."

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 joint resolution (H. J. Res. 580) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "visa", to strike out

"fees" and insert "fee", and in the same line, after the word "That", to insert "a"; in line 8, after the word "or", to strike out "undertakings" and insert "undertaking"; in line 12, after the word "Act", to insert "Sultane P. Aboudi"; on page 2, line 4, after the name "Paiva", to strike out "Sho Ging Wong"; in line 5, after the name "Tran", to strike out "Kina" and insert "Dinh"; in line 6, after the name "Yuan Shing Tai", to strike out "Sister Ignatia (Marie Nicodemia Wilhelmina Kohlmann), Sister Charlotte (Maria J. Matthijssen), Sister Laurentia (Johanna Gertrude Theresia Smeets), Sister Bernardine (Maria Hendrika Hegemen), Sister Petronella (Johanna Monica Plasmans), Sister Raymonde (Wilhelmina Grade Weijn),"; on page 3, line 9, after the name "Matta", to insert "and", and in the same line, after the name "Bloomfield", to strike out the comma and "and Sultane P. Adoudi"; after line 18, to insert:

SEC. 5. Mrs. Sabastiano Poletto, who lost United States citizenship under the provisions of section 401 (e) 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 abroad, the oaths prescribed by section 337 of the Immigration and Nationality Act. From and after naturalization under this act, the said Mrs. Sabastiano Poletto shall have the same citizenship status as that which existed immediately prior to its loss.

And, on page 4, after line 4, to insert:

SEC. 6. Hideo Konya, who lost his United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the effective date 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, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Hideo Konya shall have the same citizenship status as that which existed immediately prior to its loss.

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.

## KUO CHENG WU AND OTHERS

The Senate proceeded to consider the bill (S. 13) for the relief of Kuo Cheng Wu and his wife, Edith Wu, and their two sons, Hsiu-Kwang Wu and Hsiu-Huang Wu, which had been reported from the Committee on the Judiciary with amendments on page 1, line 4, after the word "Act", to strike out "Kuo Cheng Wu and his wife, Edith Wu, and their two sons,", and in line 5, after the name "Hsiu-Huang", to strike out "Wu," and insert "Wu", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of the Immigration and Nationality Act, Hsiu-Kwang Wu and Hsiu-Huang Wu 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.

The title was amended, so as to read: "A bill for the relief of Hsiu-Kwang Wu and Hsiu-Huang Wu."

## BILL PASSED OVER

The bill (S. 3141) to authorize acquisition by the Administrator of General Services of certain land improvements thereon located within the area of New York Avenue and F Streets and 17th and 18th Streets NW., in the District of Columbia, was announced as next in order.

Mr. KNOWLAND. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

## PAYMENT IN LIEU OF TAXES WITH RESPECT TO CERTAIN REAL PROPERTY

The bill (S. 3677) to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That (a) section 703 of the Federal Property and Administrative Services Act of 1949 (69 Stat. 722) is amended by striking out the figures "1959", and inserting in lieu thereof the figures "1961."

(b) Section 704 of such act (69 Stat. 723) is amended by striking out the figures "1958", and inserting in lieu thereof the figures "1960."

## INTERCHANGE OF INSPECTION SERVICES BETWEEN EXECUTIVE AGENCIES

The bill (S. 3873) to amend section 201 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the interchange of inspection services between executive agencies, and the furnishing of such services by one executive agency to another, without reimbursement or transfer of funds, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That section 201 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377, as amended; 40 U. S. C. 481) is amended by adding at the end thereof the following new subsection:

"(d) In conformity with policies prescribed by the Administrator under subsection (a), any executive agency may utilize the services, work, materials, and equipment of any other executive agency, with the consent of such other executive agency, for the inspection of personal property incident to the procurement thereof, and notwithstanding section 3678 of the Revised Statutes (31 U. S. C. 628) or any other provision of law such other executive agency may furnish such services, work, materials, and equipment for that purpose without reimbursement or transfer of funds."

## EXTENSION OF AUTHORITY TO LEASE OUT FEDERAL BUILDING SITES

The Senate proceeded to consider the bill (S. 3142) to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the act of June 24, 1948 (62 Stat. 644), and for other purposes, which had been reported from the Committee on Government Operations with an amendment on page 3, line 9, after the word "improvement," to insert "with respect to Federal building sites authorized to be leased pursuant to section 210 (a) of this act.", so as to make the bill read:

*Be it enacted, etc.*, That section 210 (a) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C. 490 (a)), is further amended by—

(1) striking out, in paragraph (11), the word "and";

(2) striking out the period at the end of paragraph (12), and inserting in lieu thereof a semicolon and the word "and"; and

(3) adding at the end thereof the following new paragraph:

"(13) to enter into leases of Federal building sites and additions to sites, including improvements thereon, until they are needed for construction purposes, at their fair rental value and upon such other terms and conditions as the Administrator deems in the public interest pursuant to the provisions of section 203 (e) hereof. Such leases may be negotiated without public advertising for bids if the lessee is the former owner from whom the property was acquired by the United States of his tenant in possession, and the lease is negotiated incident to or in connection with the acquisition of the property. Rentals received under leases executed pursuant to this paragraph may be deposited into the Buildings Management Fund established by subsection (f) of this section."

SEC. 2. The act of June 24, 1948, ch. 626 (62 Stat. 644) is amended by deleting the last sentence thereof in its entirety, and substituting in lieu thereof the following: "The rentals received pursuant to this act may be deposited in the Buildings Management Fund, established pursuant to section 210 (f) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended."

SEC. 3. Section 210 (f) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, is further amended by—

(1) inserting in the first sentence thereof, immediately after the words "buildings management operations and related services," the words ", including demolition and improvement with respect to Federal building sites authorized to be leased pursuant to section 210 (a) of this act."; and

(2) deleting from the third proviso thereof the words "shall not be available for expenses of carrying out the provisions of the act of June 24, 1948 (62 Stat. 644), or section 5 of the act of May 25, 1926, as amended (40 U. S. C. 345), and shall not be credited with receipts from operations under said provisions of law, or," and inserting in lieu thereof the words "shall not be credited."

SEC. 4. The third paragraph of section 5 of the Public Buildings Act of 1926 (44 Stat. 630), as amended by section 402 of the Public Buildings Act of 1949 (63 Stat. 199; 40 U. S. C. 345) is hereby repealed.

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. 3817) to provide a program for the development of the mineral resources of the United States, its Territories and possessions, by encouraging exploration for minerals, and for other purposes, was announced as next in order.

Mr. HRUSKA. Mr. President, is not this bill the unfinished business?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. Mr. President, the bill is the unfinished business; and I wish to have it go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

## PRINTING OF ADDITIONAL COPIES OF HEARING ON SALINE WATER CONVERSION

The resolution (S. Res. 310) authorizing the printing of additional copies of the hearing on saline water conversion was considered and agreed to, as follows:

*Resolved*, That there be printed for the use of the Senate Committee on Interior and Insular Affairs, 1,000 additional copies of the hearing held by that committee during the current session entitled "Saline Water Conversion."

## WITHHOLDING OF CERTAIN AMOUNTS DUE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

The bill (H. R. 12521) to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives was considered, ordered to a third reading, read the third time, and passed.

## DOROTHY L. TRAVIS JONES

The resolution (S. Res. 313) to pay a gratuity to Dorothy L. Travis Jones was considered and agreed to, as follows:

*Resolved*, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dorothy L. Travis Jones, wife of Lloyd W. Jones, an employee of the Senate at the time of his death, a sum equal to 1 year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

## CONSTRUCTION OF BUILDING FOR NATIONAL AIR MUSEUM—BILL PASSED OVER

The bill (S. 1985) to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution and all other work incidental thereto was announced as next in order.

Mr. HRUSKA. Mr. President, by request, I ask that the bill be passed over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

Mr. CHAVEZ. Mr. President, I wonder whether the Senator who registered the objection will temporarily withhold it until my colleague [Mr. ANDERSON] can make an explanation of the bill, which was unanimously reported by the committee; and I may state that there is no objection from any department.

Mr. ANDERSON. Mr. President, will the Senator who registered the objection withhold his objection for a moment?

Mr. HRUSKA. Mr. President, I am happy to do so.

Mr. ANDERSON. I recognize that sometimes objection must be made on the ground that some other Member of the Senate is opposed to the bill concerned.

Let me say that I hope the bill—which comes from the Committee on Public Works—will be passed.

Originally the bill was introduced at the request of the Board of Regents of the Smithsonian Institution. Then the bill went to a subcommittee headed by the able Senator from Michigan [Mr. MCNAMARA], on which the Senator from Nebraska [Mr. HRUSKA] served.

At the same time, another bill—which provided for another location for a center for the performing arts—was before the committee.

I wish to compliment the subcommittee headed by the Senator from Michigan [Mr. MCNAMARA], and also the full committee, under the chairmanship of the Senator from New Mexico [Mr. CHAVEZ], for working out what I believe to be a most happy solution of the problem.

The bill was supposed to combine the two features. The committee—wisely, I believe—decided to separate them; and the bill providing for a center for the performing arts was passed by the Senate. I hope that will not mean that Senate bill 1985 will not be favorably considered.

If there is objection to the consideration of the bill during the call of the calendar, I see no objection to having it considered later.

Mr. CHAVEZ. Mr. President, as my colleague, the Senator from Nebraska [Mr. HRUSKA] will recall, the bill was referred to the committee; and from the report it will be noted that the Smithsonian Institution has recommended the bill, and so have the National Park and Planning Commission, the Commission of Fine Arts, the General Services Administration, and the Bureau of the Budget.

Mr. HRUSKA. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. HRUSKA. I was a member of the subcommittee which held the hearings; and at the conclusion of the hearings, I voted to report the bill to the full committee.

When it was considered by the entire committee, I again approved it for reporting to the Senate. I objected to the consideration of the bill at this time by request but, in due time, I hope the bill will be considered, and I shall vote for it.

Mr. ANDERSON. If the objection has done nothing else but afford me an opportunity to thank the Senator for the very fine way in which the matter was presented to the committee, I am privileged to embrace the opportunity. A very large delegation from the performing arts appeared before the committee. The kind words of the Senator were greatly appreciated. I am glad the bill has been discussed. I appreciate the action of my colleague in urging that the bill be passed. I hope in proper time it will be.

Mr. President, a question was raised as to how much money would be involved. The proponents of the bill are very hopeful that the aircraft industry will contribute most of the money, and perhaps all of it, for a suitable construction on the location selected. We are very appreciative of the work, not only of the full committee, but of the subcommittee, on this bill.

The PRESIDING OFFICER. Objection is heard to the present consideration of the bill, and the bill will go over.

## ALTERATION OF CERTAIN BRIDGES OVER NAVIGABLE WATERS

The bill (S. 2158) relating to the procedure for altering certain bridges over navigable waters was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the act of June 21, 1940, entitled "An act to provide for the alteration of certain bridges over navigable waters of the United States, for the apportionment of the cost of such alterations between the United States and the owners of such bridges, and for other purposes" (54 Stat. 497), as amended by the act of July 16, 1952 (66 Stat. 732), is hereby further amended as follows:

(a) By amending the first sentence of section 5 to read as follows: "After approval of such general plans and specifications by the Secretary, and after notification of such approval, the bridge owner shall, in such manner and within such times as the Secretary may prescribe, take bids for the alteration of such bridge in accordance with such general plans and specifications."

(b) By adding the following after the word "provided" at the end of section 5: ": *Provided*, That where funds have been appropriated for part only of a project, the bridge owner may take bids for part only of the work. In the event the bridge owner proceeds with the alteration through the taking of successive partial bids, the bridge owner shall, if required by the Secretary, submit a revised guaranty of cost after bids are accepted for successive parts of the work."

(c) By adding the following after the word "navigation" at the end of section 6: ": *And provided further*, That where the bridge owner proceeds with the alteration on a successive partial bid basis the Secretary is authorized to issue an order of apportionment of cost for the entire alteration based on the accepted bid for the first part of the alteration and an estimate of cost for the remainder of the work. The Secretary is authorized to revise the order of apportionment of cost, to the extent he deems reasonable and proper, to meet any changed conditions."

(d) By amending the first two sentences of section 7 to read as follows: "Following approval by the Secretary of the general plans

and specifications for the alteration of such bridge, the guaranty with respect to the cost thereof, the fixing of the proportionate shares thereof as between the United States and the bridge owner and approval of the commencement of the alteration, the Chief of Engineers may make partial payments as the work progresses to the extent that funds have been appropriated."

## REVISION OF TOLL AUTHORIZATION FOR BRIDGE ACROSS MISSISSIPPI RIVER NEAR JEFFERSON BARRACKS, MO.

The bill (S. 2214) to revise the authorization with respect to the charging of tolls on the bridge across the Mississippi River near Jefferson Barracks, Mo., was announced as next in order.

The PRESIDING OFFICER. The Chair is advised that there is a similar House bill, H. R. 7898, in the Senate Public Works Committee at the present time. It is also the understanding of the Chair that the Senator from Missouri [Mr. SYMINGTON] has an amendment to offer.

Mr. CHAVEZ. Mr. President, inasmuch as the bill provides for an extension of time for collection of tolls, and the amendment merely fixes a time for starting and completing the bridge, I am willing to accept the amendment of the Senator from Missouri.

The PRESIDING OFFICER. The Chair is advised that a copy of the amendment is at the desk, and the clerk will state it.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Mexico will state it.

Mr. CHAVEZ. I can move that the Senate consider the House bill, can I not?

The PRESIDING OFFICER. The Senator is correct, and he can offer the amendment to the House bill.

Mr. CHAVEZ. Very well.

Mr. President, I move that the Committee on Public Works be discharged from further consideration of the bill (H. R. 7898) to revise the authorization with respect to the charging of tolls on the bridge across the Mississippi River near Jefferson Barracks, Mo., and that the Senate proceed to the consideration of the House bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico that the Committee on Public Works be discharged from further consideration of H. R. 7898.

The motion was agreed to.

The PRESIDING OFFICER. Is there objection to the present consideration of H. R. 7898?

There being no objection, the Senate proceeded to consider the bill (H. R. 7898) to revise the authorization with respect to the charging of tolls on the bridge across the Mississippi River near Jefferson Barracks, Mo.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Mexico for the Senator from Missouri [Mr. SYMINGTON] will be stated.

The LEGISLATIVE CLERK. On page 2, after line 22, it is proposed to add a new section, as follows:

SEC. 3. The reconstruction or improvement of the Jefferson Barracks Bridge and construction of the additional bridge and approaches pursuant to section 2 of this act shall be commenced not later than July 1, 1960, and shall be completed within 3 years after such date.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7898) was read the third time and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2214 is indefinitely postponed.

## FLOOD CONTROL COMPACT BETWEEN THE STATES OF CONNECTICUT AND MASSACHUSETTS

The bill (S. 2964) granting the consent and approval of Congress to a compact between the State of Connecticut and the State of Massachusetts relating to flood control was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the consent and approval of Congress is given to the compact between the State of Connecticut and the State of Massachusetts relating to flood control. Such compact reads as follows:

"ARTICLE I

"The principal purposes of this compact are: (a) To promote interstate comity among and between the signatory States; (b) to assure adequate storage capacity for impounding the waters of the Thames River and its tributaries for the protection of life and property from floods; (c) to provide a joint or common agency through which the signatory States, while promoting, protecting, and preserving to each the local interest and sovereignty of the respective signatory States, may more effectively cooperate in accomplishing the object of flood control and water resources utilization in the basin of the Thames River and its tributaries.

"ARTICE II

"There is hereby created 'The Thames River Valley Flood Control Commission,' hereinafter referred to as the 'commission,' which shall consist of 6 members, 3 of whom shall be residents of the Commonwealth of Massachusetts; 3 of whom shall be residents of the State af Connecticut.

"The members of the commission shall be chosen by their respective States in such manner and for such terms as may be fixed and determined from time to time by the law of each of said States respectively by which they are appointed. A member of the commission may be removed or suspended from office as provided by the law of the State for which he shall be appointed, and any vacancy occurring in the commission shall be filled in accordance with the laws of the State wherein such vacancy exists.

"A majority of the members from each State shall constitute a quorum for the transaction of business, the exercise of any of its powers or the performance of any of its duties, but no action of the commission shall be binding unless at least two of the members from each State shall vote in favor thereof.

"The compensation of members of the commission shall be fixed, determined, and paid by the State which they respectively represent. All necessary expenses incurred in the performance of their duties shall be paid from the funds of the commission.

"The commission shall elect from its members a chairman, vice chairman, and a clerk-treasurer. Such clerk-treasurer shall furnish to the commission, at its expense, a bond with corporate surety, to be approved by the commission, in such amount as the commission may determine, conditioned for the faithful performance of his duties.

"The commission shall adopt suitable bylaws and shall make such rules and regulations as it may deem advisable not inconsistent with laws of the United States, of the signatory States or with any rules or regulations lawfully promulgated thereunder.

"The commission shall make an annual report to the governor and legislature of each of the signatory States, setting forth in detail the operations and the transactions conducted by it pursuant to this compact.

"The commission shall keep a record of all its meeting and proceedings, contracts and accounts, and shall maintain a suitable office, where its maps, plans, documents, records, and accounts shall be kept, subject to public inspection at such times and under such regulations as the commission shall determine.

"ARTICLE III

"The commission shall constitute a body, both corporate and politic, with full power and authority: (1) To sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to appoint and employ such agents and employees as may be required in the proper performance of the duties hereby committed to it and to fix and determine their qualifications, duties, and compensation; (4) to enter into such contracts and agreements and to do and perform any and all other acts, matters, and things as may be necessary and essential to the full and complete performance of the powers and duties hereby committed to and imposed upon it and as may be incidental thereon; (5) to have such additional powers and duties as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of either of said States, concurred in by the legislature of the other State and by the Congress of the United States.

"The commission shall make, or cause to be made, such studies as it may deem necessary, in cooperation with the Corps of Engineers, United States Army, and other Federal agencies, for the development of a comprehensive plan for flood control and for utilization of the water resources of the Thames River Valley.

"The commission shall not pledge the credit of the signatory States or either of them.

"ARTICLE IV

"The Commonwealth of Massachusetts wherein is located the site of each of the following dams and reservoirs agrees to the construction by the United States of each such dam and reservoir in accordance with authorization by the Congress:

"(1) At East Brimfield on the Quinebaug River controlling a drainage area of approximately 67 square miles and providing flood storage of approximately 8 inches of runoff from said drainage area.

"(2) At Buffumville on the Little River controlling a net drainage area of approximately 26 square miles and providing flood-control storage of approximately 8 inches of runoff from said drainage area.

"(3) At Hodges Village on the French River controlling a drainage area of approximately 30 square miles and providing flood-control storage for approximately 8 inches of runoff from said drainage area.

"(4) At Westville on the Quinebaug River controlling a drainage area of approximately 90 square miles and providing flood-control

storage for approximately 2.5 inches of runoff from said drainage area.

"ARTICLE V

"The State of Connecticut agrees to reimburse the Commonwealth of Massachusetts 40 percent of the amount of taxes lost to their political subdivisions by reason of acquisition and ownership by the United States of lands, rights, or other property therein for construction in the future of any flood-control dam and reservoir specified in article IV and also for any other flood-control dam and reservoir hereafter constructed by the United States in the Thames River Valley in Massachusetts.

"Annually, not later than November 1 of each year, the commission shall determine the loss of taxes resulting to political subdivisions of the Commonwealth of Massachusetts by reason of acquisition and ownership therein by the United States of lands, rights, or other property in connection with each flood-control dam and reservoir for which provision for tax reimbursement has been made in the paragraph next above. Such losses of taxes as determined by the commission shall be based on the tax rate then current in each such political subdivision and on the average assessed valuation for a period of 5 years prior to the acquisition by the United States of the site of the dam for such reservoir, provided that whenever a political subdivision wherein a flood-control dam and reservoir or portion thereof is located shall have made a general revaluation of property subject to the annual municipal taxes of such subdivisions, the commission may use such revaluation for the purpose of determining the amount of taxes for which reimbursement shall be made. Using the percentage of payment agreed to in this article, the commission shall then compute the sum, if any, due from the State of Connecticut to the Commonwealth of Massachusetts and shall send a notice to the treasurer of each signatory State setting forth in detail the sum, if any, Connecticut is to pay and Massachusetts is to receive in reimbursement of tax losses.

"The State of Connecticut on receipt of formal notification from the commission of the sum which it is to pay in reimbursement for tax losses shall, not later than July 1 of the following year, make its payment for such tax losses to the Commonwealth of Massachusetts wherein such loss or losses occur, except that in case of the first annual payment for tax losses at any dam or reservoir such payment shall be made by the State of Connecticut not later than July 1 of the year in which the next regular session of its legislature is held.

"Payment by the State of Connecticut of its share of reimbursement for taxes in accordance with formal notification received from the commission shall be a complete and final discharge of all liability by the State to the Commonwealth of Massachusetts for each flood-control dam and reservoir within that State for the time specified in such formal notification. The Commonwealth of Massachusetts shall have full responsibility for distributing or expending all such sums received, and no agency or political subdivision of the Commonwealth shall have any claim against the State of Connecticut or against the commission relative to tax losses covered by such payments.

"The two States may agree, through the commission, on a lump-sum payment in lieu of annual payments and when such lump-sum payment has been made and received, the requirement that the commission annually shall determine the tax losses, comthe requirement that the commission anthe treasurer of each State shall no longer apply with respect to any flood-control dam and reservoir for which lump-sum payment has been made and received.

"On receipt of information from the Chief of Engineers, United States Army, that request is to be made for funds for the purpose of preparing detailed plans and specifications for any flood-control dam and reservoir proposed to be constructed in the Thames River Valley in Massachusetts, including those specified in article IV, the commission shall make an estimate of the amount of taxes which would be lost to the political subdivisions of that State by reason of acquisition and ownership by the United States of lands, rights, or other property for the construction and operation of such flood-control dam and reservoir and shall decide whether the flood-control benefits to be derived from such flood-control dam and reservoir, both by itself and as a unit of a comprehensive flood-control plan, justifies, in the opinion of the commission, the assumption by Connecticut of the obligation to make reimbursement for loss of taxes. Such estimate and decision shall thereafter be reviewed by the commission at 5-year intervals until such time as the United States shall have acquired title to the site of such flood-control dam or plans for its construction are abandoned. The commission shall notify the governor, the Members of the United States Senate, and the Members of the United States House of Representatives from each signatory State and the Chief of Engineers as to the commission's decision and as to any change in such decision.

"On receipt of information from the Chief of Engineers that any flood-control dam and reservoir is to be constructed, reconstructed, altered, or used for any purpose in addition to flood control, including those flood-control dams and reservoirs heretofore constructed and those specified in article IV, the commission shall make a separate estimate of the amount of taxes which would be lost to the political subdivisions of the Commonwealth of Massachusetts by reason of acquisition and ownership by the United States of lands, rights or other property for construction and operation of such dam and reservoir in excess of the estimated amount of taxes which would be lost if the dam were constructed and operated for flood control only and the commission shall decide the extent to which, in its opinion, the State of Connecticut would be justified in making reimbursement for loss of taxes in addition to reimbursement for such dam and reservoir if constructed and used for flood control only. Such estimate and decision shall thereafter be reviewed by the commission at 5-year intervals until such time as such dam and reservoir shall be so constructed, reconstructed, altered or used or plans for such construction, reconstruction, alteration or use are abandoned. The commission shall notify the governor, the Members of the United States Senate and the Members of the United States House of Representatives from each signatory State as to the commission's decision and as to any change in such decision.

"A signatory State may, in agreement with the commission and the Chief of Engineers, acquire title or option to acquire title to any or all lands, rights or other property required for any flood-control dam and reservoir within its boundaries and transfer such titles or options to the United States. Whenever the fair cost to said signatory State for such titles or options, as determined by the commission, is greater than the amount received therefor from the United States, the State of Connecticut shall pay its share of such excess cost to said signatory State, such share to be determined by the commission.

"Whenever the commission shall not agree, within a reasonable time or within 60 days after a formal request from the governor of any signatory State, concerning reimbursement for loss of taxes at any flood-control dam and reservoir heretofore, or hereafter constructed by the United States in the Thames River Valley in Massachusetts, or concerning the extent, if any, to which reimbursement shall be made for additional loss of taxes caused by construction, reconstruction, alteration or use of any such dam for purposes other than flood control, the governor of each signatory State shall designate a person from his State as a member of a board of arbitration, hereinafter called the board, and the members so designated shall choose one additional member who shall be chairman of such board. Whenever the members appointed by the governors to such board shall not agree within 60 days on such additional member of the board, the governors of such signatory States shall jointly designate the additional member. The board shall by majority vote decide the question referred to it and shall do so in accordance with the provisions of this compact concerning such reimbursement. The decision of the board on each question referred to it concerning reimbursement for loss of taxes shall be binding on the commission and on each signatory State, notwithstanding any other provision of this compact.

"ARTICLE VI

"Nothing contained in this compact shall be construed as a limitation upon the authority of the United States.

"ARTICLE VII

"The signatory States agree to appropriate for compensation of agents and employees of the commission and for office, administration, travel, and other expenses on recommendation of the commission subject to limitations as follows: The Commonwealth of Massachusetts obligates itself to not more than $7,000 in any 1 year and the State of Connecticut obligates itself to not more than $5,000 in any 1 year.

"ARTICLE VIII

"Should any part of this compact be held to be contrary to the constitution of any signatory State or of the United States, all other parts thereof shall continue to be in full force and effect.

"ARTICLE IX

"This compact shall become operative and effective when ratified by the Commonwealth of Massachusetts and the State of Connecticut and approved by the Congress of the United States. Notice of ratification shall be given by the governor of each State to the governor of the other State and to the President of the United States, and the President of the United States is requested to give notice to the governors of each of the signatory States of approval by the Congress of the United States."

SEC. 2. The right to alter, amend, or repeal this act is expressly reserved.

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## CONSTRUCTION OF BRIDGE ACROSS MISSISSIPPI RIVER NEAR ROCK ISLAND, ILL.

The bill (S. 3392) establishing the time for commencement and completion of the reconstruction, enlargement, and extension of the bridge across the Mississippi River at or near Rock, Island, Ill., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the first section of the act entitled "An act authorizing the city of Rock Island, Ill., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Ill., and to place at or near the city of Davenport, Iowa," approved March 18, 1938, as amended by the act entitled "An act authorizing the reconstruction, enlargement,

and extension of the bridge across the Mississipi River at or near Rock Island, Ill.," approved July 11, 1956, is amended by adding at the end thereof the following new subsection:

"(c) The reconstruction, enlargement, and extension of such bridge and its approaches pursuant to subsection (b) of this section shall be commenced not later than July 1, 1960, and shall be completed within 3 years after said date."

## CHANGING NAME OF MARKLAND LOCKS AND DAM TO McALPINE LOCKS AND DAM

The bill (S. 3524) to change the name of the Markland locks and dam to McAlpine locks and dam was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Markland locks and dam which are now under construction on the Ohio River shall hereafter be known as McAlpine locks and dam, and any law, regulation, document, or record of the United States in which such locks and dam are designated or referred to shall be held to refer to such locks and dam under and by the name of McAlpine locks and dam.

## AMENDMENT OF AGREEMENT BETWEEN STATES OF VERMONT AND NEW YORK RELATING TO LAKE CHAMPLAIN BRIDGE COMMISSION

The joint resolution (H. J. Res. 382) granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission was considered, ordered to a third reading, read the third time, and passed.

## PAYMENT OF LOSSES SUSTAINED BY OWNERS OF WELLS RESULTING FROM CONSTRUCTION OF NEW CUMBERLAND DAM PROJECT

The bill (H. R. 2548) to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project was considered, ordered to a third reading, read the third time, and passed.

## PUBLISHING OF PAMPHLETS, MAPS, BROCHURES, AND OTHER MATERIAL

The bill (H. R. 4260) to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material was considered, ordered to a third reading, read the third time, and passed.

## ADJUSTMENT OF RENTALS UNDER LEASES AT THE LAKE GREESON RESERVOIR, NARROWS DAM

The bill (H. R. 4683) to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greeson Reservoir, Narrows Dam, was considered, ordered to a third reading, read the third time, and passed.

## CONSTRUCTION OF BRIDGE ACROSS MISSISSIPPI RIVER AT FRIAR POINT, MISS., AND HELENA, ARK.

The bill (H. R. 5033) to extend the time for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., was considered, ordered to a third reading, read the third time, and passed.

## J. PERCY PRIEST DAM AND RESERVOIR

The bill (H. R. 12052) to designate the dam and reservoir to be constructed at Stewarts Ferry, Tenn., as the J. Percy Priest Dam and Reservoir was considered, ordered to a third reading, read the third time, and passed.

## NETTIE L. RICHARD AND OTHERS

The Senate proceeded to consider the bill (S. 3053) for the relief of Nettie L. Richard, Florence L. Morris, Tessie L. Marx, and Helen L. Levi, which had been reported from the Committee on Public Works, with an amendment, on page 1, line 3, after the word "convey", to insert "subject to exceptions, restrictions, and reservations (including a reservation to the United States of flowage rights) as he determines are in the public interest", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Army shall convey subject to exceptions, restrictions, and reservations (including a reservation to the United States of flowage rights) as he determines are in the public interest, all right, title, and interest of the United States in and to the two parcels of real property described in section 2 of this act, for a consideration of $27,120, to the following four individuals, as tenants in common: (1) Nettie L. Richard, Demopolis, Ala., (2) Florence L. Morris, Demopolis, Ala., (3) Tessie L. Marx, New Orleans, La., and (4) Helen L. Levi, Evansville, Ind.

SEC. 2. The two parcels of real property referred to in the first section of this act are more particularly described as follows:

(1) A tract of land being the east half of the east half of the northwest quarter of the southeast quarter and the north half of the west quarter of the northeast quarter of the southeast quarter of section 17, township 18 north, range 2 east, Saint Stephens meridian, Sumter County, Ala., containing 15 acres, more or less, known as tract numbered A-194.

(2) A tract of land lying approximately in the west half of section 27, and west half of section 34 lying northeast of the Tombigbee River, and that part of northeast quarter of section 33 lying northeast of the Tombigbee River, in township 19 north, range 2 east, Saint Stephens meridian, Greene County, Ala., containing 525 acres, more or less, and known as tract No. B-224.

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 to read: "A bill to authorize the Secretary of the Army to convey certain real property at Demopolis lock and dam project, Alabama, to the heirs of the former owner."

## STUDY OF TRANSPORTATION POLICIES IN THE UNITED STATES

The Senate proceeded to consider the resolution (S. Res. 303) providing for a study of transportation policies in the United States, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, and subsequently reported from the Committee on Rules and Administration without additional amendment.

The amendments of the Committee on Interstate and Foreign Commerce are:

On page 2, after line 19, to insert:

6. the problems arising from action by the Interstate Commerce Commission in permitting the charge of more for a short than a long transportation haul over the same line in the same direction; and."

At the beginning of line 24, to strike out "6. the relationship between" and insert "7. additional matters of", and on page 3, line 18, after the word "exceed", to insert "$100,000"; so as to make the resolution read:

*Resolved*, That the Committee on Interstate and Foreign Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

1. the need for regulation of transportation under present-day conditions and, if there is need for regulation, the type and character of that regulation;

2. the area of Federal policy dealing with Government assistance provided the various forms of transportation and the desirability of a system of user charges to be assessed against those using such facilities;

3. the subject of the ownership of one form of transportation by another;

4. Federal policy on the subject of consolidations and mergers in the transportation industry;

5. policy considerations for the kind and amount of railroad passenger service necessary to serve the public and provide for the national defense;

6. the problems arising from action by the Interstate Commerce Commission in permitting the charge of more for a short than a long transportation haul over the same line in the same direction; and

7. additional matters of Federal regulation (and exemption therefrom) and Federal promotional policy in regard to the various forms of transportation.

SEC. 2. For the purposes of this resolution the committee, from the date this resolution is agreed to, to January 31, 1959, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1959.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $100,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The amendments were agreed to.

The resolution, as amended, was agreed to.

The preamble was agreed to.

## MONTICELLO DAM, CALIF.

The bill (H. R. 9382) to designate the main dam of the Solano project in California as Monticello Dam was considered, ordered to a third reading, read the third time, and passed.

## LAKE SOLANO, CALIF.

The bill (H. R. 9381) to designate the lake above the diversion dam of the Solano project in California as Lake Solano was considered, ordered to a third reading, read the third time, and passed.

## EXTENSION OF DEFENSE PRODUCTION ACT OF 1950

The bill (S. 3323) to extend the Defense Production Act of 1950, as amended, was announced as next in order.

Mr. HRUSKA. Mr. President, may we have an explanation of the bill?

Mr. CLARK. Mr. President, this bill would extend the Defense Production Act, which otherwise would expire on June 30, 1958.

There are only 3 titles of the Defense Production Act still having the force of law.

The first has to do with priorities and allocations. They are designed to insure prompt performance of procurement contracts let by the Department of Defense and the Atomic Energy Commission through the use of preference ratings for orders.

Title III of the act provides financial devices to increase productive capacity and supply, and contains a number of detailed sections looking to that end.

Title 7 of the act contains a number of administrative provisions, the most important of which deals with the authority for voluntary agreements providing for antitrust immunity and for the use w. o. c.'s and the new executive reserve, with exemptions from the conflict-of-interest statutes. The w. o. c. program is growing smaller, according to reports received each quarter from the Chairman of the Civil Service Commission, while the executive reserve program has increased substantially.

The 2-year extension of the act was recommended by the President in his budget message, by the Director of the Office of Defense Mobilization, and by all the departments and agencies concerned. No opposition to the extension was made known to the committee.

Prompt action on the bill is desirable. The industries and financial institutions operating under these programs and the agencies concerned can carry out their programs better in the knowledge that the law will be extended for a 2-year period.

Mr. President, I have a fuller explanation of the bill, which I should like to have printed in the RECORD, and which I should be glad to read now if my friend so desires.

Mr. HRUSKA. I thank the Senator from Pennsylvania. His explanation is sufficient for the purpose.

Mr. CLARK. Mr. President, I ask unanimous consent to have the explanation printed at this point in the RECORD.

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

EXPLANATION OF S. 3323

S. 3323 (H. R. 10969) provides for extension of the remaining powers of the Defense Production Act for an additional 2 years, without amendment. Under present law these powers expire June 30, 1958.

The Defense Production Act now contains the following powers:

Title I, priorities and allocations: The priorities and allocations authorities of title I are now used to insure the prompt performance of procurement contracts let by the Department of Defense and the Atomic Energy Commission, through the use of prefence ratings for these orders and through the Defense Material System under which producers of steel, copper, aluminum, and nickel are required to set aside a certain percentage of their production to fill orders of defense and AEC. In addition, the priorities and allocation authorities of title I are used to prohibit shipments to Communist China and North Korea on American ships and planes.

Title III of the act provides financial devices to increase productive capacity and supply.

Section 301 of the act authorizes the Federal Reserve Board V-loan program under which private bank loans to defense contractors are guaranteed in whole or in part by contracting agencies. For some time now the total of guaranteed agreements outstanding has amounted to about $500 million and the amount of credit outstanding has been in the neighborhood of $300 to $400 million. This program has been a profitable one for the Government, resulting in about $25 million in fees.

Section 302 and section 303 of the act authorize loans and procurement contracts, for essential productive facilities and materials, making use of a revolving fund of $2.1 billion. Few new loans and new purchase programs are being undertaken at the present time, but there is considerable activity under earlier commitments. These provisions may, however, become important in connection with defense measures resulting from nuclear and space programs.

Title VII of the act contains a number of administrative provisions.

Section 708 includes authority for voluntary agreements providing for antitrust immunity. Under this authority there are now in force 16 agreements establishing integration committees for the Department of Defense. Under these agreements current and prospective contractors exchange information about products and processes, to the benefit of both the Department of Defense and the individual contractors. A voluntary agreement for foreign petroleum supply and another relating to tanker capacity, and one classified agreement were also established under this authority. The foreign petroleum supply and tanker capacity agreements are not now active. Reports on these agreements are received each quarter from the Department of Justice.

Section 710 of the act authorizes the use of w. o. c.'s and the new executive reserve, with exemptions from the conflict-of-interest statutes. The w. o. c. program is growing smaller according to the reports received each quarter from the Chairman of the Civil Service Commission, while the executive reserve program has increased substantially.

Section 712 of the act creates the Joint Committee on Defense Production, which has been active in following the progress of the executive agencies under the act.

A 2-year extension of the act was recommended by the President in his budget message, by the Director of the Office of Defense Mobilization and by all the departments and agencies concerned. No opposition to the extension was made known to the committee.

A number of amendments to the act were proposed but were not incorporated in S. 3323, as reported by the committee. Senator Curtis' bill to require semiannual reports on dispersal was considered unnecessary in view of the reports on this subject which have already been received and in view of the statement by the Director of ODM that further reports on this subject would be made.

Senator HOLLAND's proposal to authorize loans to public agencies for transportation and other essential facilities was considered unnecessary in the light of the statements by the Housing and Home Finance Agency and Treasury Department that the Community Facilities Administration is now authorized to make these loans.

The proposal by the Budget Bureau and the Civil Service Commission that the quarterly report by the Chairman of the Civil Service Commission on w. o. c. appointments should be eliminated was not accepted. These reports are necessary as long as the exceptional authority to make w. o. c. appointments of industry-paid officials under an exemption from the conflict-of-interest statutes is still in force. The Chairman of the Civil Service Commission is expected to make sure that this program does not violate the letter or the spirit of the civil service laws, and he is expected to protect the Government against conflicting interests on the part of employees.

The committee did not accept a proposal for the establishment of a labor equalization differential for certain equipment under the Buy-American Act, in effect a tariff on the equipment. The committee considered that such a provision would be inappropriate in the Defense Production Act.

Prompt action on this bill is desirable. The industries and financial institutions operating under these programs and the agencies concerned can carry out their programs better in the knowledge that the law will be extended without any delay or gap.

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

There being no objection, the bill (S. 3323) was considered, ordered to be engrossed for a third reading, read the third time and passed, as follows:

*Be it enacted, etc.*, That the first sentence of subsection (a) of section 717 of the Defense Production Act of 1950, as amended, is hereby amended by striking out "June 30, 1958" and inserting in lieu thereof "June 30, 1960."

Mr. CLARK subsequently said: Mr. President, I ask unanimous consent that the Senate reconsider the vote by which it passed Calendar No. 1742, S. 3323, to extend the Defense Production Act of 1950, as amended.

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

Mr. CLARK. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be discharged from the further consideration of H. R.

10969, and that the Senate proceed to the consideration of the House bill. H. R. 10969 is identical with S. 3323. In the interest of orderly procedure it would be better to pass the House bill. At the time the calendar was called and the Senate bill considered, we did not know that the House had passed H. R. 10969.

The PRESIDING OFFICER. Without objection, the Committee on Banking and Currency is discharged from the further consideration of the House bill, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 10969) to extend the Defense Production Act of 1950.

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

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3323 is indefinitely postponed.

## BILL PASSED OVER

The bill (S. 3916) to amend the Shipping Act of 1916, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

Mr. HRUSKA. Over.

The PRESIDING OFFICER. The bill will be passed over.

## JOSEPH H. LYM—BILL PASSED OVER

The bill (S. 3894) for the relief of Joseph H. Lym, doing business as the Lym Engineering Co., was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WATKINS. Mr. President, will the Senator from Georgia withhold his objection until I give an explanation of the bill?

Mr. TALMADGE. I shall be happy to do so, Mr. President.

Mr. WATKINS. I thank the Senator. Mr. President, this bill would pay $111,080.60 to Joseph H. Lym, doing business as the Lym Engineering Co., in accordance with the findings of the court of claims, submitted pursuant to Senate Resolution 142, 84th Congress.

This claim arises out of a contract entered into with the Bureau of Reclamation for the construction by the claimant of an irrigation project to irrigate certain arid lands near Tucumcari, N. Mex. The contract called for the construction of laterals and sublaterals from an existing canal; headgates and other auxiliary construction, including outlets, over an area of approximately 24 square miles.

Claimant's bid in the amount of $130,041.36 was submitted in February of 1945, at which time he was completing other Government war contracts in Utah and Wyoming and had in his employ competent supervisors and other skilled workmen. On February 15, 1945, 3 days after submitting his bid, he completed the other war contracts, but under existing regulations of the War Manpower Commission he was then required to release his skilled labor, with the right to reemploy them within 30 days. The damage suffered by the claimant was caused by the action of the War Production Board in failing to approve the project for continuance, and a further delay until March 19, 1945, before the contract was actually awarded. By this time he had lost his right to reemploy his 60 skilled former employees. Consequently, although he made an intensive search for skilled labor in New Mexico and adjoining States, he was only able to recruit semiskilled workers. Because of this situation, the project was not completed until 189 days after the period stipulated in the contract. The Government assessed liquidated damages in the sum of $9,450, of which $4,150 was remitted, but never paid, because the Bureau determined that part of the delay was due to an unforeseeable condition. Upon completion of the contract, payment was made and claimant executed a release subject to the right to recover the liquidated damages and also for $189,484.95 for increased costs incurred by reason of the foregoing.

The court of claims in a unanimous opinion concluded that the claimant is entitled to receive $111,080.60, the amount stated in the bill.

This matter was carefully considered by the Committee on the Judiciary. This is the claim of a man who was practically put out of business by the rulings of the War Manpower Commission. This seems to me to be a just claim, and one which could be passed upon the consent calendar.

Mr. TALMADGE. Mr. President, I wish we could accommodate the distinguished Senator, but it appeared to the calendar committee such action would set a precedent, and that this is a measure which ought to be determined by the Senate on motion.

Mr. WATKINS. I invite attention to the fact that a bill passed a moment ago which authorized the payment of claims for a number of wells which have been damaged, and there was no question about that item. Nobody even knows the amount involved in that bill, yet it was passed without objection. This is a case which has been sent to the Court of Claims. I do not what what we need to do about the matter, other than what we could do right now, even if the bill were taken up on motion.

Mr. TALMADGE. I invite the Senator's attention to the report of the committee as to this particular bill, on page 12, under Conclusion.

> Plaintiff does not have a legal or strictly equitable claim against the Government for the losses sustained subsequent to August 14, 1945, but we think that plaintiff is morally entitled, in the broad sense of equity, to receive $111,080.60, representing such losses.

The court itself stated that there was no strictly legal or equitable claim. I did not make a complete and thorough study of the case. As the Senator knows, as to the calendar matters we have limited time. We cannot go into the measures at very great length. It seemed to me that there was no violation of a Government contract, and that the contractor was seeking damages for being unable to keep his skilled labor employed at the time he wanted to.

Mr. WATKINS. By reason of the action of the War Manpower Commission, which made it impossible for the contractor to keep his employees.

Mr. TALMADGE. That may be true. I should like to accommodate the Senator, but I am still of the opinion that it would be bad practice for the Senate by unanimous consent to pass a bill of this kind, which would make the Government responsible for the permanent employment of some contractors' skilled employees.

Mr. WATKINS. I do not think it would. Of course, the Senator has a right to object.

Mr. JOHNSTON of South Carolina. Mr. President, I think the Senator from Georgia is entirely correct in his statement. Probably the bill should be taken up at some future date. The bill should be explained more fully. We do not have time to go into it fully on a call of the calendar.

I will say, for the benefit of the Senator from Utah, that the committee made a study of this particular bill. We think there is a great deal of equity with regard to this claim, and we believe the claim should be paid.

Senators will note that most of the bills which come from the Committee on the Judiciary are based upon equity. The plaintiffs have no legal cause. If they had a legal right to collect they could go into court to collect. For that reason, it is necessary that bills be introduced and considered, and for the committee to make a report.

Mr. WATKINS. As a matter of fact, most of the claims which come before Congress have to be determined on the question of broad equity. The court of claims said that there was no special equity, but on the broad equity the court felt it should recommend $111,080.60.

Of course, if the Senator wants to make an objection, he can do so. I have invited attention to the fact that only a few moments ago the Senate passed a bill as to which nobody knows the amount of damages to be paid, the damages being caused to wells by a reclamation project.

Mr. TALMADGE. The Senator is extremely persuasive. The two bills are different in character. The calendar committee thought there was a distinction between the two cases.

I regret sincerely I cannot accommodate the Senator in this instance. As the Senator knows, any objection on the Consent Calendar will temporarily, and only temporarily, block passage of a bill. The Senator can make a motion to consider the bill, and the bill can be debated at the time on the merits of the case.

Mr. President, I renew my objection.

The PRESIDING OFFICER. The objection is renewed. The bill will be passed over.

## MATHILDE GOMBARD-LIATZKY

The Senate proceeded to consider the bill (S. 3137) for the relief of Mathilde

Gombard-Liatzky, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of section 202 (a) of the Immigration and Nationality Act, Mathilde Gombard-Liatzky shall be deemed to have been born in Russia, and, notwithstanding the provisions of sections 212 (a) (1) and (4) of that act, the said Mathilde Gombard-Liatzky 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 the Immigration and Nationality 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: *And provided further*, That the exemptions granted herein 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 amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## FLORENTINO BUSTAMANTE BACAOAN

The Senate proceeded to consider the bill (S. 3475) for the relief of Florentino Bustamante Bacaoan, yeoman, second class, United States Navy, which had been reported from the Committee on the Judiciary with an amendment in line 8, after the word "fee", to insert "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.", so as to make the bill read:

*Be it enacted, etc.*, That, for the purposes of the Immigration and Nationality Act, Florentino Bustamante Bacaoan, yeoman, second class, United States Navy, 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.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## AMENDMENT OF SMALL BUSINESS ACT OF 1953—BILL PASSED OVER

The bill (H. R. 7963) to amend the Small Business Act of 1953, as amended, was announced as next in order.

Mr. CLARK. Mr. President, I hope this bill will be taken up by motion tomorrow, and I hope it will be acted on by the Senate very promptly. However, while the bill is not controversial in nature, it covers a matter of some importance. Therefore, I think the bill should go over.

Mr. President, I make this explanation because it is my bill, and it possibly looks a little silly for me to object to my own bill.

The PRESIDING OFFICER. The bill will be passed over.

## DISTRICT OF COLUMBIA CHARTER ACT—BILL PASSED OVER

The bill (S. 1846) to provide for the District of Columbia an appointed Governor and Lieutenant Governor, and an elected Legislative Assembly and nonvoting Delegate to the House of Representatives, was announced as next in order.

Mr. TALMADGE. Over, Mr. President. The bill is not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

## SURVEY OF COOSAWHATCHIE AND BROAD RIVERS, S. C.

The bill (S. 3833) to provide for a survey of the Coosawhatchie and Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Army is hereby authorized and directed to cause a survey in the interest of navigation, to be made under the direction of the Chief of Engineers, of the Coosawhatchie and the Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing, subject to all applicable provisions of section 110 of the River and Harbor Act of 1950.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

## REORGANIZATION PLAN NO. 1, 1958—RESOLUTION PASSED OVER

The resolution (S. Res. 297) disapproving Reorganization Plan No. 1 of 1958, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

## ADDITION OF CERTAIN EXCESS FEDERAL PROPERTY—NORTH CAROLINA

The bill (S. 3431) to provide for the addition of certain excess Federal property in the village of Hatteras, N. C., to the Cape Hatteras National Seashore Recreational Area, 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 the tracts of excess Federal lands and improvements thereon in the village of Hatteras, Dare County, N. C., bearing General Services Administration control numbers T-NC-442 and C-NC-444, comprising forty-three one-hundredths and one and five-tenths acres of land, respectively, the exact descriptions for which shall be determined by the Administrator of General Services, are hereby transferred, without exchange of funds, to the administrative jurisdiction of the Secretary of the Interior to be administered as a part of the Cape Hatteras National Seashore Recreational Area, authorized by the Act of August 17, 1937, as amended (50 Stat. 669; 16 U. S. C. 459-459-a-4), and shall be subject to all the laws and regulations applicable thereto.

## LEASING OF OIL AND GAS DEPOSITS, TERRITORY OF ALASKA

The bill (S. 3680) to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes, was announced as next in order.

Mr. CLARK. Mr. President——

The PRESIDING OFFICER. The Chair did not hear Calendar No. 1754, House bill 8054 called.

Mr. CLARK. Nor did the Senator from Pennsylvania, Mr. President. I should like to ask that the bill go over.

The PRESIDING OFFICER. The Chair is advised that Calendar No. 1754, (H. R. 8054) to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska was passed on Friday, June 20, and later the vote was reconsidered, and the bill returned to the calendar. Earlier today the bill was again considered, amended, and passed.

## WORLD SCIENCE-PAN PACIFIC EXPOSITION, SEATTLE

Mr. CLARK. Mr. President, I understand that Calendar No. 1755 (S. 3680), to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes, was passed on Friday, June 20.

The PRESIDING OFFICER. Calendar No. 1755, Senate bill 3680 was passed on June 20, 1958.

The clerk will proceed to Calendar No. 1756, Senate bill 1790.

## ACQUISITION AND TRANSFER OF CERTAIN LAND, EVERGLADES NATIONAL PARK, FLA.

The Senate proceeded to consider the bill (S. 1790) to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein and to provide for the transfer of certain land not included within said boundary, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 14, line 3, after the word "otherwise," to strike out "subject to the proviso that so long as parcels within the following described area encompassed within said boundary are used exclusively for agricultural purposes and housing directly incident to such purposes said parcels may not be acquired without the consent of the owners thereof:" and, in lieu thereof, to insert "subject to the proviso that no parcel within the following described area shall be acquired without the consent of its owner so long as it is used exclusively for agricultural purposes, including housing, directly incident thereto, or is lying fallow or

remains in its natural state:"; on page 16, after line 13, to strike out:

The authority to acquire land, water, and interests therein within the park boundary fixed in section 1 is further subject to the right of retention by the owners of such land, water, and interests therein, interests in oil, gas, and mineral rights, or royalties, their heirs, executors, administrators, successors, or assigns, at their election, of the following:

(1) The reservation until October 9, 1958, of all oil, gas, and mineral rights or interests, including the right to lease, explore for, produce, store, and remove oil, gas, and other minerals from such lands;

(2) In the event that on or before October 9, 1958, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary of the land and water described in the first section of this act, the time of the reservation as provided in subsection (1) of this section shall automatically extend for all owners within such boundary, regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said boundary. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress and egress to and from such land and water as may be necessary; and

And, in lieu thereof, to insert:

The authority to acquire land, water, and interests therein within the park boundary fixed in section 1 of this act but outside the area designated in the act of October 10, 1949 (63 Stat. 733), is further subject to the right of retention by the owners thereof, including owners of interests in oil, gas, and mineral rights or royalties, and by their heirs, executors, administrators, successors, and assigns, at their election of the following:

(1) The reservation until October 9, 1967, of all oil, gas, and mineral rights or interests, including the right to lease, explore for, produce, store, and remove oil, gas, and other minerals from such lands;

(2) In the event that on or before said date, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary fixed in section 1 of this act but outside the area designated in the act of October 10, 1949, the time of the reservation provided in subsection (1) above shall automatically extend for all owners within said boundary and outside of said area regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said boundary and outside of said area. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress to and egress from such land and water as may be necessary; and

On page 19, line 15, after the word "purposes", to insert "and at the same time shall preserve the right of owners to exercise the reservations herein granted"; on page 20, after line 5, to insert a new section, as follows:

SEC. 6. Unless the Secretary, after notice and opportunity for hearing, shall find that the same is seriously detrimental to the preservation and propagation of the flora or fauna of Everglades National Park, he shall permit such drainage through the natural waterways of the park and the construction, operation, and maintenance of artificial works for conducting water thereto as is required for the reclamation by the State of Florida or any political subdivision thereof or any drainage district organized under its laws of lands lying easterly of the eastern boundary of the park in township 54 south, ranges 31 and 32 east, township 55 south, ranges 32 and 33 east, and township 56 south, range 33 east. He shall grant said permission, however, only after a master plan for the drainage of said lands has been approved by the State of Florida and after finding that the approved plan has engineering feasibility and is so designed as to minimize disruptions of the natural state of the park. Any right-of-way granted pursuant to this section shall be revocable upon breach of the conditions upon which it is granted, which conditions shall also be enforcible in any other appropriate manner, and the grantee shall be obligated to remove its improvements and to restore the land occupied by it to its previous condition in the event of such revocation.

On page 21, at the beginning of line 4, to change the section number from "6" to "7"; in line 21, after the word "Park", to insert "The effectuation of the transfer provided for in this section shall be a condition precedent to the acquisition by the Secretary of any land, water, or interests therein held in private ownership within the boundaries set forth in section 1 of this act and outside the area designated in the act of October 10, 1949, except as such acquisition is by donation."; and on page 22, after line 2, to insert a new section, as follows:

SEC. 8. There are hereby authorized to be appropriated such sums, but not more than $2 million in all, as are required for the acquisition of land, water, and interests therein held in private ownership within the boundaries of Everglades National Park as fixed by section 1 of this act and outside the area described in the act of October 10, 1949.

So as to make the bill read:

*Be it enacted, etc.*, That, notwithstanding section 1 of the act of May 30, 1934 (48 Stat. 816, 16 U. S. C., sec. 410), or any action taken pursuant to authority contained therein, the exterior boundary of Everglades National Park, Fla., is subject to the provisions of section 7 of this act, hereby fixed to include the following described lands:

(1) Beginning at the intersection of the south right-of-way line of United States Highway No. 41, also known as the Tamiami Trail, and the west line of township 54 south, range 37 east, as shown on the Everglades National Park base map No. NP-EVE-7109, revised August 10, 1949;

thence southerly along the west line of township 54 south, range 37 east, along the west line of Government lot 6 lying between township 54 south, and township 55 south, range 37 east, and along the west line of township 55 south, range 37 east, and township 56 south, range 37 east and along the west lines of sections 6, 7, and 18, township 57 south, range 37 east, to the southwest corner of section 18, said township and range;

thence easterly along the north line of section 19, 20, 21, 22, and 23 of said township and range to the northeast corner of section 23;

thence southerly along the east line of sections 23, 26, and 35 of said township and range to the southeast corner of said section 35;

thence easterly along the south line of section 36, of said township and range, to the southeast corner of said section 36;

thence southerly along the east line of sections 1, 12, 13, 24, 25, and 36, township 58 south, range 37 east, and along the west line of sections 6, 7, and 18, township 59 south, range 38 east, to the northwest corner of section 19, said township and range;

thence easterly along the north line of sections 19, 20, 21, 22, 23, and 24 of township 59 south, range 38 east, and sections 19 and 20 of township 59 south, range 39 east, to the southwest right-of-way line of United States Highway No. 1;

thence southeasterly along the southwest right-of-way line of United States Highway No. 1 to a point which is the northerly point of a tract of land conveyed by the trustees of the internal improvement fund, State of Florida, to John E. Ravlin, and others, by deed dated November 5, 1943, recorded in deed book G16, page 72, in Monroe County public records;

thence following along the westerly and southerly boundary of said tract to its point of intersection with a line parallel with and 200 feet northwesterly from the centerline of Intracoastal Waterway near the southern point of said Ravlin tract;

thence southwesterly, following a line parallel to the centerline of said Intracoastal Waterway and 200 feet northwesterly from said centerline to a point due north of Long Key Light, approximately longitude 80 degrees 50 minutes west, latitude 24 degrees 51 minutes north;

thence northwesterly, following a line at all times parallel to the centerline of said Intracoastal Waterway and 200 feet northeasterly from said centerline to a point opposite the Oxfoot Bank Light, approximately longitude 81 degrees 00 minutes 40 seconds west, latitude 24 degrees 59 minutes 10 seconds north;

thence northwesterly in a straight line to a point 3 miles due south of the most southernmost point of East Cape (Cape Sable);

thence due north in a straight line to a point 2 miles due south of the most southernment point of East Cape (Cape Sable);

thence northwesterly in the Gulf of Mexico in a straight line to a point 2 miles due west of the southeast corner of fractional section 31 (Middle Cape), township 60 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the most westernmost point of Northwest Cape (Cape Sable);

thence northeasterly in a straight line to a point 2 miles due west of the northwest corner of fractional section 6, township 59 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the southwest corner of section 6, township 58 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the northwest corner of fractional section 28, township 56 south, range 31 east;

thence northwesterly in a straight line to a point 3 miles due west of the southwest corner of fractional section 32, township 54 south, range 30 east;

thence northwesterly in a straight line to the southwest corner of section 28, township 53 south, range 28 east;

thence northerly along the west line of section 28, township 53 south, range 28 east, to the northwest corner of said section 28;

thence easterly along the north line of section 28, township 53 south, range 28 east, to the northeast corner of said section 28;

thence northerly along the west line of section 22, township 53 south, range 28 east, to the northwest corner of said section 22;

thence easterly along the north line of section 22, township 53 south, range 28 east, to the northeast corner of said section 22;

thence northerly along the west line of section 14, township 53 south, range 28 east, to the northwest corner of said section 14;

thence easterly along the north line of section 14, township 53 south, range 28 east, to the northeast corner of said section 14;

thence northerly along the west line of section 12, township 53 south, range 28 east, to the northwest corner of said section 12;

thence easterly along the north line of section 12, township 53 south, range 28 east, to the northeast corner of said section 12;

thence northerly along the west line of section 6, township 53 south, range 29 east, to the northwest corner of said section 6;

thence easterly along the north line of township 53 south, range 29 east, to the northeast corner of section 4, township 53 south, range 29 east;

thence southerly along the east lines of sections 4, 9, 16, and 21, township 53 south, range 29 east, to the southeast corner of the northeast quarter of said section 21;

thence easterly to the center of section 22, township 53 south, range 29 east;

thence southerly to the southeast corner of the southwest quarter of section 22, township 53 south, range 29 east;

thence easterly along the south line of section 22, township 53 south, range 29 east, to the southeast corner of said section 22;

thence southerly along the west line of section 26, township 53 south, range 29 east, to the southwest corner of the northwest quarter of said section 26;

thence easterly to the center of section 26, township 53 south, range 29 east;

thence southerly to the northwest corner of the southwest quarter of the southeast quarter of section 26, township 53, south, range 29 east;

thence easterly to the northeast corner of the southeast quarter of the southeast quarter of section 26, township 53 south, range 29 east;

thence southerly along the east line of section 26, township 53 south, range 29 east, to the southeast corner of said section 26;

thence easterly along the north line of section 36, township 53 south, range 29 east, to the northeast corner of the northwest quarter of said section 36;

thence southerly to the southwest corner of the northwest quarter of the southeast quarter of section 36, township 53 south, range 29 east;

thence easterly to the southeast corner of the northeast quarter of the southeast quarter of section 36, township 53 south, range 29 east;

thence continuing easterly to the southeast corner of the northwest quarter of the southwest quarter of section 31, township 53 south, range 30 east;

thence northerly to the northeast corner of the northwest quarter of the northwest quarter of section 31, township 53 south, range 30 east;

thence continuing northerly to the northeast corner of the southwest quarter of the southwest quarter of section 30, township 53 south, range 30 east;

thence westerly to the northeast corner of the southeast quarter of the southeast quarter of section 25, township 53 south, range 29 east;

thence northerly along the east lines of sections 25, 24, and 13, township 53 south, range 29 east, to the northeast corner of said section 13; thence easterly along the north lines of sections 18, 17, 16, 15, 14, and 13, to the northeast corner of section 13, township 53 south, range 30 east;

thence southerly along the east lines of sections 13, 24, 25, and 36 to the southeast corner section 36, township 53 south, range 30 east;

thence easterly along the north lines of sections 6, 5, and 4 to the northeast corner of section 4, township 54 south, range 31 east;

thence southerly along the east line of section 4 to the southeast corner of section 4, township 54 south, range 31 east;

thence easterly along the north line of section 10 to the northeast corner of section 10, township 54 south, range 31 east;

thence southerly along the east line of section 10 to the southeast corner of section 10, township 54 south, range 31 east;

thence easterly along the north line of section 14 to the northeast corner of section 14, township 54 south, range 31 east;

thence southerly along the east line of section 14 to the southeast corner of section 14 township 54 south, range 31 east;

thence easterly along the north line of section 24 to the northeast corner of section 24, township 54 south, range 31 east;

thence southerly along the east lines of sections 24 and 25 to the southeast corner of section 25, township 54 south, range 31 east;

thence easterly along the north lines of sections 31, 32, and 33 to the northeast corner of section 33, township 54 south, range 32 east;

thence southerly along the east line of section 33 to the southeast corner of section 33, township 54 south, range 32 east;

thence easterly along the north line of section 3, to the northeast corner of section 3, township 55 south, range 32 east;

thence southerly along the east lines of sections 3 and 10, to the southeast corner of section 10, township 55 south, range 32 east;

thence easterly along the north line of section 14, to the northeast corner of section 14, township 55 south, range 32 east;

thence southerly along the east line of section 14, to the southeast corner of section 14, township 55 south, range 32 east;

thence easterly along the north line of section 24, to the northeast corner of section 24, township 55 south, range 32 east;

thence southerly along the east lines of sections 24 and 25 to the northeast corner of the southeast quarter of section 25, township 55 south, range 32 east;

thence easterly along the north line of the south half of section 30 to the northeast corner of the south half of section 30, township 55 south, range 33 east;

thence southerly along the east lines of sections 30 and 31 to the southeast corner of section 31, township 55 south, range 33 east;

thence southerly along the east line of section 6, to the southeast corner of section 6, township 56 south, range 33 east;

thence easterly along the north lines of sections 8, 9, 10, 11, and 12, to the northeast corner of section 12, township 56 south, range 33 east;

thence easterly along the north lines of sections 7, 8, 9, 10, 11, and 12, to the northeast corner of section 12, township 56 south, range 34 east;

thence easterly along the north line of section 7 to the northeast corner of section 7, township 56 south, range 35 east;

thence northerly along the west line of section 5 to the northwest corner of section 5, township 56 south, range 35 east;

thence northerly along the west lines of sections 32, 29, 20, 17, 8, and 5 to the northwest corner of section 5, township 55 south, range 35 east;

thence northerly along the west lines of sections 32, 29, and 20 to the intersection of the south right-of-way line of the Loop Road, township 54 south, range 35 east;

thence easterly along the south right-of-way line of the Loop Road and the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, through sections 20, 21, 22, 23, and 24, township 54 south, range 35 east, to the intersection of the east township line, township 54 south, range 35 east;

thence easterly along the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, through sections 19, 20, 21, 22, 23, and 24, township 54 south, range 36 east, to the east township line of township 54 south, range 36 east;

thence easterly along the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, across township 36½ east to the intersection of the west line of township 54 south, range 37, east, the point of beginning;

(2) Land acquired by the United States of America for furthering administration and use of the park by deeds dated January 25, 1954 (2), and February 27, 1954 (2), recorded in the public records of Monroe County, Fla., book OR-3, pages 302 to 308, inclusive, and book OR-2, pages 378 to 381, inclusive, respectively; and accepted by the National Park Service on April 7, 1954 (2), and April 5, 1954 (2), respectively; and

(3) Not to exceed 35 acres, to be acquired by donation only, in or in the vicinity of Everglades City, Fla., which the Secretary of the Interior may find necessary and suitable for furthering administration and use of the park.

Land and water now in Federal ownership within said boundary shall continue to be administered as Everglades National Park; however, the land and water therein not in Federal ownership shall be administered as a part of the park only after being acquired as hereinafter provided.

SEC. 2. The authority of the Secretary of the Interior to acquire land and water for Everglades National Park shall hereafter be restricted to the area within the boundary described in section 1. Notwithstanding the proviso contained in section 1 of the act of May 30, 1934 (48 Stat. 816, 16 U. S. C., sec. 410), or any other provision of law, the said Secretary is hereafter authorized, within the boundary fixed in this act and with any funds made available for that purpose, to acquire land, water, and interests therein by purchase or otherwise subject to the proviso that no parcel within the following described area shall be acquired without the consent of its owner so long as it is used exclusively for agricultural purposes, including housing, directly incident thereto, or is lying fallow or remains in its natural state:

Beginning at the southwest corner of section 31, township 58 south, range 37 east;

thence southerly along the west line of sections 6 and 7, township 59 south, range 37 east, to the southeast corner of section 24, township 59 south, range 36 east;

thence westerly along the south lines of sections 24, 23, 22, 21, and 20, township 59 south, range 36 east, to the southwest corner of said section 20;

thence northerly along the west lines of sections 20, 17, 8, and 5, township 59 south, range 36 east, to the northwest corner of said section 5;

thence to the southwest corner of section 33, township 58 south, range 36 east;

thence northerly along the west lines of sections 33 and 28, township 58 south, range 36 east, to the northwest corner of said section 28;

thence easterly along the north lines of sections 28, 27, 26, and 25, township 58 south, range 36 east, to the northeast corner of said section 25;

thence southerly along the east line of section 25, township 58 south, range 36 east, to the point of intersection of the east line of said section 25 and the north line of section 18, township 58 south, range 37 east, extended westerly along the hiatus;

thence easterly across the hiatus to the northwest corner of section 18, township 58 south, range 37 east;

thence easterly along the north lines of sections 18, 17, and 16, township 58 south, range 37 east, to the northeast corner of said section 16;

thence southerly to the northeast corner of section 21, township 58 south, range 37 east;

thence westerly along the north lines of sections 21 and 20, township 58 south, range 37 east, to the northeast corner of the northwest quarter of said section 20;

thence southerly along the west line of the east half of section 20, township 58 south,

range 37 east, to the southeast corner of the southwest quarter of said section 20;

thence westerly along the north lines of section 29 and 30, township 58 south, range 37 east, to the northwest corner of said section 30;

thence southerly along the west lines of sections 30 and 31, township 58 south, range 37 east, to the southwest corner of said section 31; the point of beginning.

The authority to acquire land, water, and interests therein within the park boundary fixed in section 1 of this act but outside the area designated in the act of October 10, 1949 (63 Stat. 733), is further subject to the right of retention by the owners thereof, including owners of interests in oil, gas, and mineral rights or royalties, and by their heirs, executors, administrators, successors, and assigns, at their election of the following:

(1) The reservation until October 9, 1967, of all oil, gas, and mineral rights or interests, including the right to lease, explore for, produce, store, and remove oil, gas, and other minerals from such lands;

(2) In the event that on or before said date, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary fixed in section 1 of this act but outside the area designated in the act of October 10, 1949, the time of the reservation provided in subsection (1) above shall automatically extend for all owners within said boundary and outside of said area regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said boundary and outside of said area. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress to and egress from such land and water as may be necessary; and

(3) After the termination of the reserved rights of owners as set forth in subsections (1) and (2) of this section, a further reservation of the right to customary royalties, applying at the time of production, in any oil, gas, or other minerals which may be produced from such land and water at any time before January 1, 1985, should production ever be authorized by the Federal Government or its assigns.

SEC. 3. Unless consented to by an owner retaining the reservation set forth in subsections (1) and (2) of section 2 of this act, no action shall be taken by the Federal Government during the period of such reservation to purchase, acquire, or otherwise terminate or interfere with any lease or leases which may be applicable to said owner's land.

SEC. 4. Any reservations retained under the provisions of subsections (1) and (2) of section 2 of this act shall be exercised by the owners subject to reasonable rules and regulations which the Secretary may prescribe for the protection of the park, but which shall permit the reserved rights to be exercised so that the oil, gas, and minerals may be explored for, developed, extracted, and removed from the park area in accordance with sound conservation practices. All operations shall be carried on under such regulations as the Secretary may prescribe to protect the land and area for park purposes and at the same time shall preserve the right of owners to exercise the reservations herein granted.

SEC. 5. In acquiring any of the land or water within the area described in the first section of this act, the Secretary of the Interior shall exercise reasonable diligence to ascertain whether owners elect to retain reservations in accordance with the provisions of section 2 of this act. If, after the exercise of such reasonable diligence, owners cannot be located, or do not appear in judicial proceedings to acquire the land and water, so that it may be ascertained whether they desire to retain reservations in accordance with the provisions hereof, the Secretary may acquire the fee simple title to their land free and clear of reservations as set forth in subsections (1), (2), and (3) of section 2 of this act.

SEC. 6. Unless the Secretary, after notice and opportunity for hearing, shall find that the same is seriously detrimental to the preservation and propagation of the flora or fauna of Everglades National Park, he shall permit such drainage through the natural waterways of the park and the construction, operation, and maintenance of artificial works for conducting water thereto as is required for the reclamation by the State of Florida or any political subdivision thereof or any drainage district organized under its laws of lands lying easterly of the eastern boundary of the park in township 54 south, ranges 31 and 32 east, township 55 south, ranges 32 and 33 east, and township 56 south, range 33 east. He shall grant said permission, however, only after a master plan for the drainage of said lands has been approved by the State of Florida and after finding that the approved plan has engineering feasibility and is so designed as to minimize disruptions of the natural state of the park. Any right-of-way granted pursuant to this section shall be revocable upon breach of the conditions upon which it is granted, which conditions shall also be enforcible in any other appropriate manner, and the grantee shall be obligated to remove its improvements and to restore the land occupied by it to its previous condition in the event of such revocation.

SEC. 7. The Secretary of the Interior is authorized to transfer to the State of Florida by quitclaim deed the land, water, and interests therein, previously acquired by the United States of America for Everglades National Park and not included within such park by section 1 of this act, such transfer to be in exchange for the conveyance by the State of Florida to the United States of all land, water, and interests therein, owned by the State within the boundary of the park as described in section 1 of this act: *Provided*, That exclusion of any land, water, and interests therein from the park boundary pursuant to section 1 of this act shall be dependent upon the contemporaneous conveyance by the State to the United States of all land, water, and interests therein, owned by the State within the park boundary described in section 1 of this act, including land, water, and interests therein, heretofore conveyed to the State for transfer to the United States for inclusion in Everglades National Park. The effectuation of the transfer provided for in this section shall be a condition precedent to the acquisition by the Secretary of any land, water, or interests therein held in private ownership within the boundaries set forth in section 1 of this act and outside the area designated in the act of October 10, 1949, except as such acquisition is by donation.

SEC. 8. There are hereby authorized to be appropriated such sums, but not more than $2 million in all, as are required for the acquisition of land, water, and interests therein held in private ownership within the boundaries of Everglades National Park as fixed by section 1 of this act and outside the area described in the act of October 10, 1949.

Mr. DIRKSEN. Mr. President, I have only one question. I recall that for some time this bill has languished, either in the House or Senate. Some opposition developed because there were holders for value in this general area who had been doing some prospecting for mineral and oil resources. My information is that they are amply safeguarded in the bill, so I raise the question only for the purpose of eliciting any statement which the distinguished Senator from Florida [Mr. HOLLAND] or the distinguished Senator from Wyoming [Mr. O'MAHONEY] may wish to make on that point.

Mr. HOLLAND. Mr. President, I yield to the Senator from Wyoming if he desires to make a statement, although I am prepared to answer the question of the Senator from Illinois.

Mr. O'MAHONEY. I know of no one better qualified to make a statement on the bill than is the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator.

The question did arise, as correctly stated by the Senator from Illinois, as to the length of time granted to owners of private properties which are to be brought within the park by this particular bill, for exploration of oil and minerals, and the time for production of oil and minerals, if any be discovered.

The committee decided, in its wisdom—and the two Senators from Florida, along with their colleagues from the House concerned with this matter, agreed with the committee—that the point was well taken, and that more time should be allowed. So if the distinguished Senator will look at pages 17 and 18 of the bill as reported, he will find that all owners were allowed until October 9, 1967, for exploration.

In the event that, by that date, any oil or other minerals should be discovered, they are allowed until such time as production shall be accomplished, for the removal of such oils and minerals.

The Senator will find another, still more ample, provision in the bill. I refer to subparagraph (3), on page 18, on line 15, which I shall read into the RECORD to give even further assurance than that already stated:

(3) After the termination of the reserved rights of owners as set forth in subsections (1) and (2) of this section, a further reservation of the right to customary royalties, applying at the time of production, in any oil, gas or other minerals which may be produced from such land and water at any time before January 1, 1985, should production ever be authorized by the Federal Government or its assigns.

The committee report shows that the allowance made to owners under the amended provisions of the bill is unusually generous—as I believe to be the case.

For the information of the Senate, the committee has very carefully studied this subject, and has found—which I know to be true—that all the conservation groups in the country are agreeable to the passage of the bill, even though, as an unprecedented thing, it would permit an elimination of nearly 800,000 acres from the originally authorized park. However, none of the original objectives of the park will be harmed, or these great conservation groups would not have agreed to the passage of the bill.

Mr. DIRKSEN. I deem that an adequate safeguard, and I have no objection.

Mr. HOLLAND. I thank my distinguished friend from Illinois.

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

Mr. HOLLAND. I yield.

Mr. O'MAHONEY. The Senate committee added an amendment with respect to the character of the regulations to be written by the National Park Service. The regulations were designed, and the bill was introduced, to protect the land within the park. The bill was amended in committee so as to include protection of the rights granted to those who held mineral reservations. I am happy to say that that amendment, written in to the bill by the Senate committee, has today been adopted by the House.

Mr. HOLLAND. Mr. President, while I wish the bill to pass, and hope it will, I desire to inform the Senate that a few minutes ago the House passed a companion bill with the identical Senate amendments included. When it comes over to the Senate I shall ask unanimous consent to revert to this item and pass the House bill. For the present, I ask that the Senate bill, as amended, be considered and passed.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HOLLAND subsequently said: Mr. President, I ask unanimous consent that the Senate recur to Senate bill 1790, which passed on the call of the calendar, in order that I may request the present consideration of House bill 6641, passed today, which is a bill on the same subject, and containing the identical language of the Senate committee amendments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none.

Mr. DIRKSEN. Mr. President, the Senator from Florida explained the situation earlier this afternoon. I understand that the House has passed a bill with the identical language of the Senate amendments, and the Senator from Florida merely wishes to have the Senate pass the House bill and indefinitely postpone consideration of the Senate bill.

Mr. HOLLAND. That is correct. Rather than have the House bill come here and the Senate bill go to the House, it seems to me that the appropriate thing to do is to pass the House bill and indefinitely postpone the Senate bill, which was passed earlier in the day, with the explanation that the Senate had just been informed that the House had acted and adopted language of the Senate committee amendments, but that a little time would be required to prepare the message.

Mr. President, I ask unanimous consent that the vote by which Senate bill 1790 was passed on the call of the calendar be reconsidered.

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

Mr. HOLLAND. I now ask for the present consideration of House bill 6641.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives, which will be stated by title for the information of the Senate.

The bill (H. R. 6641), to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes, was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 6641?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1790 will be indefinitely postponed.

Mr. HOLLAND. Mr. President, I thank the Presiding Officer and the acting majority leader. I understand that all this had been agreed upon previously by the majority and minority leaders.

## EXTENSION OF SPECIAL LIVESTOCK LOANS

The Senate proceeded to consider the bill (H. R. 11424) to extend the authority of the Secretary of Agriculture to extend special livestock loans, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, with an amendment, at the beginning of line 4, to strike out "(12 U. S. C. 114 8a (c))" and insert "(12 U. S. C. 1148a-2 (c))."

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.

## BILL PASSED OVER

The bill (H. R. 8308), to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, was announced as next in order.

Mr. TALMADGE. I ask that the bill be passed over, because it is not appropriate for consideration on a call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

## TOBACCO ACREAGE ALLOTMENTS

The bill (H. R. 11058) to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments was considered, ordered to a third reading, read the third time, and passed.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the bill.

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

STATEMENT BY SENATOR COOPER

H. R. 11058 is identical to S. 3380, which I introduced in the Senate for myself and my colleague, Senator MORTON.

H. H. 11058 was introduced in the House by my colleague from Kentucky, Representative JOHN WATTS. As it has passed the House by a unanimous vote it is substituted for S. 3380.

The bill has now been approved unanimously by the Senate Agriculture Committee and I ask that the Senate pass the bill.

Its purpose is to carry out the spirit and, I am sure, the intent of the tobacco price support and production control program. Its passage is necessary because a limited number of tobacco growers have followed the practice of selling a second crop of inferior tobacco—termed "sucker" tobacco, from the same acreage allotment which had produced a first crop of tobacco. The bill would discourage and, I hope, end this practice by reducing the next allotment by an amount equivalent to the acreage from which more than one crop of tobacco was grown and harvested.

The bill has the support of farm organizations and tobacco farmers themselves. In fact, I know of no opposition to the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the bill.

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

STATEMENT BY SENATOR JOHNSTON—EXPLANATION OF H. R. 11058

The purpose of this bill is to discourage the harvesting and marketing of a sucker crop by providing that if in any calendar year more than one crop of tobacco is grown from either the same tobacco plants or different tobacco plants from the same tobacco acreage, the acreage allotment next established for the farm shall be reduced by an amount equivalent to the acreage from which more than one crop of tobacco was grown and harvested. When tobacco is transplanted early in the spring, has favorable growing conditions, matures and is harvested early, and favorable growing conditions continue until late in the fall, some farmers are able to harvest a second crop of tobacco from the same acreage. This second picking is usually called a "sucker crop." Prior to 1957 these conditions occurred only in relatively isolated instances. The volume of tobacco which was added to the market by these two crops was not considered of any significance.

In 1957, however, growing conditions were so favorable in a large portion of the burley belt that a substantially larger acreage of suckers was harvested. It has been established that from 5 to 15 million pounds of burley suckers were harvested and marketed last year. This contributes to the present supply of burley tobacco, and will be taken into consideration in establishing marketing quotas and acreage allotments for the next season.

This bill would discourage the harvesting and marketing of a sucker crop by penalizing the individual, rather than by distributing the penalty among all farmers.

## USE OF SURPLUS FOODS IN NONPROFIT SUMMER CAMPS FOR CHILDREN

The bill (H. R. 12164) to permit use of Federal surplus foods in nonprofit summer camps for children was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the bill.

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

STATEMENT BY SENATOR JOHNSTON—EXPLANATION OF H. R. 12164

The purpose of this bill is to clarify the law relating to the authority of the Secretary of Agriculture to donate surplus food commodities to nonprofit children's summer

camps. Under existing provisons of law nonprofit school lunch programs are eligible to receive surplus food commodities and the Department has been following the general policy that nonprofit summer camps are an extension of the school activity and therefore should also be eligible to receive surplus foods. This bill would leave no doubt that summer camps for children which are operated on a nonprofit basis have the same sort of eligibility to receive surplus foods as do nonprofit school lunch programs.

The Department reports that under current donation authorities nonprofit school lunch programs are eligible to receive surplus commodities on the basis of the total number of children eating in the lunchroom while nonprofit institutions are eligible to receive such foods only to the extent of the number of needy persons served by the institutions. Nonprofit summer camps for children have been obtaining surplus foods on the basis of the total number of children in the camp under the assumption that all of these children were eligible by virtue of their eligibility under the school lunch program during the school term.

Since nonprofit summer camps for children are not specifically mentioned in the statutes and since it is questionable whether a large number of such camps can properly be classed as a summer extension of such operations, it may become necessary that such camps be classified within the other institutional category. This would result in such camps receiving surplus foods only to the extent that they can demonstrate that needy children are being served.

The same children that attend the schools are in attendance at the camps. Many charitable, welfare, and other social organizations conduct these camps, including civic groups, 4-H clubs, YMCA, YWCA, Boy Scouts, Girl Scouts, etc.

The committee believes that nonprofit summer camps for children should be treated in the same manner as nonprofit school lunch programs.

## CONCURRENT RESOLUTION PASSED OVER

The concurrent resolution (H. Con. Res. 332) relative to the establishment of plans for the peaceful exploration of outer space was announced as next in order.

Mr. CLARK. Mr. President, I ask that the concurrent resolution be passed over, because it is not appropriate for consideration on the call of the calendar.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

## BOSTON NATIONAL HISTORIC SITES COMMISSION

The Senate proceeded to consider the bill (H. R. 12088) extending the time in which the Boston National Historic Sites Commission shall complete its work, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 1, line 11, after the word "years," where it appears the second time, to insert "Section 5 of the aforesaid joint resolution, as amended, is further amended by striking out '$40,000' and by inserting in lieu thereof '$60,000'."

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.

## ARCH HURLEY-TUCUMCARI RECLAMATION PROJECT, NEW MEXICO

The Senate proceeded to consider the bill (S. 3469) to amend the act of July 31, 1953, relating to the Arch Hurley Conservancy District, Tucumcari reclamation project, New Mexico, which had been reported from the Committee on Interior and Insular Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior is authorized, upon the concurrence of the Arch Hurley Conservancy District, N. Mex., to amend further the repayment contract dated December 27, 1938, as amended on August 20, 1953, with said district to provide that the construction cost repayment obligation of the district, in the amount agreed to in said contract, as amended, and on which payments of installments are to commence in 1959, may be repaid in accordance with a variable repayment formula which, being based on full repayment within 40 years, or as near thereto as is consistent with the adoption and operation of such a formula, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the district to pay: *Provided*, That any such amendatory contract making provision for the repayment of the district's construction cost repayment obligation in accordance with a variable repayment formula may provide further that for the years 1959 and 1960 the Arch Hurley Conservancy District's annual installments shall each be fixed in the sum of $30,000.

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 Secretary of the Interior to amend the repayment contract with the Arch Hurley Conservancy District, Tucumcari project, New Mexico."

## PURCHASE OF UNITED STATES OBLIGATIONS BY FEDERAL RESERVE BANKS

The Senate proceeded to consider the bill (H. R. 12586) to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury.

Mr. HRUSKA. Mr. President, may we have an explanation of the bill?

Mr. TALMADGE. H. R. 12586 would extend for 2 years, until June 30, 1960, the present authority of the Federal Reserve banks to purchase securities directly from the Treasury in amounts not to exceed $5 billion outstanding at any one time. This extension has been recommended by the Treasury Department and the Federal Reserve Board.

The provision supplies a two-way street in that within the same limitations, the Federal Reserve banks may sell such obligations directly to the United States.

Under the statute, the Board of Governors of the Federal Reserve System must include in its annual report to the Congress detailed information about such direct purchases from or sales to the United States by Federal Reserve banks.

The present Federal Reserve authority to make direct purchase of Government securities is contained in section 14 (b) of the Federal Reserve Act. This authority was first granted to the Federal Reserve banks in 1942 and has been extended by the Congress for 2-year periods since that time.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

## BILL PASSED OVER

The bill (S. 4035) to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes, was announced as next in order.

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

Mr. CLARK. Mr. President, this is the comprehensive housing bill reported from the Committee on Banking and Currency by a divided vote. It is clearly not calendar business. In asking that the bill be passed over, I should like to have it noted for the RECORD that personally I strongly support the bill. However, I do not feel that it can properly be considered at this time.

The PRESIDING OFFICER. The bill will be passed over.

## PAYMENTS OF RETROACTIVE COMPENSATION

The resolution (S. Res. 316) authorizing certain payments of retroactive compensation from current funds for services performed during January 1958 was considered, and agreed to, as follows:

*Resolved*, That payments of retroactive compensation authorized by law for service performed in the month of January 1958, which are chargeable to funds authorized for expenditure through January 31, 1958, by various Senate resolutions, shall be charged to funds authorized by Senate resolutions for expenditure by the committees concerned at the time such payment is made, wherever possible, without regard to the expenditure limitations contained in the Senate resolutions which expired on January 31, 1958.

## AUTHORIZATION FOR SECRETARY OF DEFENSE TO SETTLE CERTAIN CLAIMS

Mr. O'MAHONEY. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives disagreeing to the amendments of the Senate to the bill H. R. 1061, to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law, and requesting a conference with the Senate on the disagreeing votes of the two Houses.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagree-

ment to the amendments of the Senate to the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. O'MAHONEY. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. O'MAHONEY, Mr. ERVIN, and Mr. WATKINS conferees on the part of the Senate.

## THOMAS J. O'BRIEN LOCK AND DAM, ILLINOIS

The bill (H. R. 12613) to designate the lock and dam to be constructed on the Calumet River, Ill., as the "Thomas J. O'Brien lock and dam" was considered ordered to a third reading, read the third time, and passed.

## BILL PASSED OVER

The bill (H. R. 12716) to amend the Atomic Energy Act of 1954, as amended, was announced as next in order.

Mr. TALMADGE. Mr. President, I ask that the bill go over. It is not proper calendar material.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

## GRANT OF CERTAIN LANDS TO STATES AND TERRITORIES FOR PUBLIC PURPOSES

The bill (S. 2517) to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes was announced as next in order.

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

Mr. HRUSKA. Mr. President, it is my understanding that the Senator from Utah would like to make a statement on the bill.

Mr. WATKINS. I have no desire to do so, unless it is requested. I should like to have a statement printed in the RECORD. I ask unanimous consent that that may be done.

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

STATEMENT BY SENATOR WATKINS

The purpose of S. 2517, cosponsored by nine Senators from Western States, is to prevent further injustice to Western States which have not received title to nor selected alternative acreage for sections of public lands granted in their respective enabling acts for the support of the public schools. The injustice results largely from the delays in completing the cadastral surveys in the West and from the language incorporated in the laws pertaining to the transfer of public lands to the States.

At statehood, most of the so-called public land States of the West received sections 16 and 36 in each township for the support of the public schools. Some States received only 1 section, and where surface values were extremely limited, Congress extended these State grants to 3 and 4 sections. The enabling act legislation prescribed that the income from these lands or from the sale of such acreage was to be placed in a permanent endowment fund and only the interest used to support the public schools. This legislation represented one of the most far-sighted and effective support programs ever enacted in support of public education.

One of the basic requirements for the legal transfer of such lands to the States was the completion of the cadastral survey, which fixes the exact geographic description of section and township.

In 1954, when the Bureau of Land Management embarked on an accelerated cadastral surveying program, there remained 100 million unsurveyed acres in the 11 Western States. The State of Utah, for example, included within its boundaries one-tenth of this unsurveyed acreage, and still has some 800,000 acres of assigned school sections to which it has not obtained title. Some Western States, on the other hand, have received title to their school sections or selected other public lands in lieu thereof.

In granting this school acreage to the States, the Congress specified the sections by number, to insure that the schools would be given a cross section of land value. Where two sections were granted, the enabling act legislation characteristically specified that the grant apply to sections 16 and 36 of each township. In cases where four sections were granted, the legislation specified sections 2, 16, 32, and 36. This required spacing insured that the schools would receive a proportionate part of lands of all classes, including timber and mineral lands.

The Congressional intent has been thwarted when States have elected to select other public lands in lieu of the specified, numbered school sections which have been preempted by homesteading, mineral claims, or by some other form of permanent withdrawal, or because of delays in completing the cadastral survey. The section forfeited may have been underlain with valuable minerals, but when the State has applied for acreage in lieu of the preempted section, it has been confronted with section 2276 of the Revised Statutes (43 U. S. C., sec. 552) which directs that only lands not mineral in character may be selected.

This legislation does not go into the larger problem of making redress to the States for losses of mineralized sections by the required acceptance of equal, nonmineralized acreage. Such action should be considered by the Congress in the future.

The objective of this legislation is merely to make whole the States which have pending in lieu selections of lands for preempted school sections. It gives the States and Territories affected the right to select mineralized land for forfeited school sections which were mineral in character. This, the committee feels, is doing nothing more than the Congress intended in the original grants under the respective enabling acts, wherein the sections were granted by specific number in order to insure that the schools received a fair cross section of land values.

The bill clearly provides that States may select land withdrawn for mineral leasing and classification. Mineral reservations eligible for selection under this bill include lands withdrawn for coal, phosphate, nitrate, potash, oil, gas asphaltic minerals, oil shale, sodium, and sulfur. Lands may be selected on a known geologic structure of a producing oil or gas field, if the selection is being made as indemnity for lands on such a structure lost to the State or Territory because of appropriation prior to survey. Lands subject to a mineral lease or permit may be selected, but only if all of the lands subject to that lease or permit are selected and if none of the lands subject to that lease or permit are in a producing or producible status. This provision will not interfere with mineral prospecting or development, because the State or Territory shall succeed to the position of the United States under the respective lease or permit.

This proposed legislation does not represent any change in policy or Congressional intent in this field. As a matter of fact, it merely carries out the intent of both the original enabling acts and subsequent amendatory legislation.

The act of January 25, 1927, as amended by the act of May 2, 1932 (43 U. S. C., secs. 870–871), extended the grant of school sections to the States to embrace lands mineral in character. However, lands covered by leases or permits, or applications therefor, were excluded. This meant that if a surveyed school section were subject to a minerals lease or prospecting permit, title could not be vested in the State until the lease or permit were relinquished, which usually would not occur until it had been established that prospecting had failed, or that the minerals had been extracted.

This deficiency was corrected by the act of April 22, 1954 (68 Stat. 57), and the act of July 11, 1956 (70 Stat. 529). This legislation has proved extremely beneficial to States which had school sections under survey in areas of active exploration for petroleum and other leasable minerals.

The 1954 and 1956 legislation, however, failed to consider the matter of the rights of the States to make selections of mineralized land for mineralized sections preempted by homesteading, application for mineral claims, and other types of permanent withdrawal. S. 2517 carries the amendatory process, now extending over a quarter century, an additional step forward.

Mr. WATKINS. The Secretary of the Interior reported favorably on this measure on February 27, 1958. Following this report, a new bill containing some revisions in language was introduced in the House by Representative WILLIAM A. DAWSON. A report on this later bill, H. R. 12117, was made by the Secretary of the Interior on June 16, 1958. This committee considered the recommendations of both of these reports in reporting out a revised bill as a substitute. The language of the revised bill is that proposed and endorsed by the Secretary of the Interior.

This bill also has been formally approved by the Western Association of State Land Commissioners.

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 Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That section 2275 of the Revised Statutes, as amended (43 U. S. C. 851), is amended to read as follows:

"SEC. 2275. Where settlements with a view to preemption or homestead have been, or shall hereafter be made, before the survey of the lands in the field, which are found to have been made on sections 16 or 36, those sections shall be subject to the claims of such settlers; and if such sections or either of them have been or shall be granted, reserved, or pledged for the use of schools or colleges in the State or Territory in which they lie, other lands of equal

acreage are hereby appropriated and granted, and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory, in lieu of such as may be thus taken by preemption or homestead settlers. And other lands of equal acreage are also hereby appropriated and granted and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory where sections 16 or 36 are, prior to survey, included within any Indian, military, or other reservation, or are, prior to survey, otherwise disposed of by the United States: *Provided*, That the selection of any lands under this section in lieu of sections granted or reserved to a State or Territory shall be a waiver by the State or Territory of its right to the granted or reserved sections. And other lands of equal acreage are also hereby appropriated and granted, and may be selected, in accordance with the provisions of section 2276 of the Revised Statutes, by said State or Territory to compensate deficiencies for school purposes, where sections 16 or 36 are fractional in quantity, or where one or both are wanting by reason of the township being fractional, or from any natural cause whatever. And it shall be the duty of the Secretary of the Interior, without awaiting the extension of the public surveys, to ascertain and determine, by protraction or otherwise, the number of townships that will be included within such Indian, military, or other reservations, and thereupon the State or Territory shall be entitled to select indemnity lands to the extent of section for section in lieu of sections therein which have been or shall be granted, reserved, or pledged; but such selections may not be made within the boundaries of said reservation: *Provided, however*, That nothing herein contained shall prevent any State or Territory from awaiting the extinguishment of any such military, Indian, or other reservation and the restoration of the lands therein embraced to the public domain and then taking the sections 16 and 36 in place therein."

SEC. 2. Section 2276 of the Revised Statutes (43 U. S. C. 852) is amended to read as follows:

"SEC. 2276. (a) The lands appropriated by section 2275 of the Revised Statutes, shall be selected from any unappropriated, surveyed public lands within the State or Territory where such losses or deficiencies occur subject to the following restrictions:

"(1) No lands mineral in character may be selected by a State or Territory except to the extent that the selection is being made as indemnity for mineral lands lost to the State or Territory because of appropriation prior to survey;

"(2) No lands on a known geologic structure of a producing oil or gas field may be selected except to the extent that the selection is being made as indemnity for lands on such a structure lost to the State or Territory because of appropriation prior to survey; and

"(3) Lands subject to a mineral lease or permit may be selected, but only if all of the lands subject to that lease or permit are selected and if none of the lands subject to that lease or permit are in a producing or producible status; where lands subject to a mineral lease or permit are selected, the State or Territory shall succeed to the position of the United States thereunder.

"(b) Where the selections are to compensate for deficiencies of school lands in fractional townships, such selections shall be made in accordance with the following principles of adjustment, to wit: For each township, or fractional township, containing a greater quantity of land than three-quarters of an entire township, one section; for a fractional township, containing a greater quantity of land than one-half and not more than three-quarters of a township, three-quarters of a section; for a fractional township, containing a greater quantity of land than one-quarter, and not more than one-half of a township, one-half section; and for a fractional township containing a greater quantity of land than one entire section, and not more than one-quarter of a township, one-quarter section of land: *Provided*, That the States or Territories which are, or shall be entitled to both the 16th and 36th sections in place, shall have the right to select double the amounts named, to compensate for deficiencies of school land in fractional townships.

"(c) Nothwithstanding the provisions of the act of September 27, 1944 (58 Stat. 748), as amended (43 U. S. C., sec. 282), on the revocation not later than 10 years after the date of approval of this act, of any order of withdrawal, in whole or in part, the order of notice taking such action shall provide for a period of not less than 6 months before the date on which it otherwise becomes effective in which the State or Territory in which the lands are situated shall have a preferred right of application for selection under this section, subject to the requirements of existing law, except as against the prior existing valid settlement rights and preference rights conferred by existing law other than the said act of September 27, 1944, or as against equitable claims subject to allowance and confirmation, and except where a revocation of an order of withdrawal is made in order to assist in a Federal land program.

"(d) (1) The term 'unappropriated public lands' as used in this section shall include, without otherwise affecting the meaning thereof, lands withdrawn for coal, phosphate, nitrate, potash, oil, gas, asphaltic minerals, oil shale, sodium, and sulfur, but otherwise subject to appropriation, location, selection, entry, or purchase under the nonmineral laws of the United States; and lands withdrawn by Executive Order No. 5327, of April 15, 1930, if otherwise available for selection.

"(2) The determination, for the purposes of this section of the mineral character of lands lost to a State or Territory shall be made as of the date of application for selection and upon the basis of the best evidence available at that time."

SEC. 3. Section 1 of the act of March 4, 1915, as amended (48 U. S. C., sec. 353), is further amended by the deletion of the first proviso and the substitution of the following in its place: "*Provided*, That where settlement with a view to homestead entry has been made upon any part of the sections reserved before the survey thereof in the field, or where the same may have been sold or otherwise appropriated by or under the authority of any act of Congress or included within any Indian, military, or other reservation or are wanting or fractional in quantity, other lands, nonmineral in character, may be designated and reserved in lieu thereof in the manner provided by sections 2275 and 2276 of the Revised Statutes: *Provided further*, That the Territory may select mineral lands (including lands on the known geologic structure of a producing oil or gas field and lands subject to a mineral lease or permit) to be reserved for it to the same extent as a State may select such lands to be granted to it under subsection (a) of section 2276 of the Revised Statutes (43 U. S. C., sec. 852)."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The PRESIDING OFFICER. That concludes the call of the calendar.

## AUTHORIZATION FOR CERTAIN RETIRED PERSONNEL OF THE UNITED STATES GOVERNMENT TO ACCEPT AND WEAR DECORATIONS, ETC., TENDERED THEM BY CERTAIN FOREIGN COUNTRIES

Mr. FLANDERS. Mr. President, I have an interest in Calendar No. 1464, S. 3195, which has not been considered. My interest in it is in favor of former Senator and Ambassador Warren Austin, who feels—and I feel with him—that he should be entitled to the possession of certain decorations which he has received. If there is any way in which we can make inquiry as to the reasons for which this bill was passed over, or what the chances are for its consideration again, I should like to have it stated, because otherwise I shall introduce a private bill on behalf of former Senator and Ambassador Austin.

The PRESIDING OFFICER. The Chair will advise the Senator from Vermont that the unanimous-consent agreement under which the calendar was called covers measures on the calendar beginning with Calendar No. 1647. Those measures have been considered today. All measures preceding that number are subject to be called up by motion or by unanimous-consent agreement at any time.

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

Mr. FLANDERS. I yield.

Mr. CLARK. Mr. President, on behalf of the calendar committee on this side of the aisle I should like to inform the Senator from Vermont that we started the call of the calendar today with Calendar No. 1647, Senate Joint Resolution 16, because all the measures previous to that number had at one time or another been objected to by a Member of the Senate. It seemed inadvisable to keep calling the previous measures only to have objections to them renewed. So far as members of the calendar committee on this side of the aisle are concerned, we have no particular or immediate objection to Calendar No. 1464, S. 3195, although we believe we ought to have an opportunity to consult with the leadership and perhaps see whether we could not by unanimous consent have it considered. Perhaps objection to it will be withdrawn.

Mr. FLANDERS. I should like to take any action which would assure its being considered on the next call of the calendar.

Mr. CLARK. I can assure the Senator, in view of the interest he has expressed, that I shall be glad to look into the matter and determine what we can do about it.

Mr. FLANDERS. I thank the Senator.

Mr. JOHNSTON of South Carolina. Is it not correct to say that we do go over the calendar from time to time and notify Senators to that effect, and call the whole calendar of all measures, both those to which objection had previously been raised and those to which no objection had been entered?

Mr. CLARK. That is correct.

Mr. JOHNSTON of South Carolina. That is what we will do in the near future.

## DEVELOPMENT OF THE MINERAL RESOURCES OF THE UNITED STATES, ITS TERRITORIES, AND POSSESSIONS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3817) to provide a program for the development of the mineral resources of the United States, its Territories, and possessions, by encouraging exploration for minerals, and for other purposes.

## DEATH OF DR. R. FRANKLIN POOLE

Mr. JOHNSTON of South Carolina. Mr. President, I wish to bring to the attention of the Senate an editorial from the Anderson Independent of June 8, 1958, entitled "Dr. R. Franklin Poole: Son of the Soil Who Dedicated Life to a Greater South Carolina," which deals with the death of Dr. Poole.

No man in modern South Carolina was more dedicated to his task, that of promoting agriculture and related industries, than was Dr. Poole. A native of South Carolina, Dr. Poole truly lived to build a greater South Carolina; and there is no question that South Carolina is a greater State because of the untiring work and efforts of Dr. Poole.

I believe the editorial from the Anderson Independent states well how everyone who knew Dr. Poole felt about his death.

I ask unanimous consent to have this editorial printed in the RECORD immediately following my remarks.

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

DR. R. FRANKLIN POOLE: SON OF THE SOIL WHO DEDICATED LIFE TO A GREATER SOUTH CAROLINA

Robert Franklin Poole was born on a farm in Laurens County in the vicinity of Warriors Creek Baptist Church on a December day in 1893.

He earned his first dollar on the farm and he was to say, about a year after he became president of Clemson College in 1940: "I liked farm life as a youth and still do today. I often wish for a day free to get out on the farm and plow—in bare feet."

If Dr. Poole could have enjoyed more free days—days in which to commune with the nature he loved and knew so intimately as a botanist—perhaps the fateful hand that removed him so suddenly would have been stayed for a time.

The presidency of a great college, however, is demanding upon the physical and mental resources of a man dedicated to his work. And so it was that Dr. Poole's last days were filled with useful activity on behalf of Clemson College.

Limited space forbids the detailing here of all the milestones and achievements of one of the most able and dedicated scholars to have brightened the educational history of South Carolina's institutions of higher learning.

Suffice to underscore the fact that this son of the good South Carolina soil was educated in the schools of his State, was graduated from Clemson, received his master of science and doctor of philosophy degrees at Rutgers, and put in 14 years at North Carolina State, where he taught plant pathology and was associated with the faculty of the graduate school.

In 1940, he welcomed the opportunity to return to his native State as president of Clemson College. There he was to diligently devote 18 years to the steady upbuilding of Clemson and the progress of South Carolina.

Although in nostalgic moments his thoughts may have returned to his boyhood on the farm, Dr. Poole's every working moment was dedicated to looking ahead, planning, and activating Clemson College's vital role as the crucible in the fusing of agricultural and industrial pursuits in South Carolina.

Dr. Poole recognized the potentials of South Carolina's resources and in one field alone, ceramics, he was largely responsible for Clemson College receiving building and research grants totaling nearly $2 million.

Only a few weeks ago, officials of the Olin Foundation, who gave the money, publicly stated that had it not been for Dr. Poole's personality and impressive drive and character, the Foundation's contribution would have not come to Clemson.

Being the president of a large and influential college is no cloistered tower job. Intimates have known that in recent years Dr. Poole had been forced to deal with numerous problems, many of them necessary; some of them the outgrowth of the activities of would-be dictators of the future of Clemson College, and entirely unnecessary.

Let it be recorded that the character, the achievements and the innate strength of this good and able man quietly withstood them, even as a massive shore rock quietly meets the tide; and that Shakespeare's words apply:

"His life was gentle, and the elements so mixed in him that Nature might stand up and say to all the world, 'This was a man.'"

He was, in every sense, a gentle, kindly man; a dedicated public servant, a man who loved and placed faith in his God, a devoted husband and father.

Again we are reminded that our lives, like shadows, flit across the face of the earth and are suddenly gone; but, that like the sunshine, the shadows, and the rain, the influence of a good life is eternal.

Dr. Robert Franklin Poole's legacy is a greater, more prosperous, and happier South Carolina to be enjoyed by this and untold generations to come.

If you would see his monument, look around Clemson College, and over South Carolina, for it is apparent on all sides and will endure forever.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## DAIRY FARMERS NEED IMPROVED FARM PROGRAM

Mr. PROXMIRE. Mr. President, the Senate Committee on Agriculture and Forestry, of which I am privileged to be a member, is considering proposed legislation to improve the farm programs, and I hope will soon report a bill to the Senate.

It is of utmost and urgent importance, Mr. President, that action be taken at this session of Congress to strengthen the protection and assistance which is offered to dairy farmers. Dairy farmers have suffered a severe cut in their incomes as a result of the reduction in support price which Secretary Benson put into effect on April 1. Many of them are now losing money on their operations. Literally thousands of family-sized dairy farms in Wisconsin and other dairying States face economic extinction unless something is done to avert it.

Mr. President, the price received by farmers for manufacturing milk last month averaged, for the United States, only $3 a hundred pounds. This is 17 cents per hundred pounds below the average price of 1 year before.

But because farmers' costs have risen sharply within the past year, the decline in real purchasing power is even more severe. One hundred pounds of milk today will buy 11 percent less than the same quantity of the same kind and quality of milk 1 year ago. This is a devastating blow to the economic situation of the dairy producers. No one that I know of anywhere in our economy, excepting the workers who have lost their jobs altogether, have suffered such a crippling blow to their economic security.

I emphasize also that the 11-percent cut in purchasing power which dairy producers have suffered within the past year has come on top of 4 years of steadily worsening prices and purchasing power.

When this administration took office, the price of dairy products was supported at 90 percent of a fair and reasonable parity equivalent. This level of support would be equal to a national average price for manufacturing milk of $4.02 today. The actual price received by farmers in May was only $3.

The decline in prices received by farmers is related directly to the reductions in price supports on dairy commodities which have been placed in effect by the present Secretary of Agriculture. Secretary Benson has deprived the farmers of my State of one full dollar in purchasing power for every hundred pounds of milk they sell today. Secretary Benson's program has resulted in giving dairy farmers only $3 of purchasing power for every $4 they would be able to earn at the levels that prevailed when he took office.

Mr. President, this severe slash in the purchasing power received by farmers for their milk has not benefited consumers. The average price paid at retail for milk in 25 United States cities this month is 25 cents per quart. The average price paid 1 year ago was nearly 1 full cent lower—only 24.3 cents per quart. In other words, farmers get less, the consumer pays more, and the middlemen—the real beneficiaries of the Benson farm policies—get more than ever.

The entire Benson record shows this tendency with even greater sharpness. In 1952, when farmers were getting higher prices for their milk, consumers paid

on an average in 25 United States cities only 23.2 cents per quart for milk at retail.

Much the same has been true in the case of other dairy products: Although the farmers receive less, the consumers pay as much, or more, for substantially all kinds of dairy products. When the facts are in, I am convinced that they will show that Mr. Benson's pledge to consumers that they would profit from what he has taken away from the dairy farmers will not materialize.

Dairy farmers in Wisconsin are able to earn less than 50-cents-an-hour return on their long and difficult hours of labor. These Wisconsin dairy farmers, Mr. President, are not submarginal; they are among the most efficient dairy producers in the entire world. Department of Agriculture statistics report that the average capital invested in the average Wisconsin dairy farm is in the vicinity of $30,000. This is a substantial enterprise. It cannot survive on a return of only 50 cents or less per hour for the labor and management skill that the farm family must put into it. Congress must act, Mr. President, to save the family-sized dairy farm from extinction.

I intend to offer a motion in the Agriculture Committee to include a modified version of the dairy program which I have proposed in bills before the committee in the farm bill which will be presented to the Senate for action.

The House Committee on Agriculture has approved a dairy plan which is almost identical in principle to the program provided in my dairy bill. This is a most encouraging step toward enactment of an effective dairy program this year. This dairy plan is included in the bill which has been reported to the House by the Agriculture Committee.

The dairy program which I have proposed would raise farmers' incomes to a realistic and more equitable level, by enabling farmers to adjust their sales in accordance with the law of supply and demand.

Direct payments to farmers, to be paid out of a self-financing fund collected from the milk industry, would make up any deficiency in farmers' returns which is not corrected by the adjustment in their marketings of milk.

This dairy plan would operate at not 1 cent of cost to the Treasury under economic conditions such as have prevailed during the past 5 years.

Under the Department of Agriculture's present program, the cost of dairy price supports has totaled more than $1½ billion, and has involved enormous waste. Secretary Benson has operated this program at an annual cost to taxpayers that has reached as high as nearly half a billion dollars in a single year.

Now the administration insists on pushing forward ruthlessly with its program of forcing farm prices lower and lower. The President has proposed that the price-support floor be cut from 75 percent to only 60 percent of parity for dairy commodities and most other farm products.

Only for rice and cotton has the administration indicated any willingness to consider approving legislation which would improve farmers' incomes. The rice and cotton programs are in urgent need of corrective legislation to prevent them from becoming completely unworkable.

I favor correcting and improving the cotton and rice programs. I have said time and time again that I believe farmers must stick together and support each other, for otherwise, each group of producers will be destroyed separately.

But it would be a tragic error for Congress to bail out the administration from the mess it has made of the farm programs by limiting its action only to patching up the rice and cotton programs.

I will support the best reasonable revisions and corrections that Congress can agree on for each and every farm commodity. But Congress must act also to save the family sized dairy farm from extinction.

Mr. President, I have some preliminary figures which demonstrate how true it is that under Mr. Benson's policies farmers get less, consumers pay more, and only the middlemen gain. These figures are from Wayne Darrow's Washington Farmletter, one of the most dependable and accurate agricultural news reports from Washington, in the issue of June 14. Mr. Darrow reports, on the basis of figures from the Department of Labor statistics, that April 1958, retail prices for dairy products were higher than they were 1 year before, in spite of the fact that a sharp reduction in the prices received by farmers went into effect in April 1958.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table which compares the retail prices for major dairy commodities during the months of April 1957 and April 1958.

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

*United States city average retail dairy product prices*

[In cents]

| | April | |
|---|---|---|
| | 1957 | 1958 |
| Fresh milk: | | |
| Grocery (quart) | 23.1 | 23.6 |
| Delivered (quart) | 24.6 | 24.9 |
| Butter (pound) | 73.9 | 73.9 |
| Cheese, American (pound) | 57.4 | 58.2 |
| Milk, evaporated (14½-ounce can) | 14.4 | 15.1 |
| Ice cream (pint) | 29.3 | 29.7 |

Mr. Darrow goes on to report as follows:

Comparing April 1958 with April 1957, consumer expenditures for dairy products were about $13.5 million more this year (BLS price index up 1.8 percent). Farmers received about $14.5 million less (almost exactly the same milk production in April both years, and wholesale fluid milk down 10 cents a hundredweight, and factory milk down 19 cents a hundredweight).

Mr. PROXMIRE. Mr. President, the National Milk Producers Federation has conducted a thorough survey of major retail markets for dairy products, to determine whether the dairy processing and marketing corporations performed as Secretary Benson assured consumers they would when he cut the price supports to farmers, namely, by passing the savings on to consumers.

The returns from this survey were extremely disappointing. In a vast majority of the markets that were checked, no change in price other than normal seasonal variations was made. There were decreases in only a few markets.

I have tables showing the results of this survey in markets throughout the United States. I ask unanimous consent that these tabulations of the replies to inquiries made by the National Milk Producers Federation be printed at this point in the RECORD.

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

RETAIL MILK PRICES, APRIL 1958 COMPARED WITH MARCH 1958

Decreased (cents per quart): Boston, Mass., one-half; Bremerton, Wash., 1; Lehigh Valley, Pa., 1; New York City (to homes); one-half; Philadelphia, Pa. (to homes), 1; Philadelphia, Pa. (to stores), one-half; Stevens Point, Wis. (to stores), 1; Washington, D. C. (to homes), 1; Washington, D. C. (to stores), one-half; Los Angeles, Calif. one-half; Hartford, Conn. (to homes), one-half.

No changes (other than seasonal): Aberdeen, S. Dak.; Bonners Ferry, Idaho; Bozeman, Mont.; Brockton, Mass.; Caldwell, Idaho; Central Washington; Denver, Colo.; Durham, N. C.; Enid, Okla.; Eugene, Oreg.; Flint, Mich.; Friday Harbor, Wash.; Green May, Wis.; Greensboro, N. C.; Hickory, N. C.; Houston, Tex.; Indianapolis, Ind.; Jackson, Miss.; Kalispel, Mont.; Knoxville, Tenn.; McMinnville, Oreg.; Memphis, Tenn.; Miami, Fla.; Minden, Nev.; Muncie, Ind.; Neosho Valley, Kans.; New York City (stores); Ogden, Utah; Oshkosh, Wis.; Portland, Oreg.; Raleigh, N. C.; Rapid City, S. Dak.; Richmond, Va.; Roanoke, Va.; Rockford, Ill.; Salt Lake City, Utah; San Diego, Calif.; Satsop, Wash.; Seattle, Wash.; Sheboygan, Wis.; Sioux City, Iowa; South Carolina; Spokane, Wash.; Stevens Point, Wis. (to homes); Stillwater, Okla.; Tacoma, Wash.; Western Colorado; Louisville, Ky.; Burlington, Vt.; Salem, Oreg.; Boise, Idaho; North Texas; Miami, Fla.; Appleton, Wis.; Fond du Lac, Wis.; Green Bay, Wis.; De Pere, Wis.; Oshkosh, Wis.; Appalachian Area; Chicago, Ill.; Milwaukee, Wis.; Rochester, Minn.; Wausau, Wis.

RETAIL CHEESE PRICES, APRIL 1958, COMPARED WITH MARCH 1958

Decrease (cents per pound): Greensboro, N. C., 2; Ogden, Utah, 1; Salt Lake City, Utah, 1; Stevens Point Wis., 2; Appleton, Wis., 1; Fond du Lac, Wis., 1; Oshkosh, Wis., 1; Green Bay, Wis., 1; De Pere, Wis., 1; Sheboygan, Wis., 1.

No change: Boston, Mass.; Central, Wash.; Denver, Colo.; Enid, Okla.; Friday Harbor, Wash.; Green Bay Wis.; Indianapolis, Ind.; Jackson, Miss.; Knoxville, Tenn.; McMinnville, Oreg.; Memphis, Tenn.; Portland, Oreg.; San Diego, Calif.; Satsop, Wash.; Seattle, Wash.; Sheboygan, Wis.; Tacoma, Wash.; Burlington, Vt.; Salem, Oreg.; Hartford, Conn.; Chicago, Ill.; Wausau, Wis.; Richmond, Va.

RETAIL BUTTER PRICES, APRIL 1958 COMPARED WITH MARCH 1958

Increase (cents per pound): Portland, Oreg. (national brands), +2; Salem, Oreg. (national brands), 2; Boise, Idaho (local brands), 1.

Decrease (cents per pound): Bozeman, Mont., −2; Bremerton, Wash. (national

brands), 1; Caldwell, Idaho, 1; Central Washington, 1; Denver, Colo., 2; Eugene, Oreg., 1; Flint, Mich., 2; Friday Harbor, Wash., 1; Greensboro, N. C., 1; Kalispel, Mont., 2; Muncie, Ind., 2; Ogden, Utah, 1; Oshkosh, Wis., 1; Rapid City, S. Dak., 2; Roanoke, Va., 2; Salt Lake City, Utah, 1; Sioux City, Iowa, 2; Spokane, Wash., 2; Stevens Point, Wis., 1; Stillwater, Okla., 2; Appleton, Wis., 2; Fon du Lac, Wis., 2; Green Bay, Wis., 2; Sheboygan, Wis., 2; DePerre, Wis., 2; Hartford, Conn., 4; Chicago, Ill., 2; Milwaukee, 2; Rochester, Minn., 1; Wausan, Wis., 2.

No change: Aberdeen, S. Dak.; Bonners Ferry, Idaho; Boston, Mass.; Bremerton, Wash. (local brands); Durham, N. C. (national brands); Enid, Okla.; Green Bay, Wis.; Hickory, N. C.; Hotchkiss, Colo.; Indianapolis, Ind.; Jackson, Miss.; Knoxville, Tenn.; Lehigh Valley, Pa.; McMinnville, Oreg.; Memphis, Tenn.; Minden, Nev.; Portland, Oreg. (local brands); Raleigh, N. C. (national brands); Rapid City, S. Dak.; Richmond, Va.; San Diego, Calif.; Satsop, Wash.; Seattle, Wash.; Sheboygan, Wis.; South Carolina; Takoma, Wash.; Western Colorado; Burlington, Vt.; Salem, Oreg. (local brands); North Texas; Appalachian area.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD an extract from the testimony before the Committee on Agriculture and Forestry by Dorris D. Brown, economist, Mutual Federation of Independent Cooperatives, Inc., at the hearing held on June 3, 1958, on the long-range farm program.

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

Mr. Brown replied to Senator PROXMIRE's question:

For example, we have just—Cornell and New York State have just—completed a study of dairy farm costs and returns in northern New York along the St. Lawrence River.

Their sample of farms had a labor income for 1956 of $1,600 per farm. That was the average of the sample of something over 500 farms.

Senator PROXMIRE. One thousand six hundred dollars per year?

Mr. BROWN. Per year labor income. Do I need to define what labor income is?

Senator PROXMIRE. I understand. I just wondered, did they compute that on an hourly basis?

Mr. BROWN. No; but there is this computation which I think is quite important to our problem here this morning. They divided this group of farms into the four groups; the highest quarter, the next highest, and the next highest, and the lowest quarters, on the basis of labor income.

The lowest group had a labor income of minus $800. They only sold 40,000 pounds of milk per year.

The highest group had a labor income of $3,000 and sold 200,000 pounds of milk per year at $4 per hundredweight in both cases.

Now you can give the lower income group of farms in this study a price of $6, and they would come out with a labor income of zero.

You have raised the price 50 percent, and they still have zero labor income.

That same adjustment in price would raise the labor income of the best group from $3,000 to $7,000. You could double the price to $8, and the low-income group would still only have an $800 labor income.

Now that type of farm, I have done a great deal of farming management work in the Midwest, in Missouri in particular, and in Congressman BROWN's District here, and there are many, many farms in that region, and I am sure in Wisconsin that this same point would apply, you are not going to provide those folks, and any kind of a reasonable level of income.

Senator PROXMIRE. What a devastating case you make. The best farms in New York which, of course, has a much better market than in other sections of the country, including my own, $3,000 labor income for a year, which on the basis of 5,000 hours, which is a pretty conservative amount of number of hours that we put in, would mean 60 cents per hour—the best farms.

Mr. BROWN. I appreciate that, and I do think we have the problem, and this does illustrate the problem. But you must keep in mind that labor income, those folks have already paid all of their expenses, and there is an allowance of 4½ percent in this case, interest on their investment, and an allowance for depreciation, and that type of thing.

Senator PROXMIRE. It is a very modest allowance, as I know you will agree with me as compared with what industry, either small or large business, expects and receives.

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## STATEHOOD FOR ALASKA

Mr. LONG. Mr. President, this week the Senate will have an opportunity to vote for statehood for Alaska. It is my hope that the Senate will truly reflect the overwhelming sentiment throughout our country in favor of adding Alaska as our 49th State.

I am pleased that two of the leading newspapers in my home State have recently expressed editorial support for Alaskan statehood. An editorial in the Baton Rouge Morning Advocate of May 29 provides a splendid rebuttal to those who, for whatever reason, do not feel that Alaska should be given statehood. It first points out that the fact that Alaska is not contiguous to the Union has little meaning in this time of rapid travel and immediate communications. It then says of the other possible arguments against granting Alaska statehood:

The other arguments could have been used with equal logic against the admission of any State; and had they been so applied, there still might be only 13 States, and the rest of the United States would be a vast territory administered from the east coast.

The New Orleans Item, in an editorial of June 1, had this to say:

There is no argument against the moral obligation to grant statehood to Alaska.

I concur wholeheartedly with this statement.

Mr. President, I ask unanimous consent that these two editorials be printed in the RECORD.

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

[From the Baton Rouge (La.) Advocate of May 29, 1958]

ALASKA GETS PAST THE HOUSE

For the second time—it happened before in 1950—the House has passed an Alaskan statehood bill. This time, the bill, after suffering a setback on an unrecorded vote, then breezed through by a fairly good margin It now goes to the Senate where, as Washington correspondents say, its fate is problematical.

In the Senate there will be repeated the arguments that were heard for and against the bill in the House. The argument for is that Alaska is ready for statehood, has the people and resources to support a State government, and should be made a State so that Alaska can enjoy the most rapid possible economic expansion and her people can enjoy all the rights of citizenship.

The arguments against are such as these: That addition of two Senators from Alaska would dilute the Senate representation of more populous areas, that admission of Alaska would set a precedent for other distant areas not contiguous to the Union, and that to give Alaska statehood would be to give away natural resources belonging to all the people.

There is no need to examine these arguments in detail. The statement that Alaska is not contiguous to the Union is true, but it has little meaning in this age of rapid travel and almost instantaneous communications. The argument, advanced on other occasions, that to make an outpost like Alaska a State would impose some kind of military risk is baseless. Certainly, we are as fully committed to the defense of Alaska now as if it were a State and the city of Washington were located there. Any other policy would be worse than cowardly.

The other arguments could have been used with equal logic against the admission of any State and had they been so applied, there still might be only 13 States and the rest of the United States would be a vast Territory administered from the east coast.

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[From the New Orleans (La.) Item of June 1, 1958]

ADMIT ALASKA INTO UNION NOW

A prime example of why the word "politics" has achieved such an unsavory connotation is the treatment in Congress accorded the Territories of Alaska and Hawaii in their efforts to gain statehood status.

Wednesday the House passed an Alaskan statehood bill. Now it goes to the Senate where its fate is far from certain.

The two Representatives from New Orleans are to be commended for having voted in favor of the measure.

The first measure to grant statehood to Alaska was killed in Congress in 1914. The House passed a statehood bill in 1949—but it was filibustered to death in the Senate in 1950. In 1954, a statehood bill for both Alaska and Hawaii was passed by the Senate but died in the House.

Alaska has met every legal requirement for statehood. But she has remained a Territory for one reason only: short-sighted politicians who are willing to abandon all logic and deny the pioneering spirit that made this a great Nation in order to maintain the status quo of representation in the Congress.

We use the term "short-sighted" to describe opponents of statehood because Alaska is the last remaining physical frontier for Americans—a frontier fabulously rich in natural resources—a frontier undeveloped and grossly mismanaged under the archaic land laws passed in 1863 and applied to Alaska in 1898.

Alaska's more than 200,000 inhabitants are not United States citizens in the full sense of the word. They are taxed without representation, they do not enjoy self-government. The United States Government owns 99 percent of the land of Alaska.

And, it should be pointed out, 22 States were admitted into the Union with less population than Alaska now has.

There is no argument against the moral obligation to grant statehood to Alaska. And, at a time when the economy of this Nation sorely needs a shot in the arm, can there be any possible practical arguments against the thawing out of—if you will excuse a pun—the frozen assets of Alaska?

There is another blessing statehood for Alaska would bring to most of the Nation—it is not only bigger than Texas, it is twice as big.

## CONSTRUCTION OF CERTAIN BRIDGES ACROSS POTOMAC RIVER—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes." I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(a) by striking '$7,000,000' and inserting in lieu thereof '$16,000,000'; and (b) by inserting immediately before the period at the end of such section a semicolon and the following: 'except that the provisions of section 6 of such act of 1906 shall not apply'."

And the Senate agree to the same.

ALAN BIBLE,
J. ALLEN FREAR, Jr.,
*Managers on the Part of the Senate.*

JAMES C. DAVIS of Georgia,
JOEL T. BROYHILL,
*Managers on the Part of the House.*

Mr. BIBLE. Mr. President, I have submitted the conference report to the acting majority leader, the Senator from Montana [Mr. MANSFIELD], and to the acting minority leader, the Senator from Illinois [Mr. DIRKSEN], for their approval.

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

There being no objection, the Senate proceeded to consider the report.

Mr. DIRKSEN. Mr. President, it is my understand that 4 of the 6 conferees have signed the report, and that the other Senate conferee has no objection to it.

Mr. BIBLE. That is correct.

Mr. DIRKSEN. So the conference report comes to the Senate in good form. I think Members of the Senate are generally familiar with the controversy that has continued over a long period of time, namely, the question of bridge versus tunnel, and if a bridge, where shall it be located and what kind of a bridge shall it be?

Speaking from a long identity with the District of Columbia, not only in my legislative capacity, and even presently as a member of the Subcommittee on Appropriations for the District of Columbia, I am delighted indeed that the controversy has been resolved, in the interest of expediting growing traffic in the area. Such an objective can be consummated by the erection of another bridge across the Potomac.

Mr. BIBLE. I thank the Senator for his cooperation. I know of his continuing interest in District of Columbia problems. I, too, share the expression he has voiced that we have moved forward in this controversial field and that the problem is back of us. With that in mind I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

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## AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1685, S. 3912.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3912) to amend the Atomic Energy Act of 1954, as amended.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. PASTORE. Mr. President, S. 3912, the bill before the Senate, is an extremely important one. It is identical with H. R. 12716, which was passed by an overwhelming vote of the House of Representatives only last week.

At the appropriate time I shall ask that H. R. 12716 be substituted for S. 3912, and to have applied to the House bill any amendments which may be added to S. 3912. But I shall discuss, for the convenience of the Senate, the Senate bill, because it is referred to in the report. I think it will make it possible for Senators more intelligibly to follow the debate.

S. 3912 amends the present atomic energy law, the Atomic Energy Act of 1954, as amended, so as to permit a greater exchange of military information and material with our allies.

As I have already stated, a corresponding bill, H. R. 12716, identical in all its provisions with the Senate bill, was, on June 19, 1958, passed by the House of Representatives by the overwhelming vote of 345 to 12 and, accordingly, has been sent to the Senate and placed on the calendar as No. 1769.

S. 3912 was introduced jointly, on May 27, 1958, by the Senator from Iowa [Mr. HICKENLOOPER] and me.

The bill is designed to meet one of the major points referred to by the President in his January 9 state of the Union message to Congress when he stated:

It is of the highest importance that the Congress enact the necessary legislation to enable us to exchange appropriate scientific and technical information with friendly countries as part of our effort to achieve effective scientific cooperation.

This bill is regarded by the Secretary of State as "indispensable, both to our collective security policy and to our disarmament policy"—hearings, page 446.

This is a bill the need for which is regarded as being urgent by Gen. Lauris Norstad, Supreme Commander of the Allied Powers in Europe. It has the strong endorsement of the Atomic Energy Commission, the Department of Defense, and the State Department.

This is a bill which, after detailed consideration by the Joint Committee on Atomic Energy, was reported favorably without amendment, with the recommendation that it be passed; and a report—Report No. 1654—was submitted thereon.

Senate bill 3912, as presently before the Senate, is the result of 4 months' continuous study and consideration by the Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy. During this period, the subcommittee, assisted by other members of the full committee, gave a great deal of thought and attention to the objectives and the detailed language of the proposed legislation.

Our studies began with the receipt of a letter on January 27, 1958, from the Chairman of the Atomic Energy Commission, recommending specific amendments to the Atomic Energy Act. The objectives were to permit "more economical use of scientific and engineering talent and funds," and "to increase the collective preparedness of the United States and its allies." This letter, with the original recommended amendments, is set forth in Appendix A of the committee's report, pages 21 to 33.

In view of the importance of the proposed legislation, on January 28, 1958, I introduced, by request, and without endorsement or criticism, Senate bill 3165, containing the specific amendments recommended by Chairman Lewis Strauss of the Atomic Energy Commission. The bill was referred to the Joint Committee on Atomic Energy and, in turn, immediately was referred to the Subcommittee on Agreements for Cooperation, which began hearings in executive session on January 29, 1958.

During the months that have elapsed since the Joint Committee first began consideration of the proposed legislation, the subcommittee held numerous hearings, both in executive and in open sessions. The dates on which the hearings were held and the list of witnesses who participated are set forth on pages 5, 6, and 7 of the committee report. The testimony of these witnesses was most helpful to the Joint Committee in drafting the bill now before the Senate.

While the Joint Committee agreed in principle with the objectives of the legislation proposed by the AEC Chairman in his January 27 letter, the committee, after careful consideration and review, made certain changes in the original bill. First, with the concurrence of the Atomic Energy Commission, the committee eliminated a suggested amendment to section 55 of the Atomic Energy Act

identical with the original Senate bill of 1954, which would have permitted the AEC to set up a revolving fund of indefinite amount in excess of $200 million to finance long-term commitments for the purchase of foreign special nuclear material. This change was reflected in Senate bill 3474, introduced by me, by request, on March 13, 1958, which was identical with the original Senate bill 3165 and the proposed legislation originally requested by the AEC Chairman, except for the elimination of the proposed amendment to section 55.

Senate bill 3912, which now is before the Senate, is an original committee bill, introduced on May 28, 1958. It is identical in objectives with the two previous bills, but is different in certain changes which were considered necessary by the committee. I can assure the Senate that the final proposed legislation is the result of diligent and careful consideration by the members of the Joint Committee.

A detailed section-by-section analysis of Senate bill 3912 begins on page 10 of the committee report. For a thorough understanding, I refer Senators to that analysis. In summary, the pending bill would amend the Atomic Energy Act of 1954, so as to permit—subject to specific conditions, limitations, and procedures—greater exchange of certain types of military information and material with our allies.

The current law requires that any material transferred to another nation must not be used for military purposes—section 123 a. (3).

Senate bill 3912, by amendment to sections 91 and 123 a., would permit the President to authorize the Commission or the Department of Defense, with the assistance of the other, to transfer to an ally nation, subject to specified safeguards:

(1) Nonnuclear parts of atomic weapons to improve that nation's state of training and operational readiness; (2) utilization facilities for military applications; (3) source, byproduct or special nuclear material for research on, development of, production of or use in utilization facilities for military applications; (4) source, byproduct, or special nuclear material for research on, development of, or use in atomic weapons.

Except for the specific types of material listed in the proposed new subsection 91 c. no other material for military purposes would be authorized to be transferred. Hence, the nuclear component of atomic weapons could not be transferred. It will also be noted that the term "utilization facilities," by definition in the Atomic Energy Act of 1954, does not mean atomic weapons. It would include a nuclear reactor, such as in an atomic submarine.

Authorization to transfer material for research on, development of, or use in atomic weapons carries the proviso "that the transfer of such material to that nation is necessary to improve its atomic weapon design, development, or fabrication capability." It also carries the further proviso "that such nation has made substantial progress in the development of atomic weapons."

The two provisos were added by the Joint Committee to the original language suggested by the Commission, in order to assure that such transfer could not be made to assist a "fourth nation" to achieve atomic weapon capability.

To fully understand the high standard required, I refer Senators to page 12, paragraph 5, of the committee report, which states:

With regard to the words "substantial progress" in the second proviso of subsection 91 c. (4) it is intended that the cooperating nation must have achieved considerably more than a mere theoretical knowledge of atomic weapons design, or the testing of a limited number of atomic weapons.

It is intended that the cooperating nation must have achieved a capability on its own of fabricating a variety of atomic weapons, and constructed and operated the necessary facilities, including weapons research and development laboratories, weapon manufacturing facilities, a weapon-testing station, and trained personnel to operate each of these facilities.

As distinct from material, Senate bill 3912 also provides for greater exchange of military information. The Atomic Energy Act, as it stands today, permits, under section 144 b., the communication of certain type of restricted data to another nation or to a regional defense organization, such as NATO, for training and defense purposes. Information so transferable is specifically limited. Experience to date has reflected that section 144 b., as written, is too restrictive to meet the objectives for which it was written. Senate bill 3912 would amend section 144 b. in the form requested by the President and the executive agencies.

In category (2) of subsection 144 b. the words "and other military applications of atomic energy" are added in order that restricted data concerning other military applications of atomic energy, besides atomic weapons, may be transmitted to train personnel of our allies. This would include, for example, information on nuclear-powered submarines.

Similarly, the law would be changed to permit transfer of restricted data concerning the capabilities of potential enemies in the employment of these other military applications of atomic energy besides atomic weapons.

A very important area of information is also added to section 144 b. which would permit communication of restricted data to an ally or regional defense organization as is necessary to the development of compatible delivery systems for atomic weapons. This latter addition will make it possible for our allies to make necessary adjustments in their airplanes and missiles to be able to accommodate nuclear weapons furnished by the United States in the event of war.

This will make possible the immediate availability of allied weapons systems in the event of an emergency.

The proposed revision of section 144 b. removes an unduly restrictive proviso in the existing section to the effect that no information may be transmitted which will reveal important information concerning the design or fabrication of the nuclear components of an atomic weapon. Testimony was received from the Department of Defense, the Commission, and American representatives of the North Atlantic Treaty Organization that such language in the present act seriously impedes their ability to transmit required information to our military allies for training and mutual defense purposes.

The additional areas in which restricted data could be communicated to another ally or regional defense organization under section 144 b. would not include information which would make it possible for the recipient to design or fabricate its own weapons.

This more sensitive type of information could not be transferred under section 144b, but is treated separately under a new subsection 144c.

S. 3912 would add a new subsection 144c to permit the President to authorize the Commission, with the assistance of the Department of Defense, to exchange with another nation restricted data pertaining to atomic weapons provided the communication of such restricted data to that nation "is necessary to improve its atomic weapon design, development, or fabrication capability and provided that nation has made substantial progress in the development of atomic weapons." It will be noted that, with regard to the relatively sensitive information transferrable under subsection 144c, the recipient nation must have already made substantial progress in the development of atomic weapons before it could qualify to receive the information. This additional proviso which was inserted by the Joint Committee is identical to the one previously described in subsection 91c (4). I refer Senators again to paragraph 5, on page 12 of the committee report, as to what constitutes "substantial progress."

Similar to subsection 91c (4), this new subsection 144c could not be used as a means of making possible the entry of additional nations in that small group which today have nuclear weapons capability.

I have covered the principal areas in which the proposed legislation would make possible the greater exchange of military information and material with our allies. Before these transfers could take place, however, specific requirements must first be met.

First, there must be a determination by the President that the proposed cooperation and proposed transfer of communication will promote and will not constitute an unreasonable risk to the common defense and security.

It is also required that the recipient nation or regional defense organization must be participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security.

A further requirement is that any such cooperation would have to be undertaken pursuant to an agreement entered into in accordance with section 123 of the Atomic Energy Act. Section 123 of the Atomic Energy Act, it will be found, is quite specific with regard to additional safeguards. Guaranties are required that specific security standards must be maintained and that the material or restricted data will not be transferred to unauthorized persons. The President

must first approve and authorize the execution of the proposed agreement and make a determination in writing that it will promote, and will not constitute, an unreasonable risk to the common defense and security.

Under the current Atomic Energy Act, under section 123, all agreements for cooperation, together with the approval and the determination of the President, must be submitted to the Joint Committee on Atomic Energy for a period of 30 days while Congress is in session before they may take effect.

S. 3912 would amend section 123 with regard to agreements for cooperation involving the transfer of military material or exchange of military information. These military-type agreements, under a new subsection 123d, would have to be submitted to the Congress and referred to the Joint Committee for a period of 60 days while Congress was in session, and such proposed agreements would not become effective if during that 60-day period Congress adopted a concurrent resolution of disapproval. This additional safeguard was added by the Joint Committee in order that Congress might reserve to itself a share in the responsibility of this important material. Special provision was made for the remainder of the 85th Congress in order that certain important agreements now under negotiation could be submitted to this Congress without being delayed until next year.

In short, the provision under section 123 d., for the passing or transferring of military material or military information, requires a delay of 60 days. A bilateral agreement can be sent to the Congress and the Joint Committee on Atomic Energy and remain there for 60 days, during which time the Congress of the United States, by concurrent resolution, can enter its sense of disapproval, which will vitiate and render inoperative any proposed agreement. But with reference to the present Congress, in order to make it convenient to act with regard to an agreement which may be under negotiation now, the term proposed is not 60 days, but, rather, 30 days. That is the reason why I caution Members of the Senate to give this proposed legislation their expeditious consideration, so that there will be provided a period of 30 days intervening between the time the bill is enacted and the adjournment of this session of Congress.

The amendments to the Atomic Energy Act of 1954 as contained in S. 3912 constitute the first major revision to the basic law since 1954 with regard to exchange of military information and material.

These changes are not being recommended on the spur of the moment. They have received extensive and careful study by the Department of State, the Department of Defense, the Atomic Energy Commission, and finally, the Joint Committee on Atomic Energy.

I wish to say parenthetically at this juncture that it has been the practice in the Joint Committee on Atomic Energy to invite all the members to appear and participate whenever the committee has had important legislation pending before it which would be referred to a subcommittee, such as this bill, which was referred to the subcommittee of which I am chairman, to which position I was appointed by my colleague and former distinguished chairman of the Joint Committee, the Senator from New Mexico [Mr. ANDERSON]. It was quite refreshing to note that in the consideration of this proposed legislation we had a large contingent of the full committee in attendance and actively participating at all times.

The proposed changes are being recommended under the realization that changes in time and circumstances necessitate reevaluation of basic concepts. It is indeed foolish for the United States to keep from its allies information which would be helpful to them and to ourselves in our mutual defense, when such information is already known to our common enemies. As the President of the United States pointed out in his state of the Union message to Congress:

> It was wasteful in the extreme for friendly allies to consume talent and money in solving problems that their friends have already solved—all because of artificial barriers to sharing. We cannot afford to cut ourselves off from the brilliant talents and minds of scientists in friendly countries. The task ahead will be hard enough without handcuffs of our own making.

Mr. President and Members of the Senate, this is only a short résumé of the objectives of the proposed legislation. It is only a brief analysis of the provisions contained in the bill. I am sure the proposed legislation is sufficiently important to provoke the thinking and the conscientious study of all Members of the Senate. To the best of my ability I shall be ready to answer any questions about any provision of the bill which may be of concern or interest to the Members of the Senate.

Mr. President, if there are no questions at this time, I yield the floor.

Mr. HICKENLOOPER. Mr. President, at the beginning of the consideration of this bill I should like to make a short statement, as one of the sponsors of the proposed legislation, along with the Senator from Rhode Island [Mr. PASTORE], who has acted as chairman of the subcommittee considering the particular bill and the field of legislation which it represents.

I wish to say at the outset that the Senator from Rhode Island has rendered yeoman service in connection with the study of this very difficult problem. The Senator spent not only many hours but also many days as chairman of the subcommittee, and he has brought invaluable thoughts and ideas to the formulation of the proposed legislation. The Senator from Rhode Island has contributed much in making this piece of legislation one which, to the greatest extent feasible under all the circumstances which now face us, will, in my opinion, safeguard the best interests of the United States.

Mr. President, Senate bill 3912 is a result of the request of the President of the United States who spoke as follows before the Congress of his state of the Union address on January 9, 1958:

> It is of the highest importance that the Congress enact the necessary legislation to enable us to exchange appropriate scientific and technical information with friendly countries as part of our effort to achieve effective scientific cooperation.

The Senator from Rhode Island a short time ago quoted the second paragraph of the statement, which I shall now quote. The repetition will not harm the RECORD, I am sure. The President continued:

> It is wasteful in the extreme for friendly allies to consume talent and money in solving problems that their friends have already solved—all because of artificial barriers to sharing. We cannot afford to cut ourselves off from the brilliant talents and minds of scientists in friendly countries. The task ahead will be hard enough without handcuffs of our own making.

The Joint Committee on Atomic Energy has held lengthy and detailed hearings, has carefully considered the proposed legislation, and has made a number of changes which, in my opinion, improve it. The committee heard testimony supporting the bill, both in executive and in public session, from AEC Chairman Strauss, Secretary of State Dulles, Undersecretary of Defense Quarles, and General Norstad, Supreme Allied Commander of NATO, and a great many others whose names are listed in the report of the committee. After considerable committee discussion, and in full realization of its heavy responsibilities, the Joint Committee has reported the bill favorably, with the recommendation to the Congress that it be passed.

The bill would amend the Atomic Energy Act of 1954 so as to provide for the exchange of certain types of information and material pertaining to the military applications of atomic energy, as summarized at pages 1–2 of the Joint Committee report. The most sensitive type of exchange authorized is in the field of information and material for use in atomic weapons. However, in order to qualify for this type of exchange—under subsection 91 c. (4) or 144 c. (1) of the act—the cooperating nation must have made substantial progress in the development of atomic weapons.

As for the meaning of the words "substantial progress," the Joint Committee spoke as follows at page 12 of its report:

> With regard to the words "substantial progress" in the second proviso of subsection 91 c. (4) it is intended that the cooperating nation must have achieved considerably more than a mere theoretical knowledge of atomic weapons design, or the testing of a limited number of atomic weapons. It is intended that the cooperating nation must have achieved a capability on its own fabricating a variety of atomic weapons, and constructed and operated the necessary facilities, including weapons research and development laboratories, weapon manufacturing facilities, a weapon-testing station, and trained personnel to operate each of these facilities. It is intended that full information shall be provided the Joint Committee as to the basis of any such determination. In reaching the conclusion as to the intended meaning of "substantial progress," and the types of material and the conditions established under subsection 91c, the Joint Committee relied heavily upon the good faith of the executive branch in its assertion in the January 27, 1958, letter forwarding the proposed amendment that—
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> "It is not intended that manufactured nuclear components of weapons could be

transferred under this amendment, nor that we promote the entry of additional nations into the field of production of nuclear weapons."

Also, at page 10, the Joint Committee report states:

To date only Great Britain can meet the standards set forth in the proposed subsections 144 c. (1) and 91 c. (4).

As my colleagues in the Senate know, the Prime Minister of Great Britain, Mr. Macmillan, has been meeting with President Eisenhower for the past few days, and among other things, the discussions have involved closer cooperation in the atomic energy field. The British have been expending great efforts in both money and scarce scientific talent to proceed with their own atomic weapons program, which admittedly started later than ours and is smaller than ours both in size and in scope. It does not make sense, in my opinion, for the British to expend this effort, including separate testing facilities at Christmas Island in the Pacific. Therefore, the bill provides for closer cooperation with the British in this field, subject to many safeguards, limitations, and procedures, as I shall describe later.

The bill also would provide for increased cooperation in the field of military reactors in order that a qualified and cooperating ally, under strict security safeguards, may develop nuclear-powered submarines similar to the *Nautilus* for use in the common defense.

Finally, the bill would make possible closer cooperation and exchange of information and materials with groups of nations in a military alliance with us, such as NATO. However, this authority to cooperate with NATO nations is directed at improved training programs and delivery systems rather than internal weapons design information. Again, appropriate security safeguards must be provided.

I know that many Members of the Senate are fearful that such a relaxation of the Atomic Energy Act might unduly endanger our national security. I should like to emphasize the number of safeguards, limitations, and procedures which have been incorporated into this bill, and I refer all Members to pages 1 and 2 of the committee report, especially that section entitled "Conditions, Limitations, and Procedures."

First, the bill provides that, before any exchange of information or material can take place with another nation under this bill, there must be a Presidential determination that such cooperation will promote and will not constitute an unreasonable risk to the common defense and security.

Second, the bill requires that such cooperation may take place only while the cooperating nation or regional defense organization is participating with the United States pursuant to an international agreement by substantial and material contributions to the mutual defense and security.

Third, and perhaps most important, the bill requires that such cooperation may be undertaken with another nation only pursuant to section 123 of the Atomic Energy Act. This subsection requires a Presidential determination in writing in each case that the performance of the proposed agreement will promote the common defense and security. Also a new subsection 123 d. to the act, added by section 4 of this bill, provides that the proposed agreement with another nation must be submitted to the Congress and referred to the Joint Committee for a period of 60 days, and provides further, that the agreement "* * * shall not become effective if during the 60-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement for cooperation." There is a special proviso that during the 85th Congress such period shall be 30 days rather than 60 days, in order that the executive branch may proceed expeditiously with an agreement in this field with Great Britain before Congress adjourns.

Therefore, the Congress will have an opportunity to review each and every agreement for exchange of information or material under this bill, and the Congress will have a further opportunity to disapprove each such agreement and prevent it from becoming effective, if that is the will of the Congress.

With these modifications and reservations, the Joint Committee felt that it could recommend this bill to the Congress.

As a member of the Senate Committee on Foreign Relations and the Subcommittee on Disarmament, I should like to say a word or two about the disarmament aspects of the bill. As made clear by the letter from the executive branch submitting the proposed legislation, and as emphasized by the report of the Joint Committee, the bill is not intended to promote the entry of so-called fourth nations into the atomic-weapons field. On the contrary, it is hoped that other nations will realize that close cooperation with the United States in this field is possible, and that they may, accordingly, improve their training methods and delivery systems for use in the mutual defense, if necessary. Therefore, it is hoped that other nations will not feel the psychological necessity to embark independently on their own atomic-weapons program. Such efforts would be very expensive to our friends, and completely unnecessary for the mutual defense. Taken together with the many limitations in the bill, and the right of the Congress to review each proposed agreement, I do not believe the bill will encourage indiscriminate spreading of atomic-weapons information throughout the world. Thus, the bill in many ways attempts to limit atomic armament to those nations which have an existing atomic-weapons capability, and, therefore, is not inconsistent with those who desire limitation of armaments, or disarmament.

Finally, I again emphasize the security safeguards incorporated into this bill, partly as originally drawn, and partly as added by the Joint Committee. There must be a Presidential determination concerning the security aspects in each case, and the Congress and the Joint Committee have an opportunity to review, and prevent, if necessary, each proposed agreement from becoming effective. I can assure Senators that the joint committee will be vigilant to assure the protection of the national defense and security, and will carefully scrutinize each agreement in this field brought to it by the executive branch. With these protections I can recommend S. 3912, and I urge all Members of the Senate to vote for its passage.

Mr. BRICKER. Mr. President, I add my commendation for the work of the Joint Committee in preparing the bill for presentation to the Senate.

I join with my distinguished colleague on the Joint Committee, the Senator from Iowa [Mr. HICKENLOOPER], in what he has said, and also with the distinguished chairman of the subcommittee [Mr. PASTORE] in his presentation of the subject.

We have our allies in this world, and we have an obligation to work with them, to the extent that is possible. I believe that the bill will offer certain economies in the atomic energy program in the years ahead. A great deal of research has been carried on in certain other countries, particularly the United Kingdom, in the development of weapons, as well as in the peaceful uses of atomic energy. Their scientific research and development programs have been rather extensive, looking to the time when they will be competent in the field.

Our cooperation with other nations in the field of atomic weapons is limited in the bill to those which have made substantial progress in the development of nuclear weapons. We shall exchange certain information with them which will enhance their programs and save a great deal of money in the development in the field in the United Kingdom, and possibly in other countries, if they reach the point where we feel we can cooperate with them.

There are adequate safeguards in the bill. First, the President must find that such cooperation will not in any way imperil our security; that it will enhance the security of the Free World, and that it will promote the best interests of the United States.

Second, Congress reserves to itself in the bill the power to veto any international agreement in this field without the action of the President. By concurrent resolution of both Houses, we can veto any international agreement for cooperation entered into in the field. All in all, I think there is adequate protection for the American people.

With that in mind, and with the desire to cooperate with those who are friendly to us in enhancing the general program of atomic energy and the utilization of atomic energy in the preservation of the peace of the world, I shall add my support to the bill. I feel that it should pass.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. ANDERSON. Mr. President, I believe we can understand how conditions have changed when we realize that only a few years ago, when the Cole-Hickenlooper bill was before the Senate for

consideration we spent 13 days debating the Dixon-Yates contract, which was, at most, a question of the loss of some money and perhaps the loss of a little property.

Today, when the proposal is made to transfer to other nations a substantial number of atomic secrets, we have reached the point where we have present in the Senate only four or five members of the Joint Committee on Atomic Energy and they are already so completely familiar with the subject that there may be very little discussion of it, and it is desired to pass the bill in a matter of a few minutes, without any debate or rollcalls.

I do not so lightly regard it. I believe that the proposal to transfer to other nations do-it-yourself kits of full information on how to make atomic bombs is a very serious matter. The Senate may well pass this bill lightly, but at the same time it should realize that for many years to come it will have to live with the results of the passage of such legislation.

When the proposed legislation was first submitted to Congress by the executive branch, I had grave doubts as to its merits. I still have some misgivings, but I believe the bill has been greatly improved through many hours of hard work and careful consideration by the Joint Committee on Atomic Energy. The able Senator from Rhode Island [Mr. PASTORE] has spent an almost incredible amount of time on the bill in an attempt to make sure that it met his view of the best possible legislation. To the extent that he has done that, he is entitled to full credit.

Mr. JACKSON. Mr. President, will the Senator yield at that point?

Mr. ANDERSON. I yield.

Mr. JACKSON. I wish to associate myself with the remarks of the distinguished Senator from New Mexico in connection with the able work done by the distinguished Senator from Rhode Island. The assignment of the Senator from Rhode Island has been a difficult one. He has worked for several months on the subject, which came to us as an urgent request from the President. I believe he has done outstanding work under very trying and difficult circumstances.

Mr. ANDERSON. I agree with the Senator. He has done an outstanding job.

I have three amendments to the bill, which I submitted last Thursday for consideration by the Senate. My amendments are not contrary to the substance of the bill, but only continue the good work of the Joint Committee in further tightening up and improving the bill.

The substance of these three amendments is as follows:

The amendment which I believe to be and regard as the most important will strike out all of clause (5) of section 144 b., printed at page 7 of the bill. As will be noted, clause (5) would permit the communication to another nation or regional defense organization of "other military applications of atomic energy," except for atomic weapons or military reactors, which must be communicated under section 144 c.

What is meant by the words "other military applications of atomic energy"? That seems to cover a rather broad field. I asked the military witnesses what was meant by it. Certainly I received no answers at the hearings which gave any information on that point, as to why there was need of this sweeping grant of authority without adequate justification by the witnesses.

In general, I do not approve such broad legislation; and, in a field so sensitive and critical as the military applications of atomic energy, I believe the language should be more specific. I have no objection to clauses (1), (2), (3), or (4) in subsection 144 b., but I believe that clause (5) should be eliminated.

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

Mr. ANDERSON. I yield.

Mr. PASTORE. I believe the Senator is entitled to an explanation of or a qualifying expression concerning the question he has raised. I shall find it in a moment in the hearings. However, speaking from my recollection, subsection 5 of section 144 b. is rather restrictive; that is, the area of information involved is rather restrictive. What the military had to say was that, they did not care to indulge in any prolonged dissertation with respect to the provision, because they did not consider that section too important. Nevertheless, this is what it is intended to do. It is merely intended to provide for imparting certain information under section 144 b. which, of course, again covers a rather limited area, as contrasted with section 144 c. The latter, as you know, involves the communication of information of a more sensitive type. Subsection 144 b. (5) has to do with information pertaining to biological and isotopic elements within the atomic energy field.

When we tried to tie the military witnesses down precisely as to what it meant, I will admit to the Senator from New Mexico they could not be too certain, because it was rather speculative. So far as bacteriological warfare and isotopes, in the atomic-energy field are concerned, in the discussion of that matter——

Mr. ANDERSON. Mr. President, will the Senator give me the page reference to what he is reading?

Mr. PASTORE. I have been referring to page 153 of the hearings, and I had in mind particularly the testimony of General Loper. I will find the other reference in due time. Does the Senator wish me to read the part on page 153?

Mr. ANDERSON. No. The general said it applied to isotopes in medicine.

Mr. PASTORE. It may become an element in connection with our giving information to our allies, and during certain discussions the use of isotopes might come under discussion. In explanation of that point the discussion may come close to restricted data. The testimony was not given in any definitive way.

Mr. ANDERSON. No; on the contrary, General Loper said there is no large amount of restricted data involved.

Mr. PASTORE. There is some restricted data, but not a large amount. They did not attach too much importance to it. Had the Senator raised the issue at the hearings, I believe we could have very comfortably left that provision out of the bill. I do not believe there was any deliberate attempt to put a so-called loophole into the bill. It was not that at all. The witnesses were rather frank in their presentation of the subject, although they could not be specific. They were a little fearful, now that we have reached the stage of using isotopes and are talking about biological warfare, that there might be involved something which might come close enough to the line of restricted data, so that they might not legally be able to discuss it with an ally. They did not want to get to that point.

Mr. ANDERSON. It is difficult to imagine a situation where this country, in trying to transfer such information, would be confronted with a restricted data situation. All over the world we are telling people how we are trying to use atomic energy for medical purposes and for all sorts of other useful purposes. I do not understand why the Defense Department, which is the author of the bill, should wish to have incorporated in it a provision which deals with all these things, unless it was that in trying to include them all they threw the particular one in also. When we asked them what it meant, they said there might be some biological warfare connected with it.

Mr. PASTORE. A multitude of things are covered. I should like to read from page 88 of the hearings. General Starbird in testifying about the use of isotopes, said:

> It is not a weapons use, it is a use that may have military advantage. It may be in the form of batteries, the use of radiation perhaps in the treatment of military forces, or even treating their equipment or some such thing as that. Treating their food might have military advantage. This was intended where there were military applications, not civil, not covered by the other sections, that it could be transmitted, but, as Mr. Diamond said, for two applications—reactors and weapons—weapons information particularly; we wanted to be more specific, and the transmitting agency there would be the Commission, and under 144 c.—

I will admit that that is a rather nebulous explanation.

Mr. ANDERSON. I should think so.

Mr. PASTORE. I will admit to the distinguished Senator from New Mexico that he is raising a very substantial point. I will admit further that possibly we would not have done any serious damage to the bill if we had left the subsection out.

But I do want to say that it was my clear impression—and I hope my colleagues on the committee will join me in this statement—that we did not hope ever to use extensively this very section. But the use of isotopes for the testing of military batteries, or possibly for testing some metals—I do not know what they might be used for—might come very close to the line—and might fall in the realm of restricted data.

Extreme care was used in formulating the language. It was limited to a great extent. I read from page 7 of the bill. This will show how careful the committee was:

(5) Other military applications of atomic energy except—

Mind you, Mr. President, these are the exceptions; there was a clear understanding that the committee did not want to go all the way—

except that with respect to this subcategory, restricted data concerning research, development, design, or fabrication of atomic weapons—

That is how careful we have been.

Mr. ANDERSON. Go on and read.

Mr. PASTORE—

or concerning research—

This is a part of the exception—

or concerning research, development, or design of military reactors shall not be communicated.

In other words, the bill excepts these two important and sensitive areas of information from this subsection.

Mr. ANDERSON. The purpose of the bill, supposedly, is to communicate information to our allies. If this section will not permit the communication of any material research or design information with respect to atomic weapons or the design of military reactors, what will there be to transmit, or why it is necessary?

Mr. PASTORE. That is exactly what I am talking about. It is information in a very narrow and restricted field. We do not know specifically what will be communicated. I must admit, very frankly, that I do not think the Defense Department nor the AEC know at this time.

Mr. ANDERSON. That is correct.

Mr. PASTORE. It was admitted very frankly that the provision was not placed in the bill as constituting a specific transfer now contemplated.

Mr. ANDERSON. Representative HOLIFIELD thought it was, and he did not meet with a strong denial.

Mr. PASTORE. I think we finally convinced him, and I hope we will be able to do the same with the distinguished Senator from New Mexico.

Mr. ANDERSON. If it is necessary to have a catchall provision in the bill, and there is no other provision which would permit this to be done, and the information can be communicated in these cases, this is a very good way to do it.

Mr. PASTORE. I am happy that the Senator from New Mexico has brought this question up on the floor. We are making some legislative history.

I hope no one will gain the impression that this is a catchall provision. I think we are making legislative history. We are making it clear that if it is information concerning isotopes which might be useful in some way for the overall mutual defense plan, it has a legitimate reason to be exchange or transferred through authority contained in this subsection.

I think it is appropriate and helpful for the Senator from New Mexico to bring up this question. But I do not think he should have too deep a fear about this provision, because the committee went into it fully. We prodded, prodded, and prodded; and when we got through, we were further from the facts than we were at the beginning. The Commission was not too certain, but it thought the language should be in the bill.

Had the Senator from New Mexico raised any serious objection to it, I think we could have deleted it without any material danger. But I hope he will not press his suggestion too vigorously, for the reason that we face a 30-day period. If it is one of those things which can be as readily left out of the bill as it can remain in it, I hope the Senator from New Mexico will agree to have it left in.

Mr. ANDERSON. We somehow get pieces of legislation such as this at the latest possible hour. We get the Euratom proposal today. But we have stories in the newspapers which have appeared regularly that the AEC and the State Department have been considering this matter for weeks. Then Congress is told that it must pass the bill in 24 hours.

Mr. PASTORE. I do not agree with that at all.

Mr. ANDERSON. We started to hold hearings in January, and the bill comes to the floor in the latter part of June.

Mr. PASTORE. I desire to make my position clear. I do not care if Congress stays in session until the cows come home. I am not asking that the bill be passed this afternoon or tomorrow or the next day. I am certainly not suggesting that the bill should pass on a voice vote. I want the bill debated. I want questions raised, concerning every section of the bill, if any Senator wishes to raise questions.

As a matter of fact, we worked on the bill for the last 4 or 5 months. The Senator from New Mexico knows how we considered carefully every sentence, every paragraph, and every word. We refined, refined, and further refined. We reached the point where even the Department of Defense said it was a good bill when we got through. I think the Senator from New Mexico will subscribe to that.

Mr. ANDERSON. Yes, I will.

Mr. PASTORE. Certainly every Senator is invited to be here, and we are ready to answer any questions which any Senator may have in mind.

Mr. ANDERSON. I simply say that the only answer which can be given concerning subsection 144 b. (5) which is in the bill is that we do not understand it. Something may come up at a later date. It is a very poor way to write legislation. We found out once before that things happen as a result of loopholes.

So much for that.

My second amendment relates to section 91 c. (1) at the top of page 2 of the bill, whereby the President may authorize the Commission or the Department of Defense to transfer to another nation "nonnuclear parts of atomic weapons to improve that nation's state of training and operational readiness." My amendment strikes out the proviso now applicable only to clause (4) of section 91 c. and inserts the following proviso:

*Provided*, That the transfer of any parts described in clause (1) or any material described in clause (4) to any such nation is necessary to improve its atomic weapon design, development, or fabrication capabilities, and provided that nation has made substantial progress in the development of atomic weapons.

My objection to the language in the bill is that I do not feel it is right to give "do-it-yourself kits" to countries which do not have atomic capability. The provision that we will give nonnuclear parts to countries which have no atomic capability whatever is opening the door pretty far in an effort to assist the fourth, fifth, sixth, or seventh nation to achieve atomic weapons capability.

We are talking at this very hour about the difficulty of arranging with the Russians a conference in which we might dscuss one simple facet of disarmament, which might be the suspension, for a temporary period, of atomic tests. While we are considering that, we are also discussing a bill which will make it easy for us to give do-it-yourself kits to the fourth, fifth, sixth, and seventh nations.

The St. Louis Post-Dispatch of Friday, June 20, 1958, published an editorial entitled "Do-it-Yourself Bombs?" It reads, in part, as follows:

The Senate ought to take a close look at the administration's bill for sharing nuclear secrets with friendly nations. The House passed it Thursday with only 70 Members on hand—shocking treatment for a bill of such importance.

I continue:

Although the bill has been amended in committee, doubt still exists whether the objection to it has been met. This was that it would amount to distributing atomic-bomb do-it-yourself kits.

I shall place the entire editorial in the RECORD. The editorial questions whether the precise language of the section accomplishes the purpose of the Joint Committee. The editorial states:

Two restraints have been placed upon the power which the administration originally sought to transfer nuclear materials and information.

The editorial points out what these restraints are.

The Joint Committee's report declares that in its opinion only Great Britain can meet the standards thus set forth.

Then it defines substantial progress.

The editorial points out that substantial progress can be confined to Great Britain. I do not think that is so.

I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

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

DO-IT-YOURSELF BOMBS

The Senate ought to take a close look at the administration's bill for sharing nuclear secrets with friendly nations. The House passed it Thursday with only 70 Members on hand—shocking treatment for a bill of such importance.

Although the bill has been amended in committee, doubt still exists whether the objection to it has been met. This was that it would amount to distributing atomic-bomb do-it-yourself kits.

As the result of a commendable fight against the bill in its original form by Representative HOLIFIELD, of California and Senator ANDERSON of New Mexico, the language proposed by Chairman Strauss of the AEC was changed.

The Joint Congressional Committee on Atomic Energy recognized that, desirable as it is to share technical information with Britain, which already possesses nuclear weapons, the legislation to authorize sharing ought not to be so broad as to speed the day when a fourth, fifth, or sixth nation can boast the power of the H-bomb.

It is hard enough to bring nuclear weapons under international control when only three nations possess them. Multiplying the number of nuclear powers would multiply the difficulties of control.

But does the revised language fully accomplish the Joint Committee's purpose? Two restraints have been placed upon the power which the administration originally sought to transfer nuclear materials and information. In the first place, it is provided that Congress may veto, within 60 days, any executive agreement to give restricted data to other nations. Secondly, such transfers can be made only to a nation which has made substantial progress in the development of atomic weapons.

The Joint Committee's report declares that in its opinion "only Great Britain can meet the standards" thus set forth. By the term "substantial progress," the committee says:

"It is intended that the cooperating nation must have achieved considerably more than a mere theoretical knowledge of atomic weapons design, or the testing of a limited number of atomic weapons. It is intended that the cooperating nation must have achieved a capability on its own of fabricating a variety of atomic weapons, and constructed and operated the necessary facilities."

We do not doubt that the committee is perfectly sincere in its own intention that nuclear sharing shall be limited to nations which, in effect, already possess operating capability in nuclear weapons—in short, to Britain. But the fact remains that the legislation itself does not say so. The fact also remains that future administrative action will be governed not by the good intentions of the committee report but by the actual language of the bill.

If Congress definitely wants to guard against the use of this legislation to distribute do-it-yourself bomb kits, why should not the bill itself contain that definition of "substantial progress" which the Joint Committee has formulated? If this administration or any other is left to interpret the term in its own way, the interpretation may be radically different from that intended by Congress. Why not be clear and specific?

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

Mr. ANDERSON. I yield.

Mr. PASTORE. The very philosophy of the bill is contained in two parts. One has to do with the transfer of material, section 91 c., whether under subsections 1, 2, 3, or 4.

The other, of course, has to do with information, whether it be under section 144 b., which has to do with either one nation of a group of nations. That would include NATO, which is today existing by virtue of law.

We have section 144 b. But the fact is that the purpose is to promote the efficiency of a mutual plan which is needed for mutual-defense purposes. Section 144 c., of course, has to do with imparting far more sensitive information, and hence applies to individual nations rather than to a defense group such as NATO. It is limited by the safeguard that there has to be substantial progress in atomic weapons development by the recipient nation before the United States will engage in a bilateral agreement with that nation.

We all admit that, so far, the only other nation which has achieved such progress is the United Kingdom. But to come back to the original observation, the fact of the matter is that the nonnuclear parts we are to give to our allies are tied in with sections 144 b. and 144 c. (1). Information involved in section 144 b. is not the same kind of information so far as sensitivity is concerned, as is referred to in section 144 c. Section 144 b. relates either to a nation or a group of nations in our mutual-defense setup. Transfer of nonnuclear parts of weapons would have to be such that it would not involve the disclosure of design and fabrication knowledge of a nuclear weapon in violation of section 144 c. (2).

I think, lastly, that it is very easy to understand that this might be of advantage to the United States. There is nothing in the bill or in the law today which authorizes anyone in the United States or the Government of the United States to give away or to sell an atomic bomb. It could not be done. That will not be changed by the bill.

Furthermore, under the present law, atomic bombs have to be in the custody of American personnel. That is provided by existing law. That will continue to be the law even though the bill is passed.

All we are envisioning, from the mutual-defense aspect, is that we might find it necessary at some time to have the nonnuclear parts held in trust in the custody to a limited extent, of an ally, but not the nuclear parts, which would be in the control and custody of American soldiers so that in case of an emergency, in order to prepare ourselves to meet an eventuality which might happen tomorrow or the next day—God only knows when, but God forbid ever—the nuclear parts and the nonnuclear parts could be brought together.

If we were to contemplate the use of the nonnuclear parts in conjunction with section 144 b., I think we would run less risk than if we were to consider it in conjunction with section 144 c.

If we consider it in conjunction with 144 b., which has to do only with defense planning, then I cannot imagine that this is a do-it-yourself kit, because that is not the kind of information we are planning to give under section 144 b. Under section 144 b. we shall not enlighten our allies sufficiently to enable them to make a nuclear bomb. We shall only be teaching them to deal with nuclear warfare in our common defense.

I believe it would be ridiculous and almost idiotic for us to have a mutual-defense organization and, let us assume, at some time in the future have nuclear bombs stored in a country abroad, and have American soldiers there, with custody of American bombs, both nuclear and nonnuclear, and have them under a commander who does not know how the nuclear bomb is fired. How ridiculous can we get?

If we should tell the whole world that NATO will have only conventional weapons, because only American soldiers can use the others—although the American soldiers happened to be, let us say, under the command of a Belgian colonel or French colonel or an Italian colonel or a Turkish colonel, or whatever the case might be, because the force was an integrated one—and if we should say, "American soldiers will handle the nuclear weapons as they are doing now, and we cannot tell you too much about them; but, just the same, you will have to plan the strategy, not only to destroy the enemy, but also to protect American lives," will not we be taking a bigger chance than if we were to proceed in the other way? Why should we take such a chance? That is what disturbs me.

When I read and analyzed section 91 c., subsection 1, and when I considered the nonnuclear parts which would go to an ally, I considered that matter primarily in conjunction with section 144 b., which does not relate to the same kind of sensitive information which we are planning to exchange under section 144 c.

Therefore, the expression "do-it-yourself kit" is a clever phrase; but perhaps it does not mean what it seems to mean.

Mr. ANDERSON. Mr. President, the Senator from Rhode Island is proposing that nonnuclear parts may be transferred to persons who have no nuclear knowledge.

Mr. PASTORE. Oh, no.

Mr. ANDERSON. Oh, yes. The Senator from Rhode Island objects to inserting the words:

*Provided*, That the transfer of any parts described in clause (1) or any material described in clause (4) to any such nation is necessary to improve its atomic weapon design, development, or fabrication capabilities, and provided that nation has made substantial progress in the development of atomic weapons.

That is the language I want to include.

The Senator from Rhode Island wants to have the nonnuclear parts given to nations that have made no nuclear progress whatever. I object. I want those parts given only to nations that have made substantial nuclear progress.

What is so wrong with saying that such a nation must have made some progress of that sort before we shall give it a nonnuclear part?

Mr. PASTORE. Perhaps I did not make myself clear. The Senator from New Mexico is talking about section 144 c., which permits the exchange with such a nation of restricted data concerning atomic weapons. But the provision regarding nonnuclear parts, about which I am talking, is connected primarily with section 144 b., which has to do with 14 nations. NATO is made up of 14 governments, not alone of the United States and the United Kingdom. The Senator from New Mexico wants only British soldiers

to be trained in connection with the use of the nonnuclear parts.

Mr. ANDERSON. But, Mr. President, this is not connected with section 144 b. It is connected with section 91 c., which deals with nonnuclear parts; and that section provides that the nonnuclear parts shall be given to other countries.

In my opinion, a country to which such parts are given must know something about the development of atomic weapons. The Senator from Rhode Island thinks that is wrong. Why is it wrong?

Mr. PASTORE. No; it is not wrong. But this matter goes farther than that.

Mr. ANDERSON. How does it go farther?

Mr. PASTORE. Evidently the Senator from New Mexico and I do not understand each other. But the hearings are very clear on that point. This is what Secretary Quarles said——

Mr. ANDERSON. Let us consider the language of the bill.

Mr. PASTORE. I know the language of the bill by heart.

Mr. ANDERSON. If the Senator from Rhode Island knows the language of the bill by heart, then he knows that the bill does provide that nonnuclear parts shall be given to such nations. But the Senator from Rhode Island wants the bill to provide that those nations do not need to know anything about atomic development. I wish to have the bill provide that they do need to know about atomic development.

Mr. PASTORE. No; I did not say that at all.

Mr. ANDERSON. But the Senator from Rhode Island objects to adding the clause that will make such provision.

Mr. PASTORE. The minute the clause requiring this criteria is included, then a nonnuclear part cannot be entrusted to, let us say, a French soldier or an Italian soldier or a Turkish soldier or to any NATO nations.

Mr. ANDERSON. I hope the Senator from Rhode Island will examine that language later on.

Mr. PASTORE. I have; I have done it for 5 months; and all this is tied in with improving the state of training and operational readiness similar to the objectives under section 144 (b).

Mr. ANDERSON. I only point out that a man who serves in a NATO organization is not in an organization which has anything at all to do with section 91 (c). The language is:

> The President may authorize the Commission or the Department of Defense, with the assistance of the other, to cooperate with another nation——

Mr. PASTORE. That is correct.

Mr. ANDERSON. Very well—and to give them what? Nonnuclear parts.

Mr. PASTORE. That is correct.

Mr. ANDERSON. Very well. Does that language have anything to do with NATO or with a French soldier?

Mr. PASTORE. Absolutely, because we could make a transfer only to a Nation that is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security. We could enter into a bilateral agreement separately with each of the 14 different nations in NATO, or we could be selective. We are not going to give these nonnuclear parts to every country in NATO. We shall give them only to the countries in NATO which we believe should have these parts.

Mr. ANDERSON. Why does not the Senator from Rhode Island have the language of the bill so provide?

Mr. PASTORE. Because in the bill we cannot be so restrictive. But the hearings on the subject are very clear.

Mr. ANDERSON. Regardless of whether the hearings are clear, what is wrong with so providing in the bill?

Mr. PASTORE. Because I am afraid that we cannot write that kind of language into the bill.

Mr. ANDERSON. It is in the next clause. It is in paragraph 4; but the Senator from Rhode Island objects to putting it in paragraph C.

Mr. PASTORE. But the Senator from New Mexico is saying that we should give nonnuclear parts only to the United Kingdom.

Mr. ANDERSON. No; I do not.

Mr. PASTORE. Yes; the minute he includes the criteria, only one country—the United Kingdom—will be able to qualify.

Mr. ANDERSON. What countries does the Senator from Rhode Island propose to include?

Mr. PASTORE. Any country that we desired, any country that it might be wise, for the benefit of the preservation of the Free World, to let have such nonnuclear parts, with the nuclear parts and the nonnuclear parts to be separated, and we would say to that country, "While we are not giving you atomic bombs, we are furnishing you the nonnuclear parts so that you know enough about them to use them if attacked. In case the Russians begin to move, we have the nuclear parts which will remain in United States custody until you are attacked but which will be available for our mutual defense at that time."

Mr. ANDERSON. I can only say that is "atoms for peace," if I ever heard of it.

Mr. PASTORE. I agree, because the only guaranty of peace is in remaining strong in a mutual sense.

Mr. ANDERSON. I only point out that the restriction would not prevent such a thing from happening at all. But I believe it is well to provide some sort of restriction.

The Senator from Rhode Island may favor going ahead without such a restriction; but there are in the world people who are wondering whether the only thing we are interested in is trying to find out in how many places we can place bombs, except for their nuclear capabilities, and then saying "We are very much interested in atoms for peace."

Mr. PASTORE. Mr. President, will the Senator from New Mexico yield again to me?

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair). Does the Senator from New Mexico yield to the Senator from Rhode Island?

Mr. ANDERSON. I yield.

Mr. PASTORE. It was at the suggestion of the Senator from New Mexico—in fact, I think it was at the suggestion of both of us—that there was included in the bill a limitation that all this must come about by way of a bilateral agreement which must remain before the Senate for 60 days, regardless of what is done with the nonnuclear parts, and that the Senate shall have the right to veto such an agreement if it wishes to do so, merely by providing, in an appropriate measure, "It is the sense of the Senate that it disapproves this bilateral agreement." How much more would the Senator include in such a provision?

Mr. ANDERSON. I can only reply that that reminds me of what happened to the *Nautilus* secrets, which were well safeguarded, but they got away without any trouble whatever.

Mr. President, I have stated that the Senator from Rhode Island and those associated with him have done well in the framing of the pending bill. I do not change that statement. I think the safeguards they have provided are fine. I tried to participate with him in making them. The Senator from Rhode Island knows I had some questions. When we got through with the consideration of the bill, because of the confidence I had in the work of the committee I did not try to write minority views because I found fault with 1 or 2 provisions. But I think we ought to pay close attention to the matter of nonnuclear components, which are not necessarily nuclear weapons.

I understand the Appropriations Committee has been having hearings in which it has been brought out that at the present time there are requests from Great Britain for certain nonnuclear components. We ought to see that we adequately safeguard the information we furnish.

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

Mr. ANDERSON. I yield.

Mr. PASTORE. Has the Senator called up his amendment?

Mr. ANDERSON. No; I thought I would conclude my statement first.

The Federation of American Scientists issued a statement on Sunday, June 22, which reads as follows:

> The Federation of American Scientists is opposed to the distribution of nuclear weapons to an increasing number of countries. Peace in the world today is maintained by a precarious balance of fear of the horrors of atomic warfare. In all likelihood total war would result in the destruction of all powers engaged in such a war. It would appear obvious that the greater number of nations coming into possession of atomic weapons, the more precarious becomes the stalemate.
>
> The British have developed atomic power and atomic weapons without our assistance. Our future, our ideals and defenses are so closely tied to theirs that it would seem sensible to cooperate with England in all phases of atomic energy activity. If the primary purpose of the Pastore-Durham bill is to allow such exchange with England it would seem this could be accomplished with the minimum of misunderstanding under section 121 of the existing Atomic Energy Act of 1954 as amended.
>
> The Federation of American Scientists executive committee believes that any step which would assist other nations in achieving an atomic military potential is a step toward increasing the instabilities which lead to war. It is our opinion that the passage of

this bill would be a step which is likely to jeopardize our long-range goal of true security through worldwide enforced disarmament.

I have received a sheaf of telegrams which individuals have been sending, and I presume other Members of Congress have received similar correspondence. In the beginning I was quite attracted to the idea which is also suggested here by the federation that all such international cooperation in this field might be done under section 121 of the Atomic Energy Act of 1954. Yet the request was so strong that I was not disposed to say that new legislation should be turned down. Personally, I felt it would have been easier to go ahead with the British, and the British alone, because it seemed that might be as far as we wanted to go at this time. But I realize that other conditions may arise. For that reason, I do not object to the passage of the bill. I wish to point out, however, that in the nonnuclear part of the bill in subsection 91 c. (1) there may be something that is dangerous to us.

I come now to another amendment.

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

Mr. ANDERSON. I yield.

Mr. BRICKER. Is the amendment of the Senator printed, so we may refer to it?

Mr. ANDERSON. Yes. The amendment I have just referred to is printed and is identified as "6-19-58-A."

The third amendment is one which I offered in committee, and I was voted down. I am happy to say I have great faith in the committee. I therefore assumed the committee made a good decision; but I nonetheless desire to discuss the amendment again. It would add at section 144 c. (2) a proviso reading:

*Provided*, That such nation has made substantial progress in the development of atomic weapons.

The purpose of that proposal is to limit the transfer of restrictive data under this clause, in this sensitive and important field, to Great Britain at the present time.

Even if my amendment should not be adopted, I wish to emphasize that I personally shall be very reluctant to have such information transferred to any nation other than Great Britain, at least until we have evidence that the Russians have developed a nuclear-powered submarine of their own.

The purpose of section 144 c. (2) is to permit transfer of detailed plans and information on nuclear-powered submarines to other countries. We have given to the British plans for our nuclear-powered submarine. I feel, just as strongly as I feel anything, that is as far as we should go at the present time.

It may be said it is very easy to stop these things. I only wish Members of the Senate would find time to examine, at pages 37 to 41 of the hearings, the discussion of what happened in the case of the designs of the *Nautilus*. I tried to point out that I had been in the Westinghouse factory and I had seen another core of the *Nautilus*, which could easily be made available to other countries. It was an extra core, but if some other nation developed a nuclear submarine, there was the powerplant ready to go into it. I wanted to know if we were to make those facilities available.

On pages 69 to 71 of the hearings Senators can read other testimony on what happened with regard to the *Nautilus*. We were presented with a report showing it was desired to transfer the secrets of the *Nautilus*.

There is a complete chronology in the back of the hearings. I do not need to review all of it, but I wish to say there was raised by a member of the Commission some question as to the security of Great Britain. That member, I am sure, was very sincere in his belief that we ought to look into the matter.

We then proposed that a group be sent to Britain to examine the question of security. The group went to Britain and returned. We were not satisfied with the inspection, because the group had not included a member of the FBI. The committee then requested that the FBI be included in the next inspection trip. The FBI was included on another trip, and another group came back to report to the committee.

I think we would all concede that the British might have a wholly different concept of the efficacy of their inspection system from what we might have. Some of us were not satisfied that the British had the same yardstick. In Britain a man can go to work for the Atomic Energy Authority without being checked by what we would regard as a security check for months or sometimes for years, whereas in this country a man cannot go to work for the Atomic Energy Commission unless he has been carefully inspected. That precaution is wise. The Federal Bureau of Investigation in the main, or entirely, has done an extremely good job of investigating the individuals who apply for work in very sensitive situations.

The British take a little different view of the matter. I do not say the British view is wrong, but I say their system opens the door for the transmission of secrets more quickly. My thought is that it would be too bad if the secrets of the *Nautilus* were transmitted to the British and fell into other hands.

The record of the hearing is full of testimony to the effect that the Joint Committee on Atomic Energy by a unanimous vote, from both sides of the aisle, suggested that some precautions should be taken. The Executive proceeded to exchange the information regardless of the letter, which had the unanimous support of the committee, on the ground that we as a Nation were committed.

I say to the Senate I believe a discussion is proceeding now with respect to the transmission of the plans of the *Nautilus* to another government. I think it would be too bad if, once the bill is passed, a similar statement should be made, "We are not permitted now to stop the transfer of such information to the other country because we are already committed."

I thought it would be wise to say we should not transfer the plans of the *Nautilus* to a country unless such country had made substantial progress in the development of atomic weapons. I do not want to tear down negotiations which are under way or to drastically limit the provisions of the bill, but I believe it would be wise to adopt such an amendment. If the amendment could be adopted, I think it would be a step in the right direction, because it would make it easier for the administration to say to those who might apply for the plans of the *Nautilus*, "We are not able to give the plans to you until you yourselves have done what the British have done; namely, until you have made substantial progress."

Mr. HENNINGS. Mr. President, will the Senator yield for a question and an observation?

Mr. ANDERSON. I am happy to yield.

Mr. HENNINGS. I am very sorry I missed the earlier portion of the distinguished Senator's address, and the address of the Senator from Rhode Island [Mr. PASTORE]. I was engaged in conference with some businessmen and lawyers from my own State, which took considerable time.

I should first like to compliment and commend both the learned and able Senator from New Mexico and the distinguished and able Senator from Rhode Island for the great contributions they and the other committee members have made and are making in this very difficult and complex field. I think it is perfectly evident to all of us that this is a field in which we may make irretrievable mistakes, or, on the other hand, under the guidance of divine providence, may effect eternal and substantial good not only for the security and welfare of our country, but for the establishment of durable peace in the world.

To those who have labored this year and in past years, and who have given their thought, energy, and best effort to the general purpose, I think we all owe a great debt of gratitude.

I have been studying the proposed legislation, I may say to my distinguished colleague, the Senator from New Mexico, for some time. My study of the matter did not commence this morning, nor yesterday, nor last week.

I should like, most respectfully, to ask a question of the Senator from New Mexico. There has been some concern about the proposed legislation. I am sure the Senator has given this measure a great deal of thought. In particular, concern has been expressed with respect to section 91 c. and the term "substantial progress" which is used in that section.

I have in my hand a most thoughtful editorial from the St. Louis Post Dispatch which, I am advised, has been inserted in the RECORD by the Senator from New Mexico. I understand the Senator read to the Senate a portion of this editorial which I had intended, with the permission of the Senate, to have printed in the RECORD.

If I may continue, I should like to raise a question for consideration of the Senator from New Mexico, concerning the use of the term "substantial progress." I realize the report on the bill contains a description of what the Joint Committee on Atomic Energy believes the term

should mean. I wonder if the Senator would be willing to give me the benefit of his wisdom concerning the fact that the definition is not placed in the bill, and whether he believes this might leave those who may be called upon—and who indeed will be called upon—to administer the act with almost unlimited discretion as to the meaning of the phrase "substantial progress"? I would appreciate enlightenment from my learned and most experienced friend in this field on that particular point.

Mr. ANDERSON. I would say to the Senator from Missouri that I would be very happy to have the comments of the chairman of the subcommittee, because the Senator from Rhode Island [Mr. PASTORE] is a great authority in this field. I am not enough of a lawyer to know how "substantial progress" would be defined.

I think the report was reasonably clear on that point. I think the editorial was a very good editorial. Otherwise, I would not have had it printed in the RECORD.

Mr. HENNINGS. I am sure of that.

Mr. ANDERSON. I thought the editorial pointed up the fear and worry many of us have.

I believe it would be possible for the administration to interpret "substantial progress" in only one way, and that would be progress by a nation which really had done something toward building atomic weapons, and was not simply studying the theory of them, as many nations are.

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

Mr. ANDERSON. I am happy to yield to the distinguished Senator from Rhode Island.

Mr. PASTORE. I will say to the very able and distinguished Senator from Missouri, that is a very, very complex question. It was an issue which caused us great concern in the committee.

Mr. HENNINGS. I am sure it did.

Mr. PASTORE. We considered the question of how to write appropriate language, which was not an easy one to decide. We suggested covering the matter in various ways. As a matter of fact, the present language is a modification of the original recommendation made by the Atomic Energy Commission and the Department of Defense when the bill was referred to the committee. We have tried to define the phrase in the report. The Senator will find that on page 12.

The Senator knows, since he is an able lawyer, it is sometimes pretty hard to say in so many words exactly what the meaning of a phrase is.

Mr. HENNINGS. I thank the Senator for his generous comment. I know it is difficult to define precisely such a term.

Mr. PASTORE. We thought if we tried to write the definition in the law possibly we would establish a target for a fourth nation to shoot at. We did not want to do that. We wanted "substantial progress" to be in the law. What would constitute "substantial progress" we explained in the report, thus making it possible for the ultimate adjudication to be with us and not with somebody else.

Mr. HENNINGS. May I, with the indulgence of my friend from New Mexico, ask another question?

Mr. PASTORE. Would the Senator desire to have me read what the report says as to what would constitute "substantial progress?

Mr. ANDERSON. Should we not point out that an attempt was made on the floor of the House to write a definition into the bill? That attempt was defeated on a voice vote.

I think the theory was that we might want to have some leeway as to the manner in which the law is to be administered. If some country had made fairly good progress, that country might come forward and say, "I have done a first-class job. You should let me have the secrets of the *Nautilus*, and something else." We might, after looking the matter over, want to say, "We do not think you are sufficiently qualified."

If the language is written too plainly, we might be caught by our own definition. The attempt to write the definition in the bill was defeated in the House. I think that was the theory on which it was defeated in the House.

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

Mr. ANDERSON. I yield.

Mr. PASTORE. Let us not forget that the proposed bilateral agreement must come before Congress. If we do not like any part of it; if we do not like the nation with which it is negotiated, it is the ultimate decision of the Congress to make the adjudication.

The language originally recommended was as follows:

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

We did not think that went quite far enough. We said, "substantial" because we meant substantial. We explained it in the report. It means not the making of one bomb or one test, but a very detailed and complete weapons capability.

I believe that if one reads the hearings and the report the standard we are prescribing is quite obvious, because it is admitted that of all the nations in the world today, the United Kingdom would be the only one to qualify under the criteria.

Mr. HENNINGS. If I may continue, with the gracious consent of my friend, the Senator from New Mexico, let me say to the Senator from Rhode Island that I am well aware that in the House the opponents of this amendment contended that it would cut down the flexibility given to the executive branch in negotiating agreements. I refer to the amendment which was proposed in the House by Mr. THOMPSON of New Jersey. There was not very much debate on it, and it was defeated on a voice vote, after what seemed to be a very brief discussion.

I think it was also said that under that amendment it would be more difficult to resist other countries when they met the definition of substantial progress and came to us asking for agreements similar to those we have entered into or are about to enter into with the United Kingdom.

I wonder if the executive branch will not have equal difficulty in resisting the nations which manage to meet the definition contained in the committee report on page 12, whether or not it is written into the act.

I am seeking enlightenment, let me say to my distinguished friends, because, like many other Members of the Senate, I have not had the benefit of the experience, the confidential parts of the hearings, and the long study of which my friends have had the advantage. I am sure that this advantage has been most rewarding to them, but leaves some of us in a position of relative ignorance. I do not know that we can be of any help. At least we do not wish to be a hindrance upon any technical basis, or upon any narrow legalistic ground. However, these are points which I believe have disturbed some of us, as reflected in the Post-Dispatch editorial of last week, which came to my desk only today, after I had prepared some of the material as a basis for asking the questions which I am propounding today.

I address myself to both Senators. I wonder, if no definition is placed in the law itself, to what extent they think the executive branch may have difficulty in resisting the nations which manage to meet the definition.

On the other hand, I wonder if, without a definition in the law itself, those who are to administer the act as amended, cannot set their own standards for what might be held to be substantial progress.

Certainly I would be one of the first, if not the very first, to agree that we need all the flexibility we can have in the act. We do not wish to tie the hands of the Executive. We have been through that argument and that fight, going back to the days of the Bricker amendment, and other such proposals relating to foreign policy.

Having served in the House of Representatives before the last war, I recall that we had the same problem of giving the Executive power to act. Of course, the Executive is the architect of our foreign policy. That we all appreciate, and must understand.

In this instance, I wonder what my learned friends would think about the degree of breadth of the flexibility which we vest in the Executive when it comes to the question of defining substantial progress. I have been considering offering an amendment as follows: On page 2, line 15, after the word "weapons" to insert:

> including the testing of a limited number of atomic weapons, the fabrication, on its own, of a variety of atomic weapons, and the construction and operation of weapons research and development laboratories, weapon manufacturing facilities, a weapon testing station, and trained personnel to operate each of these facilities.

This is the same amendment which was rejected in the House by a voice vote.

Again, I am seeking guidance. I should like to know whether or not, in the judgment of those who have superior knowledge in this technical field, such an amendment would in any wise impede the administration of the act, or whether it would make it easier.

Mr. PASTORE. Mr. President, will the Senator from New Mexico indulge me to answer?

Mr. ANDERSON. Certainly.

Mr. PASTORE. I think I realize the objective which the distinguished senior Senator from Missouri would like to accomplish, and I believe I am conscious of the things which concern him about this particular phase of the bill. But, with equal sincerity, I urge him not to press the amendment. What he is saying now, we considered time and time again.

Mr. HENNINGS. I am well aware of that. That is why, in all deference, I have come here in the spirit which moves me today.

Mr. PASTORE. I think it would be very injudicious of us to write a definition in the law, because this is a field in which there is no mathematical precision. We have not stated a definition in the report, but I think we have clearly expressed the Congressional intent. We did so deliberately, and for many reasons.

I believe that all the points the Senator has covered are covered in the report. Of course, the report is not a part of the law but is indicative of Congressional intent.

Mr. HENNINGS. It is a part of the legislative history.

Mr. PASTORE. In connection with this proposed legislation there are many limitations and safeguards. First of all, the entire negotiation must be authorized by the President of the United States after he has first determined that it will promote and not constitute an unreasonable risk to the common defense and security. In the case of section 144 b., which has to do with training purposes in connection with our allies, the negotiations must be conducted by the Defense Department, for obvious reasons, with the assistance of the Atomic Energy Commission.

With respect to section 144 c., which has to do with the building of the bomb itself, with respect to which the information is very sensitive, negotiations are initiated at the request of the President, by the Atomic Energy Commission, with the assistance of the Defense Department. That is the first step.

Then the President must give a certification in writing, to the Congress that the transfer or exchange will promote, and will not constitute an unreasonable risk to the common defense and security.

Above and beyond that, the proposed bilateral agreement comes to us. It will be presented to the Congress and referred to our committee. It must be specific in all its details. We will consider it. We shall have the authority, within 60 days, to repudiate it by concurrent resolution.

I think we have placed in the bill about all the safeguards we can place in it against an administration which might be loose—and I am not suggesting that it will be loose, because I think the executive department is just as much concerned with the security of the Nation as we are.

Mr. HENNINGS. And that applies to all administrations in the future. It is not a partisan matter.

Mr. PASTORE. The President is just as much interested in that question as is any Member of Congress.

We have expressed the legislative intent in the report. If, for some reason, it should be violated, that would be all the more reason why we should exercise our authority by means of a concurrent resolution. I think we have placed in the bill all the necessary safeguards, without hamstringing the administration or handcuffing ourselves. I think it would be rather injudicious for us specifically to write a definition, because, as Senators know, definitions can change. New questions can arise to affect the definitions.

Mr. HENNINGS. I thank my friends.

Mr. ANDERSON. I should like to say, further, that the provision the Senator proposes should not be added to subsection 91c on page 2 of the bill. If it is to be added, it should be added to section 11 of the act as a new definition. Personally, I would feel very bad if the amendment were adopted, because it starts off with "including the testing of a limited number of atomic weapons." It would be better if not too many people were engaged in the testing of weapons, because then it would become more and more difficult to limit the amount of fission products diffused in the atmosphere.

Mr. HENNINGS. I am indeed indebted to the Senator from New Mexico and the Senator from Rhode Island. I believe it requires a great deal of presumption on the part of most Members of the Senate who have a relatively superficial understanding of the subject, which is all that most of the Members of the Senate have, to offer amendments contrary to the wisdom of the members of an important committee. It would be utterly presumptious to undertake to brush aside lightheartedly the understanding of Senators on the Joint Committee. Their understanding is based upon their attendance at hearings. It is also based on their great and meticulous study of the law, the phraseology, and the application and implication of any proposed legislation which is submitted to the Senate by such a responsible committee.

I have great respect for the Joint Committee—and, of course, I have great respect for all committees of the Senate—and I shall, therefore, not undertake to transgress further by the offering of an amendment at this time. I shall reflect further on the matter and seek clarification of it in my own mind.

Therefore, I would now say to the distinguished Senator from New Mexico that I appreciate his yielding, as I also appreciate the Senator from Rhode Island yielding to me. I appreciate the work the Senator from Rhode Island has done on this subject, as I also commend the work the other members of the Joint Committee on Atomic Energy have done on it. I shall not undertake to make their task more difficult by offering my amendment at this time.

Mr. ANDERSON. I believe it is desirable and very important to bring these points out and to discuss them. All of us realize that there are a great many ramifications connected with these various matters when we get into the roots of some of the disturbances. It may seem that the disturbances are minor, but it is soon realized that the roots go down a very long way.

Mr. HENNINGS. Mr. President, as a member of the Committee on the Judiciary, for example, I should like to say that our committee spent almost 3 months, or certainly the greater part of 2 months, considering S. 2646, a bill which would limit the jurisdiction of the Supreme Court of the United States.

We have spent the past several weeks almost entirely on S. 11. I will not say that we have spent our time entirely in the consideration of that bill, because we have also considered routine nominations and other routine matters, including immigration, bills, and other special legislation, but we have spent almost all of that time on S. 11, relating to antimonopoly and antitrust problems.

It is because of my appreciation of the difficulties of the tasks which confront the distinguished Senators, tasks involving many technical matters, that I do not wish to add to their difficulties. Certainly the tasks confronting the Committee on the Judiciary are not so all-embracing and certainly not, in terms of the effect upon the world, so considerable in impact as those faced by the Joint Committee on Atomic Energy. I have come with all humility to ask the questions I have asked in an effort to have some important points clarified.

Mr. ANDERSON. I thank the Senator. The present bilateral agreement we have does not permit the transfer of propulsion facilities or materials for such facilities. It states:

> The parties will not transfer or export, or permit transfer or export under this agreement of any material, equipment, or device which is primarily of a military character.

Representative COLE was certain that the law prohibited the transfer of the details of the *Nautilus*. Counsel for the Atomic Energy Commission thought so, at least for a while. So did counsel for the Joint Committee on Atomic Energy. Still, the information was transferred over the Joint Committee's objections, an action which Secretary Dulles said stemmed from a regrettable misunderstanding.

The provision on utilization facilities would permit the Atomic Energy Commission to transfer by lease, sale, loan, or donation, reactors for submarines and nuclear materials for the reactors.

On January 26, 1956, the Attorney General gave the opinion that the United States could give information to Britain on submarine propulsion systems. The Joint Committee was not informed of this opinion, even though the Attorney General stated in it:

> In view of the sensitive subject matter here involved and its apparent importance, I believe that, in this instance, the matter

should be discussed with the Joint Committee before the agreements are entered into. This, presumably, would be undertaken on an informal basis in the interest of ascertaining preliminarily the views of the Committee and, at the same time, permitting the Committee to become aware of proposed developments in the field of international cooperation which might have significant effects upon the atomic energy program.

It was on January 26, 1956, that the Attorney General wrote that opinion. On April 18, 1956, an amendment to permit the exchange of nuclear submarine reactor information was submitted to the Atomic Energy Commission for consideration and approval. The Joint Committee was not informed.

On May 21, 1956, at an executive hearing before the full Joint Committee on Atomic Energy on the subject of the foreign civilian reactor program, no mention was made by the Atomic Energy Commission and the State Department representatives of action then under way to amend the agreement with the United Kingdom. The Director of the Reactor Development Division replied to a query of the Committee about the exchange of submarine propulsion information with the United Kingdom, as follows:

We can at present give them none. This would require amendment to the agreement for cooperation.

On June 5, 1956, a summary of meetings between the United States, the United Kingdom and Canada, with regard to exchange of information was submitted to the Joint Committee by the Atomic Energy Commission, but no mention was made about discussions with the British to amend agreements for giving information on the submarine propulsion system; nor was there any mention made that an amendment to permit this had been drafted.

It was not until June 8, 1956, that the first notification came from the Atomic Energy Commission to the Joint Committee with regard to the negotiations with the United Kingdom on the exchange of nuclear submarine information, although the negotiations had been in the works for a year.

It is because of this that I feel we had better put into the bill every possible clause which will protect us against the possibility that agreements will be made and that then the Joint Committee will be approached and told, "Our Nation is now committed. You must go through with it, because the Nation has been committed."

By the adoption of both of my amendments, I believe the executive branch of the Government would be on notice that any agreements which went beyond Great Britain would receive close scrutiny by Congress.

I do not oppose close cooperation with Great Britain in this field, because I realize that our destinies, for better or for worse, are closely tied together. In the past, I have made statements critical of the Atomic Energy Commission and the executive branch concerning the method by which communication of nuclear submarine information has been made available to the British. I did not oppose such communication, but I believed that it could not be done under section 144 (a) as interpreted by the Commission.

Therefore I was glad when the Joint Committee added a section 5 to the bill to amend section 144 (a) to provide that only "civilian reactor development" could be transferred under section 144 (a) (2) in the future.

Mr. President, I realize that this is an important measure, and I, as well as my colleagues on the Joint Committee, have given the matter long and careful thought and attention. I do not oppose the purposes of the bill. I approve of the restrictive standards added by the Joint Committee, and I would feel happier if the additional restrictions which I now propose should also be added to the bill, because I believe that they would further improve it.

I should like again to commend my colleague the Senator from Rhode Island [Mr. PASTORE] for his many hours of work and thoughtful attention which he has given this matter, and also my colleague from Iowa [Mr. HICKENLOOPER], as well as the other members of the Joint Committee. I can assure my colleagues in the Senate that the Joint Committee will carefully scrutinize every proposed agreement under the proposed legislation in order to provide full protection to our national security.

Mr. PASTORE. Does the Senator intend to offer an amendment now?

Mr. ANDERSON. I call up my amendment "A."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, it is proposed to strike out lines 11 through 15, and insert in lieu thereof "weapons;".

On page 2, line 24, strike out *"Provided, however,"* and insert in lieu thereof the following: *"Provided,* That the transfer of any parts described in clause (1) or any material described in clause (4) to any such nation is necessary to improve its atomic weapon design, development, or fabrication capability and provided that nation has made substantial progress in the development of atomic weapons: *And provided further".*

Mr. ANDERSON. Mr. President, this amendment relates merely to the nonnuclear parts to be transferred under 91c (1) of the bill. I say frankly to the Senator from Rhode Island that I think the amendment should be taken to conference to ascertain if there is anything to this point. I believe it is an important point, and that it could be met without serious damage.

Mr. PASTORE. With that understanding, I have consulted with the senior member of the subcommittee on the other side of the aisle, and we are perfectly willing to accept the amendment and take it to conference. We realize that this is a very sensitive area. It is a very difficult matter to discuss fully on the floor as openly as we would like without compromising classified information. I think, however, we must say all that can be said, and if we take the amendment to conference, we can reach a better understanding in the interest of the Nation. Upon that condition, I am perfectly willing to take the amendment to conference.

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

Mr. PASTORE. I yield.

Mr. BRICKER. I may say to the Senator from Rhode Island, the chairman of the subcommittee, that I agree with him that there is nothing in the bill which has not been thoroughly discussed time and time again in the subcommittee, and really in the full committee, when we arrived at the language in the original bill.

It may be that some language can be devised around the table again, after a few days of work, which might be more desirable. But I think the committee did everything which in its judgment was necessary to protect the country against any danger, and to help the nations which might cooperate with us hereafter. It was the view of the committee that there is nothing in the bill which is inimical or dangerous to our own national defense.

The committee staff has prepared a list of protections which are included in the bill against any dangerous actions which may be taken by the administration, Department of State, or the Department of Defense. I ask unanimous consent that the list may be printed at this point in the RECORD.

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

CONDITIONS, LIMITATIONS, AND PROCEDURES TO SAFEGUARD EXCHANGE OF INFORMATION AND MATERIAL AS PROPOSED IN H. R. 12716

All cooperation, whether it pertains to the transfer of material or communication of classified information for military purposes, requires:

1. A determination by the President that it will promote and will not constitute an unreasonable risk to the common defense and security.

On the basis of testimony received during the hearings, it is contemplated that this determination could be delegated to the AEC and the Department of Defense, the two agencies most concerned with such exchanges. Such delegation would take the form of an Executive order. In the event of disagreement between the two agencies, the President personally will make such determination.

2. The cooperating nation or, in those cases under section 144b, where the recipient is a regional defense organization, such as NATO, the organization must be participating with the United States, pursuant to an international arrangement and making substantial and material contributions to the mutual defense and security.

3. All cooperation must be undertaken pursuant to an agreement entered into and in accordance with section 123 of the Atomic Energy Act of 1954, as amended. Under section 123, additional limitations and conditions are specified and must be included in all such agreements. They are:

(a) The terms, conditions, duration, nature and scope of the cooperation. (This requires that the agreement be most explicit as to what will be involved in the exchange.)

(b) A guaranty by the cooperating nation that security safeguards and standards, as set forth in the agreement for cooperation, will be maintained. (In those agreements to date, involving military information exchanges, AEC and DOD security personnel check and review security standards, both in theory and in actual practice.)

(c) A guaranty by the cooperating party that any material or any restricted data to be transferred pursuant to the agreement will

not be made available to unauthorized persons or transferred beyond the jurisdiction of the cooperating party except as specified in the agreement for cooperation.

4. The proposed agreement for cooperation must be submitted to the President for his approval, and the President, in writing, must make a determination that the performance of the proposed agreement "will promote and will not constitute an unreasonable risk to the common defense and security."

5. The proposed agreement together with the Presidential approval and determination, in writing, will have to be submitted to the Congress and referred to the Joint Committee and will not take effect until it has rested 60 days before the Joint Committee while Congress is in session.

6. The proposed agreement would not become effective if, during the 60-day period, Congress passes a concurrent resolution of disapproval.

The above conditions, procedures, and requirements are necessary in all transfers of military material and all communication of classified information for military purposes. In addition, there are other safeguards prior to the transfer of nuclear material for weapons use and the communication of classified information of a type that would enable the recipient to design and fabricate a nuclear weapon. These highly sensitive areas of material and information could only be transferred after the above 5 protective safeguards have been complied with and then only to a nation that has already made substantial progress in the development of atomic weapons and when the information or material is necessary to improve the atomic weapon design, development, or fabrication capability of the cooperating nation. These two additional provisos affecting the most sensitive type of information and material (secs. 91c (4) and 144c (1)), in effect, eliminates this type of cooperation to only one ally, as of not only today but in the foreseeable future—Great Britain.

If you will refer to page 12, paragraph 5 of the committee report, you will note what minimum standards would have to be met before a nation would be considered to have made "substantial progress" in the development of atomic weapons. This was not included, by definition, in the bill because it was not considered desirable to set a specific standard that might encourage a nation to attempt to achieve—and thus achieving it—believe it automatically would qualify for this type of information and material. It is not the intent of the proposed legislation to encourage fourth, fifth, or additional nations to achieve nuclear weapon capability. It is hoped that in addition to assisting friendly nations in our mutual defense that this additional assistance will eliminate the psychological desire of additional nations to achieve nuclear weapon capability.

Mr. BRICKER. Mr. President, the great safeguard is that Congress can always take a second look at any agreement entered into, and by a concurrent resolution veto such programs as are entered into by the administration under the leadership of the Department of State or the Department of Defense.

With that understanding, I shall be glad to agree with the chairman of the subcommittee and to sit down at the conference table to work out some improved language.

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

Mr. PASTORE. I yield.

Mr. HICKENLOOPER. I am in accord with the statement by the Senator from Rhode Island that he will accept the amendment and take it to conference. I am in agreement with him, but not for the purpose of having the amendment taken to conference and then withdrawn. I am certain the Senator from Rhode Island has no such intention. But if there is a way to clarify something which has been agreed upon after 4 months' consideration by the committee, I am agreeable to doing so.

I again call attention to the fact that the proposed legislation was discussed pro and con, sentence by sentence, line by line, semicolon by semicolon, and period by period, for 4 months. As a member of the subcommittee, I am perfectly willing to discuss it further, to see if there is better language which can be used to accomplish the necessary purpose of protecting the United States and our interests. Of course, the protection of the country really comes first. So I join with the Senator from Rhode Island in a willingness, so far as I am concerned, to accept the amendment.

The PRESIDING OFFICER (Mr. JACKSON in the chair). The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON].

The amendment was agreed to.

Mr. ANDERSON. Mr. President, I call up my amendment designated "6-19-58-B" and ask that it be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The CHIEF CLERK. On page 7, line 2, after the semicolon, it is proposed to insert "and."

On page 7, line 4, strike out "and."

On page 7, line 4, strike out lines 5 through 10.

Mr. ANDERSON. Mr. President, the amendment would strike out the words in subsection 144b (5) which relate to other classes of information and other military applications of atomic energy.

I have tried my very best to find out what they are, I cannot ascertain what they are. A good case might be made.

Mr. PASTORE. I have consulted with my colleagues, the ranking members of the subcommittee on the other side of the aisle and here again we are perfectly willing to take the amendment to conference, in the hope that we can provide language, if possible, to carry out the original intent.

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

Mr. PASTORE. I yield.

Mr. HICKENLOOPER. The Senator from Rhode Island has certainly correctly stated the agreement, so far as Senators on this side of the aisle are concerned. The particular section referred to, section (5) on page 7, was the subject of definite and rather substantial discussion among the members of the committee when the bill was being formulated. No substitute language was offered. No motion to strike that particular paragraph was offered in the committee. It is not couched in the clearest language, so far as concerns exactly what it may mean in all of its ramifications. But, as I recall, the subcommittee and the full committee itself thought it was probably a good section to leave in the bill.

So far as I am concerned, I am perfectly willing to try to clarify this section, if that can be done in a public statute, and I join with the Senator from Rhode Island in accepting the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON].

The amendment was agreed to.

Mr. ANDERSON. Mr. President, I had intended to offer my amendment designated "6-19-58-C." I have talked long and earnestly with the chairman of the subcommittee about it. He violently objects to the amendment. I can only say that one who is convinced against his will is of the same opinion still. I still think the amendment might have been offered; but in view of the long, hard work of the Senator from Rhode Island on this matter, I have no intention of offering it.

In response to the Senator from Iowa, I did offer identical language in the committee on this amendment, but was voted down. On the other amendments, I read every word in the hearings. As I read them, I was struck by the fact that no one gave an answer to the question the amendment raises. I had not been cognizant of that fact before, but I did persuade myself that an answer had not been given.

Mr. PASTORE. The Senator from New Mexico is perfectly correct. I do not think anyone is too well satisfied with the explanation. But I daresay if I expected an amendment on any part of the bill, I expected it at this point the least.

Mr. ANDERSON. I have no further amendments.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DWORSHAK. Mr. President, as the junior Senator on the Joint Committee on Atomic Energy, I am somewhat reluctant to make these remarks.

I am in disagreement with the conclusions reached by the overwhelming majority of the membership of the joint committee. I think the bill has been materially strengthened since the original proposal for this program has been submitted to the committee by the Atomic Energy Commission. Notwithstanding the questionable status, if not the actual disintegration, of NATO during the past decade, it is now proposed to take additional steps which I believe will relieve our allies in Europe of the necessity of fully utilizing their own resources to develop nuclear weapons.

I am fully aware that my criticism of this legislation will not affect its adoption; however, I want to make the record clear that I am vigorously opposed to making one-way agreements with countries ostensibly for the purpose of strengthening our own national defense and helping other free nations.

The Joint Committee on Atomic Energy has rendered a real service in pointing out the necessity of providing some veto power for the Congress over these agreements. Instead of placing such

negotiations under the secrecy of being "classified," it will now be possible for the Congress and the Joint Committee to have an opportunity to review each proposed agreement and to pass a concurrent resolution of disapproval to prevent such a proposed agreement from becoming affective if such is the will of the Congress.

The recent tragic developments affecting the security and stability of France will undoubtedly cause many serious repercussions in NATO. When the United States negotiates new agreements to make nuclear weapons and nuclear information available to Great Britain, it is inevitable that France will charge that it is being discriminated against. It is also conceivable that other free nations will take the same position, and it will be difficult for our country to rationalize that one of our allies is entitled to such materials for military uses while another free nation, just as important in the concept of NATO, will be denied comparable treatment.

Mr. President, under this legislation agreements are designed so that Great Britain would likely be the only recipient of weapons and information. This would weaken NATO by making other members poorly armed dependent on the United States and Britain for atomic defense. In today's warfare, even small tactical weapons will be atomic and any nation not equipped would be helpless in case of invasion. When data or materials are sent to one nation, other NATO powers would expect similar treatment and much anti-American sentiment would be created by preferential treatment to one power.

Great Britain has lax security regulations, as has been revealed on many occasions in the past. The Soviet Union cannot keep pace with our scientific developments, atomwise, and one of their most important cold war activities is trying to steal atomic secrets. Once these weapons were out of the country, although presumably under the control of the United States, they would be subject to the security provisions of other nations.

Mr. President, the supplying of atomic data and weapons to other countries would mean the loss of our own secrets. Nations with some atomic know-how could duplicate the weapons and, under the program of materials sharing, could secure a limited amount of nuclear material with which to fashion a complete weapon.

Nations such as France and Italy are politically unstable. If they were to have Communist-controlled governments, even if for only a brief period, all the weapons we had stockpiled in those nations would be lost to the Soviets or to satellites of the Soviets.

If these weapons are to be ready for war, they will have to be complete; and in that event we would be depending on foreign troops of questionable loyalty to defend them against seizure by a Communist-controlled government. The alternative would be to garrison in those countries large numbers of United States troops, with orders to fight to protect the weapons stockpile—in short, an armed camp within the borders of an allied power.

Furthermore, by means of a difference of interpretation in regard to the need for such weapons, France and other smaller nations could demand that such weapons be used for small wars, or in dealing with internal problems.

Mr. President, the pending bill presents an unworkable program which might be an irritant, rather than a help, to our allies.

The proposed agreement is not in the best interests of the United States, inasmuch as we stand to exchange more atomic secrets than we would gain. Likewise, the bill would place in jeopardy our own national security in the important field of nuclear-weapons development. Great Britain would be given an advantage in connection with the purchase of atomic material for reactors. We are unable to obtain plans for the Calder Hall plant, because the British claim that private corporations in England own the plant design.

Mr. President, it is noteworthy that under date of June 16, there appeared in the Washington Post the following article:

JAPAN TO BUY BRITISH ATOMIC ELECTRIC PLANT

LONDON, June 16.—Britain and Japan signed an agreement today under which the Japanese will buy a British-built atomic electric powerplant designed to withstand earthquakes.

At the same time, Japan signed a 10-year agreement with the United States in Washington. The United States will provide Japan with 2,700 kilograms of enriched uranium for atomic power reactors.

Both agreements must be ratified by the Japanese Parliament.

The Japanese are seeking bids from four British concerns for the construction of the atomic plant. It will cost about £30 million ($84 million).

The plant will be in the 140,000-kilowatt class. It will have built-in modifications providing protection against earthquakes, which plague Japan.

A statement issued by the Foreign Office said the agreement covered the exchange of unclassified technical and operation information as well as British assistance in the construction of atomic powerplants in Japan.

Mr. President, it is apparent that as we plan to exchange very vital and probably classified atomic materials and know-how with Great Britain, the record shows clearly that we have never received a quid pro quo. It is unreasonable for the United States, through the Congress or through the Atomic Energy Commission, to insist that as we make available our $15 billion worth of research and know-how to some of the other free nations, we are justified in asking that, as we seek to strengthen them—whether in peacetime uses or in the potential military uses of nuclear power—they make some moves so that we as a Nation will better be able to discharge our responsibilities to the rest of the Free World?

Admiral Rickover, in testimony before the Joint Committee, stated that we have not yet received any information from Great Britain in exchange for the information we gave that country in regard to the *Nautilus*.

Likewise, on pages 12 and 13 of the hearings on gas-cooled reactors, Kenneth Davis, attorney of the AEC Division of Reactor Development, testified that the United States was not able to obtain details on fabricating fuel elements, but that the United States has given the British full information on fuel elements of submarines.

Mr. President, I call attention to these developments, not because it is pleasant to be critical of a great ally such as Great Britain, but merely in order to sound a warning that it is in the interest of maintaining the security and the military superiority of the free nations that the United States be kept strong. I do not believe we can continually dissipate our resources and still expect to measure up to the expectations of our own allies.

Mr. President, about 1 year ago we implemented participation by the United States in the International Atomic Energy Agency. We were fortunate that a former Member of Congress, Sterling Cole, was selected to head that international agency. However, whenever an innovation or new proposal is submitted by the Atomic Energy Commission or by any other agency in the executive branch of the Government, or even by the Congress, a deliberate attempt seems to be made to submerge the interests of the United States.

Mr. President, I ask my colleagues in the Congress to consider the following: In view of our responsibilities, is the step now proposed a reasonable and defensible one?

Recently the Joint Committee considered briefly a proposal which was submitted to implement EURATOM, which consists of the three low countries, and Germany, Italy, and France. I have just been handed a release by the President, dated June 23, 1958, with a message from the White House submitting a plan for implementation of EURATOM. Mr. President, without having had an opportunity to read this message from the President, I believe it is timely to point out—as was testified before our committee a few weeks ago by members of the Atomic Energy Commission—that a proposal will likely be made, and submitted to the Congress, and I assume that this message from the White House does that very thing—that the United States make available probably $200 million worth of atomic fuel for the subsidizing of 1,000,000 kilowatts of nuclear power in EURATOM.

Mr. President, perhaps this is a commendable and laudable objective. But it is quite significant that we are pursuing this goal with the understanding that we shall try to develop this 1,000,000 kilowatts of nuclear power for these European countries within a period of 5 years. But members of the Atomic Energy Commission testified that it will require 10 years for the same development to be reached in the United States.

Mr. President, nothing could emphasize more clearly the point I am seeking to make at this time than to state that as we in the United States recognize the great potentialities of nuclear power for both peacetime and military uses—developments that are vitally important to the security of the entire Free World,

including the protection and safeguarding of our own country—we propose to initiate a program to help these countries in Western Europe to attain self-sufficiency in this field in 5 years, whereas the United States will require 10 years to reach the same goal.

Mr. President, the other day, at a hearing before the Appropriations Subcommittee which was considering our national defense budget of approximately $41 billion for the next fiscal year, testimony was submitted by the Secretary of the Navy and by the Chief of Naval Operations, who recommended the cancellation of a contract for the rebuilding or conversion of antisubmarine vessels. They testified that the United States had already invested approximately $6 million in the conversion of these two ships, which they contended were vital to the naval defense of the United States. But it was recommended to the President that he cancel the two contracts because it was not possible for the Department of the Navy to make available, from its tremendous budget, $13 million to complete the rebuilding of the two ships.

Mr. President, consider the significance of such a development. In the consideration of programs such as the one now before the Senate we recognize no restrictions or limitations so far as financial assistance is concerned because it is argued that we must strengthen the free nations of the world. But is it a mark of strength and distinction which we highly value in this country to admit that we cannot spend $13 million to complete the rebuilding of two vessels deemed to be essential to national defense?

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

Mr. DWORSHAK. I yield to the chairman of the Subcommittee on Appropriations.

Mr. CHAVEZ. I was present when the testimony to which the Senator has referred was given. If I recall, more than $6 million was involved; the amount was $8 million. The point I wish to make is that, notwithstanding the statement that it was desired to postpone the construction of the vessels mentioned by the Senator, it was also testified the department wished to build similar vessels in a future program, which would probably cost 2 or 3 times as much as the ones now in existence. As I recall, the amount involved was $8 million, instead of the $6 million which the Senator has mentioned.

Mr. DWORSHAK. I thank the Senator from New Mexico for his contribution. It was suggested by the Senator from Idaho that possibly we might qualify the Department of the Navy, under our foreign-aid program, to obtain the essential $13 million. We all know we authorized the expenditure of billions of dollars to help our so-called allies everywhere, not only in the way of economic aid but also military aid. We propose to stand guard for the free nations of the world in the atomic field of development on the seas, in the air, and everywhere else. Yet we have an admission by the Secretary of the Navy that he could not find available $13 million to complete this vitally important job.

As we generate this kind of cooperation among the free nations of the world, our own military budget is constantly expanding, our responsibility is increasing, and our national debt is reaching new peaks. Of course, we want our allies to be strong, but we must not overlook essential safeguards in order to keep the United States strong also.

Having an opportunity to serve as a member of the Appropriations Committee, as well as the Joint Committee on Atomic Energy, and being aware of developments throughout the world today, I feel it incumbent upon me to be a realist. We must consider how far this Nation can go, when it faces in the next fiscal year a deficit of 10 or 12 billion dollars, in assuming unrestricted responsibility, not only in supporting other free nations, and making available for their needs our Federal Treasury.

Mr. President, I want the United States to remain strong and to maintain leadership among the free nations of the world. I contend we have reached the point where we must make a reappraisal of all the financial obligations which we are so nonchalantly assuming, because we may reach the time when the American people will revolt against assuming the burdens of nations throughout the world.

Mr. President, I have stated a summary of the reasons why I find it difficult—very difficult—week by week to commit the United States to tremendous expenditures, because I think, in the face of rapidly mounting inflationary trends, we as Members of the Senate have a responsibility to look and listen before it is too late.

Mr. RUSSELL. Mr. President, I desire to say only a word or so before a final vote shall be taken on the pending bill. My views on this subject have been recorded in the votes taken on the amendments to the Atomic Energy Act of 1954 and on the Statute of the International Atomic Energy Agency Treaty which was submitted last year.

In both those cases I voted in the negative. I voted against the act authorizing negotiations for the sharing or giving away of atomic energy material or information by this country, and I likewise voted against the Statute of the International Atomic Energy Agency.

I shall vote against the pending bill. I shall not undertake to go into details of the reasons why I shall cast that vote. I have consistently rejected the argument that it would strengthen the so-called Free World to disseminate more widely information about the making of atomic weapons or by distributing atomic weapons to those who are associated with us in various pacts or treaties. To my mind, quite the contrary will be the result of the proposed legislation. We shall weaken the Free World. If we undertake to discriminate and to give nuclear weapons to 1 or 2 countries, we are certain to cause very bitter feelings on the part of others who think they are equally entitled to them.

Mr. President, I realize that statement of itself is a contradiction of my opening remarks that I did not intend to discuss the matter. I heard there would be no record vote. I assume it is well that there will be no record vote, because the Senate is overwhelmingly committed to the policy suggested. The Senate, by a substantial majority, has accepted every thesis of sharing or giving which has been advanced by the Department of State. It is bad enough in other fields, Mr. President, but in this field I regard it as being particularly tragic.

I merely wish to have the RECORD show that I shall vote in the negative on the passage of the pending bill.

Mr. PASTORE. Mr. President, I ask unanimous consent that S. 3912 be temporarily laid aside and that the Senate proceed to the consideration of House bill 12716.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

There being no objection, the Senate proceeded to consider the bill (H. R. 12716) to amend the Atomic Energy Act of 1954, as amended.

Mr. PASTORE. Mr. President, I ask unanimous consent that the amendments made to the Senate bill on the motion of the Senator from New Mexico [Mr. ANDERSON] be inserted at the corresponding places in the House bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island? Without objection, the request of the Senator from Rhode Island is agreed to.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 12716) was passed, as amended, as follows:

*Be it enacted, etc.*, That section 91 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsection:

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

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

"(2) utilization facilities for military applications; and

"(3) source, byproduct, or special nuclear material for research on, development of,

production of, or use in utilization facilities for military applications; and

"(4) source, byproduct, or special nuclear material for research on, development of, or use in atomic weapons.

whenever the President determines that the proposed cooperation and each proposed transfer arrangement for the nonnuclear parts of atomic weapons, utilization facilities or source, byproduct, or special nuclear material will promote and will not constitute an unreasonable risk to the common defense and security, while such other nation is participating with the United States pursuant to an international arrangement by substantial and material contributions to the mutual defense and security: *Provided*, That the transfer of any parts described in clause (1) or any material described in clause (4) to any such nation is necessary to improve its atomic weapon design, development, or fabrication capability and provided that nation has made substantial progress in the development of atomic weapons: *And provided further*, That the cooperation is undertaken pursuant to an agreement entered into in accordance with section 123: *And provided further*, That if an agreement for cooperation arranged pursuant to this subsection provides for transfer of utilization facilities for military applications the Commission, or the Department of Defense with respect to cooperation it has been authorized to undertake, may authorize any person to transfer such utilization facilities for military applications in accordance with the terms and conditions of this subsection and of the agreement for cooperation."

SEC. 2. Section 92 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

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

SEC. 3. Subsection 123 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

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

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

SEC. 4. Section 123 of the Atomic Energy Act of 1954, as amended, is amended in subsection b. by deleting the word "and" at the end thereof; in subsection c. by changing the period at the end thereof to a semicolon and inserting thereafter "and"; and by adding the following new subsection:

"d. the proposed agreement for cooperation, together with the approval and determination of the President, if arranged pursuant to subsection 91 c., 144 b., or 144 c., has been submitted to the Congress and referred to the Joint Committee and a period of 60 days has elapsed while Congress is in session, but any such proposed agreement for cooperation shall not become effective if during such 60-day period the Congress passes a concurrent resolution stating in substance that it does not favor the proposed agreement for cooperation: *Provided, however*, That during the 85th Congress such period shall be 30 days (in computing such 60 days, or 30 days, as the case may be, there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days)."

SEC. 5. Selection 144 a. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"a. The President may authorize the Commission to cooperate with another nation and to communicate to that nation restricted data on—

"(1) refining, purification, and subsequent treatment of source material;

"(2) civilian reactor development;

"(3) production of special nuclear material;

"(4) health and safety;

"(5) industrial and other applications of atomic energy for peaceful purposes; and

"(6) research and development relating to the foregoing:

*Provided, however*, That no such cooperation shall involve the communication of restricted data relating to the design or fabrication of atomic weapons: *And provided further*, That the cooperation is undertaken pursuant to an agreement for cooperation entered into in accordance with section 123, or is undertaken pursuant to an agreement existing on the effective date of this act."

SEC. 6. Section 144 b. of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

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

"(1) the development of defense plans;

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

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

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

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

SEC. 7. Section 144 of the Atomic Energy Act of 1954, as amended, is amended by adding at the end thereof the following new subsections:

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

"(1) to exchange with that nation restricted data concerning atomic weapons: *Provided*, That communication of such restricted data to that nation is necessary to improve its atomic weapon design, development, or fabrication capability and provided that nation has made substantial progress in the development of atomic weapons; and

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

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

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

The PRESIDING OFFICER. Without objection, S. 3912 is indefinitely postponed.

Mr. PASTORE. Mr. President, I move that the Senate insist on its amendment, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. PASTORE, Mr. ANDERSON, Mr. GORE, Mr. HICKENLOOPER, and Mr. BRICKER conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PASTORE. 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 Rhode Island (Mr. PASTORE) to lay on the table the motion of the Senator from Montana (Mr. MANSFIELD) to reconsider.

The motion to lay on the table was agreed to.

## REORGANIZATION PLAN NO. 1 OF 1958

Mr. POTTER. Mr. President, as I indicated to the Senate at the time I submitted Senate Resolution 297, my purpose in so doing was to insure a full study by the Congress of Reorganization Plan No. 1 of 1958. It was my position that since Congress authorized the Federal Civil Defense Administration in its present form, Congress was obligated to study any proposed changes in its organization and operations.

The effects of the proposed reorganization are of such magnitude it was necessary in the best interest of our country that they be most carefully explored and clarified.

I was gratified that the Subcommittee on Reorganization, under the chairmanship of the distinguished Senator

from Minnesota, held prompt hearings on my resolution. May I say that I am deeply impressed with the extensive exploration and study made by the committee of the proposed reorganization. I should like to commend the distinguished Senator from Minnesota and his colleagues on the committee for the excellent and diligent job they did. They performed a valuable and necessary service to the Government and the people of the Nation in clarifying and delineating the effects of the reorganization plan.

Although I am generally opposed to placing an operating agency under the immediate control of the President, I shall not take issue with the committee's conclusion that the advantages of vesting the broad nonmilitary defense responsibilities in the President far outweigh any difficulties which may arise from this arrangement. I note in the committee's report that truly operating functions in the nonmilitary defense programs will be carried out through regular departments and agencies as the functions become well enough defined to make this possible. The committee reported this pattern has already been established for numerous operating functions which the Office of Defense Mobilization and the Federal Civil Defense Administration have delegated to other departments and agencies. This, of course, in a measure overcomes my objection to the general proposition of operating agencies being placed directly under the Office of the President.

It is extremely important to note the committee has gone on record to the effect that while it looks with approval upon a consolidation of nonmilitary defense functions in a single agency in the Executive Office of the President, there should be no subordination of civil defense as a secondary mission or as a subdivision of the total nonmilitary defense program, wherein it would lose its nationwide identity or be relegated to anything but a first-line operating agency. The ever-present threat facing our Nation makes it mandatory that no action be taken to diminish to the slightest degree the importance of civil defense activities.

The committee has wisely expressed its objection to any intention to transfer the employees of the Federal Civil Defense Administration now stationed in Battle Creek, Mich., to Washington, D. C. During the course of the hearings the distinguished Senator from Minnesota made a most cogent and important statement which I should like to quote:

> Civil defense is not in Washington. At best, we have here planning, education, training and material; the heart and core, the backbone of the civil defense structure in this country is in the grassroots.

I agree wholeheartedly with this sound philosophy. Retention of the present facilities of the Federal Civil Defense Administration at Battle Creek is in keeping with this philosophy. Further, such retention is necessary and proper in order to insure the continuation of the dispersal program of essential defense agencies.

## STATEHOOD FOR ALASKA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily, and that the Senate proceed to the consideration of Calendar No. 1674, H. R. 7999, to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana [Mr. MANSFIELD].

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

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## ACQUISITION AND CONSTRUCTION OF PROPERTY IN THE DISTRICT OF COLUMBIA FOR THE UNITED STATES SENATE

Mr. CHAVEZ. Mr. President, I should like to have the attention of the acting majority leader, the Senator from Montana [Mr. MANSFIELD], with reference to Calendar No. 192, S. 495. It was intended that the Senate take up the bill earlier in the day.

Mr. MANSFIELD. The Senator is correct.

Mr. CHAVEZ. However, the Senator from Connecticut was not present. I understand the Senator from Connecticut either has returned or has sent notice he has no objection to having the bill considered.

Mr. MANSFIELD. That is my understanding.

Mr. CHAVEZ. I wonder if the Senator from Montana would allow us to have the bill passed this evening.

Mr. MANSFIELD. Yes, indeed. I understand there is no opposition to the bill. I hope the Senator will seek recognition from the Chair, present the bill, and have it passed in the shortest possible time.

Mr. CHAVEZ. I should like to have the bill passed, if it meets with approval.

Mr. MANSFIELD. It meets with the approval of the leadership on both sides of the aisle.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 192, S. 495, to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 495) to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico?

There being no objection, the Senate proceeded to consider the bill (S. 495) to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate, which had been reported from the Committee on Public Works, with an amendment to strike out all after the enacting clause and insert:

> That in addition to the real property contained in square 725 in the District of Columbia heretofore acquired as a site for an additional office building for the United States Senate under the provisions of the Second Deficiency Appropriation Act, 1948, approved June 25, 1948 (62 Stat. 1028), the Architect of the Capitol, under the direction of the Senate Office Building Commission, is hereby authorized to acquire, on behalf of the United States, by purchase, condemnation, transfer, or otherwise, for purposes of extension of such site or for additions to the United States Capitol Grounds, all other publicly or privately owned real property (including alleys or parts of alleys and streets) contained in said square 725 in the District of Columbia: *Provided*, That upon the acquisition of such real property by the Architect of the Capitol on behalf of the United States, such property shall be subject to the provisions of the act of July 31, 1946 (60 Stat. 718), in the same manner and to the same extent as the present Senate Office Building and the grounds and sidewalks surrounding the same.
>
> SEC. 2. For the purposes of this act and of such act of June 25, 1948, square 725 shall be deemed to extend to the outer face of the curbs surrounding such square.
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> SEC. 3. Any proceeding for condemnation brought under this act shall be conducted in accordance with the act entitled "an act to provide for the acquisition of land in the District of Columbia, for the use of the United States," approved March 1, 1929 (16 D. C. Code, secs. 619–644).
>
> SEC. 4. Notwithstanding any other provision of law, any real property owned by the United States and contained in square 725 shall, upon request of the Architect of the Capitol, made with the approval of the Senate Office Building Commission, be transferred to the jurisdiction and control of the Architect of the Capitol, and any alley, or part thereof, contained in such square, shall be closed and vacated by the Commissioners of the District of Columbia in accordance with any request therefor made by the Architect of the Capitol with the approval of such Commission.
>
> SEC. 5. Upon acquisition of any real property pursuant to this act, the Architect of the Capitol, when directed by the Senate Office Building Commission to so act, is authorized to provide for the demolition and/or removal of any buildings or other structures on, or constituting a part of, such property and, pending demolition, to lease any or all of such property for such periods and under such terms and conditions as he may deem most advantageous to the United States and to provide for the maintenance and protection of such property.
>
> SEC. 6. The jurisdiction of the Capitol Police shall extend over any real property acquired under this act. Upon completion of the acquisition of all properties in square 725, herein authorized to be acquired, the following streets shall become a part of the United States Capitol Grounds and as such

shall be subject to the provisions of Public Law 570, 79th Congress, as amended: First Street NE., between Constitution Avenue and C Street; C Street NE., between First and Second Streets. Such streets shall continue under the jurisdiction and control of the Commissioners of the District of Columbia and said Commissioners shall continue to be responsible for the maintenance and improvement thereof, except that the Capitol Police Board shall have exclusive charge and control over the parking and impounding of vehicles on such streets and the Capitol Police shall be responsible for the enforcement of such parking regulations as may be promulgated by the Capitol Police Board.

SEC. 7. The Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

SEC. 8. The appropriation of such sums as may be necessary to carry out the provisions of this act is hereby authorized.

Mr. CHAVEZ. Mr. President, on both sides of the aisle we have come to an understanding as to the form in which the bill should be passed and what portion of the area should not be included. There is an amendment shown at the top of page 6 which will take care of the understanding in that regard. This bill provides for the purchase of the property directly east of the Senate Office Building, the construction of which is about completed.

Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 6, line 1, in the committee amendment, after the word "Columbia", it is proposed to insert the words and numerals ", except lots 863, 864, 885, 892, 893, 894, and 905."

Mr. CHAVEZ. Mr. President, that will take the property which is intended to be conveyed to the Government at this time, but will exclude property in Schott's Alley and other property.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. CHAVEZ. Mr. President, I hold in my hand a memorandum addressed to the chairman of the Committee on Appropriations, the distinguished Senator from Arizona, with reference to the pending bill, and I ask that it be printed in the RECORD at this point as a part of my remarks.

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

MEMORANDUM FOR SENATOR HAYDEN (S. 495, CALENDAR No. 192)

I am informed that the objection to the enactment of S. 495 would be eliminated if the bill is amended so as to exclude the real property occupied by the National Womans Party at the corner of Second and Constitution Avenue and that known as Schott's Court.

I propose to amend the bill so the headquarters of the Womans Party, all the Schott's Court area, and the Capitol Hill Apartment Building at 127 C Street NE., will be excluded.

It is estimated that all of the privately owned properties in the east half of square 725, except that of the Womans Party, Schott's Court, and the apartment building, can be acquired for approximately $625,000. Such estimates were arrived at on the basis of recent experience gained in the Congressional acquisition of properties in several squares on the House side of the Capitol Grounds.

The new Senate Office Building occupies the west half of the square. The east half of the square, except for the Belmont House of the Womans Party, is seriously needed to form an adequate site for the building as well as to gradually complete acquisition for the extension of the Capitol Grounds as has been planned.

A house-to-house survey was made after several owners registered pleading complaints with the Architect and various Members of the Senate. Most of the houses are owner occupied and they all feel that Congress placed an undue burden upon them sometime ago and that they cannot be relieved of it, as long as there is a Congressional attitude to take their property, until the time when the property is taken. In short, most of the buildings are in serious need of extensive repairs if they are to be occupied, but the owners hesitate or cannot afford to spend large amounts doing so when such costs probably would not be recovered in condemnation by or sale to the Government. The property owners feel the Government should be fair and take their property now.

If the Government does not take the properties now the values will increase greatly, and particularly so because serious attempts are being made to assemble individual lots into large areas for the purpose of erecting costly private structures. However, as the present Capitol Hill Apartment Building, a substantial structure, is already in existence it is deemed advisable not to incur the expense of acquiring it at this time. For similar reasons the acquisition of the Schott's Court should be postponed until a later date.

The total area of the east half of Square 725, including alleys, is 130,159 square feet. The total area, excluding alleys, is 117,159 square feet. Of the latter total, it is proposed to acquire 70,500 square feet of privately owned land, with existing improvements, at the estimated cost of $625,000.

In addition to the need for the land for the Capitol Grounds and possibly future buildings, it can immediately be used to provide temporary parking accommodations for approximately 300 automobiles.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read a third time, and passed.

The title was amended, so as to read: "A bill to authorize the acquisition of the remaining property in square 725 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate or for the purpose of addition to the United States Capitol Grounds."

## EXTENSION OF TRADE AGREEMENTS ACT

Mr. THURMOND. Mr. President, I wish to give a brief explanation of certain amendments to H. R. 12591, the trade agreements extension bill of 1958, which I sent to the desk for appropriate reference earlier in the day.

These amendments have two major purposes. The first is to limit the extension of the Trade Agreements Act of 1934, as amended, from 5 years, as proposed by the President and the House of Representatives, to a period of 2 years. The second purpose is to partially restore to the Congress its proper powers to regulate foreign commerce.

My amendments would require that the President obtain the support of a majority of both Houses of Congress before he could be sustained in his refusal to implement a Tariff Commission escape-clause finding. The President would be given 90 days within which to gain approval through passage of a concurrent resolution of the two Houses of Congress. These resolutions would be regarded as privileged matter in order to insure that the Congress would act within the 90-day period.

If the President submits his report to the Congress when the Congress is not in session, or less than 90 days before the adjournment of the Congress sine die, and no action is taken by the Congress prior to adjournment, then the adjustments in the rate or rates, quotas, or other modifications specified in the recommendations of the Commission would go into effect provisionally until 90 days after the Congress reconvenes. If the Congress does not then sustain the President during the first 90 days of the session, the Commission's recommendations would become finally effective at the end of the 90-day period.

Mr. President, I request that the text of these amendments be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER The amendments will lie on the table and be printed; and, without objection, they will be printed in the RECORD.

The amendments submitted by Mr. THURMOND intended to be proposed by himself to the bill (H. R. 12591) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, are as follows:

On page 1, line 9, strike out "1963" and insert in lieu thereof "1960."

On page 9, beginning with line 11, strike out through line 16, on page 10, and insert in lieu thereof the following:

"SEC. 6. Subsection (c) of section 7 of the Trade Agreements Extension Act of 1951, as amended (19 U. S. C., sec. 1364 (c)), is amended to read as follows:

"'(c) (1) Within 30 days after receipt of the Tariff Commission's recommendations, the President shall proclaim such adjustments in the rate or rates of duty, impose such quotas, or make such other modifications as are recommended by the Commission to be necessary to prevent or remedy serious injury to the respective domestic industry, unless, prior to the expiration of such 30 days, the President shall have submitted a report to the Congress recommending that no such adjustments or modifications be made, or no such quotas be imposed, or recommending a rate of duty as an alternate to

that recommended by the Tariff Commission, or recommending a quota as an alternate to that recommended by the Tariff Commission, or recommending a rate of duty as an alternate to a quota recommended by the Tariff Commission, or recommending a quota as an alternate to a rate of duty recommended by the Tariff Commission, as a means of preventing or remedying serious injury to the respective domestic industry be adopted. If either the Senate or the House of Representatives, or both, are not in session at the time of such submission, such report shall be filed with the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be.

"'(2) If the President submits his report to the Congress while the Congress is in session and more than 90 days before the date on which the Congress adjourns sine die, he shall, within 90 days after the submission of such report, proclaim such adjustments, quotas, or other modifications as have been recommended by the Commission, unless, prior to the expiration of such 90 days, both Houses of Congress shall have adopted a concurrent resolution stating in effect that the Senate and House of Representatives approve the recommendations made by the President, in which event the President shall proclaim the recommendations so approved. If the President submits his report—

"'(A) when the Congress is not in session, or

"'(B) less than 90 days before the adjournment of the Congress sine die and the Congress before such adjournment has not acted on a concurrent resolution approving the recommendations made by the President, the adjustments in the rate or rates, quotas, or other modifications specified in the recommendations of the Commission shall become finally effective 90 days after the date on which the next session of the Congress begins, unless during such 90-day period the Congress, by concurrent resolution, shall have approved the President's recommendations.'"

On page 11, strike out lines 8 to 24, inclusive, and insert in lieu thereof the following:

"(b) As used in this section the term 'resolution' means only a concurrent resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the Senate and House of Representatives approve the action recommended by the President in his report (dated ——— 19—) pursuant to paragraph (1) of section 7 (c) of the Trade Agreements Extension Act of 1951, as amended, disapproving in whole or in part the action found and reported by the United States Tariff Commission to be necessary to prevent or remedy serious injury to the respective domestic industry, in its report to the President dated ——— 19— on its escape clause investigation No. — under the provisions of section 7 of such act.'"

## STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. MURRAY. Mr. President, in our great Union of States, the admission of a new State always is a momentous and historic event.

On 30 separate occasions the Congress of the United States, pursuant to the powers granted to it in the Constitution, has acted favorably on bills similar in intent and purpose to the measure now before us for the admission of Alaska. As a result, 35 States have been admitted to the Union on the free and equal basis established by the Founding Fathers.

Our history and our present greatness show that our predecessors in Congress acted wisely. They did not make a mistake in any one of those 30 instances. Statehood never has failed. The admission of each of the 35 States, no matter how distant or noncontiguous it seemed, nor how undeveloped its resources or sparse its population, relatively, at the time, invariably and unfailingly has added to our strength as a Nation and has contributed to the richness of our national life. Statehood has invariably and unfailingly brought great economic and political development to the people of each new State.

Let me emphasize the fact that statehood never once has failed. Always has it enriched and strengthened our Nation. Always has it proved a benefit to the people of the new State, greatly stimulating their growth and development, both economically and politically.

### ESTABLISH FREEDOM AT DOOR OF RUSSIAN IMPERIALISM

Each of these occasions of the admission of new States, spanning 121 years from the admission of Vermont in 1791 through that of Arizona in 1912, has been of historic significance to the United States. But none of the 35 instances has been more freighted with destiny, has been of more potential epoch-making significance, than is the admission of Alaska.

As Members of the Senate know, less than 3 miles of shallow sea separate the American Island of Little Diomede from the Russian Island of Big Diomede. The mainland of Communist Siberia is only about 50 miles distant across the Bering Straits from the mainland of free America. By granting to our quarter of a million fellow Americans in Alaska full citizenship, on a basis of full equality, we would be extending our great American system to the very edge of the Soviet empire. We would end colonialism and establish freedom and equality at the very door to totalitarianism and imperialism.

Statehood for Alaska would say to all the peoples of all the world far louder than mere words, that we are a Nation that practices what it preaches with respect to freedom and equality. Statehood for Alaska would be irrefutable proof that American democracy is a living, dynamic force in the world today, that it is not static; but that, on the contrary, America is still advancing as a great democratic Nation.

And, as has resulted without exception each of the 35 times in the past, statehood would add to the political and economic strength of our country as a whole and to the people of Alaska in particular.

Mr. President, it is not my intention to discuss today the details of the pending legislation. The distinguished and able junior Senator from Washington [Mr. JACKSON], who is chairman of the Subcommittee on Territories which conducted the hearings on statehood, will give a complete analysis of it, aided and supported by other members of the Subcommittee on Territories, from both sides of the aisle.

### NO SUBSTANTIAL DIFFERENCE BETWEEN HOUSE AND SENATE BILLS

The measure on which the Territories Subcommittee held its hearings and worked exhaustively in executive session was the Senate bill, symbolically numbered 49, which I had the honor of introducing for myself and 23 other Senators of both parties. This measure has been pending on the Senate Calendar, Calendar No. 1197, since the closing days of the first session of this Congress. Meanwhile, the other body has considered and passed, by impressive bipartisan majority, its bill, H. R. 7999. Since it is substantially identical with the pending Senate bill, H. R. 7999 likewise was placed on the calendar, Calendar No. 1674.

The Interior Committee has compared these bills, line for line. I can state that there is no difference of policy or principle between the two measures, S. 49 and H. R. 7999. I am authorized to state that the House-passed measure, H. R. 7999, is completely acceptable to the Committee on Interior and Insular Affairs. On behalf of the committee I urge acceptance of H. R. 7999, as it passed the House, without change. The House measure has the approval of the administration, and I am convinced, of the overwhelming majority of the one quarter million American citizens of Alaska. It is the best Alaska statehood bill ever to come before a Congress of the United States. It needs no amendment.

Before the details of this measure are discussed by the subcommittee chairman, I wish to speak openly and frankly on 1 or 2 questions of basic policy involved in our present consideration of statehood for Alaska. The first of these is statehood for Hawaii.

### STATEHOOD FOR HAWAII

As to Hawaii, my record will show that I have fought as long, and as vigorously, for statehood for Hawaii as I have for Alaska. I introduced the Hawaii statehood bill, S. 50, which is now on the Senate Calendar. In previous Congresses I sponsored similar legislation. I went to the Territory of Hawaii 2 years ago and conducted a personal, territory-wide investigation of conditions there and of the readiness of Hawaii for statehood. I came away from my personal inspection even more convinced than I had been from my study that Hawaii, like Alaska, has met every traditional and historic test of readiness and qualification for statehood. I am still firmly convinced that this is the fact despite some disconcerting actions on the part of certain laborbaiting organizations in the Hawaiian Islands, which, under the guise of fighting unions, are in fact fighting statehood.

Mr. President, however much I personally support and am eager for Hawaii statehood, we must be realists. We must face the facts, the political facts. Not one of us would be sitting here in this body were we not able to face political facts.

The fact is that a bill for statehood for Hawaii does not stand a chance for enactment this session of the Congress. In the House, the measure is not even out of committee. The chairman of the

House Territories Subcommittee, the distinguished Representative O'BRIEN, of New York, who fought so valiantly, and so successfully, for House approval of the Alaska bill, has been quoted publicly as saying:

Anyone who believes Hawaii has a chance for statehood this session is completely unrealistic.

There is not the support for Hawaii statehood in the House, either on the part of the leadership or the membership, that there was and is for Alaska. It follows inevitably, therefore, that any attempt to join the Hawaii bill to the Alaska bill would have the effect of ending completely—of "killing"—statehood for both Territories, Alaska as well as Hawaii, in this session of Congress.

No friend of statehood for either Alaska or Hawaii can possibly support any motion in the Senate this year for joinder of Hawaii and Alaska.

NO NEED FOR JOINDER NOW

I am well aware of the fact that I and a number of other Democrats joined by some Republicans, voted to join Alaska to Hawaii in 1954 in the 83d Congress. But the situation then was completely different. In that Congress, in 1954, President Eisenhower had taken a firm stand against statehood for Alaska. That meant, of course, that the administration was against Alaska. We could not even get replies from the executive agencies to our repeated requests on our Alaska statehood bill.

Thus, then, in 1954, there was no chance whatever that Alaska statehood could be considered on its merits, or be considered at all, other than by joining it to the Hawaii bill.

Now the situation is entirely different. President Eisenhower, greatly to his credit, has changed his position and now is urging statehood for both Alaska and Hawaii. The administration has endorsed the Alaska bill as well as the Hawaii bill. Now each Territory can be given full bipartisan consideration on its own merits.

PEOPLE OF HAWAII BACK ACTION ON ALASKA

Happily, the people of Hawaii—one-half million American citizens who have given such irrefutable proof of their loyalty and patriotism—agree with and accept this fact. The one person holding Territorywide elective office in Hawaii is the able Delegate to Congress, Honorable JACK BURNS. He is, therefore, the most qualified person to speak for the people of Hawaii.

On February 18, this year, Delegate BURNS wrote me, as chairman of the Senate Interior Committee, as follows:

As the only one with authority to speak for the people of Hawaii, I support your stand that all friends of statehood should unite in permitting Alaska to go forward alone. On October 15, 1957, I was quoted in a Honolulu newspaper as saying: "I will work hard for Alaskan statehood. If it becomes necessary to drop Hawaii statehood in order to get Alaska through, I will do just that."

My statement has been supported by the people of Hawaii. Other than a few partisan efforts to make political capital of the statement, no objections, public or private, have been voiced.

Mr. President, I ask unanimous consent that the complete text of Delegate BURNS' statesmanlike letter appear in the RECORD at this point.

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D. C., February 18, 1958.*

The Honorable JAMES E. MURRAY,
*Senator from Montana,*
*Senate Office Building,*
*Washington, D. C.*

MY DEAR SENATOR MURRAY: Your statement in the Senate on February 10, 1958, merits the careful consideration of every American. The importance of statehood for Alaska and Hawaii should not be minimized. No issue before the Congress transcends statehood in its effect upon the present and the future of the United States. Just as integrity of character in an individual is more important than health and wealth, so, too, must be our integrity as a Nation.

Your statement reveals your wisdom and understanding, as well as prescience, qualities which have earned for you the highest respect. In this issue, as in others that you have faced in your distinguished career, your forthrightness has removed the clouds of confusion. The appreciation of the people of Hawaii is heartfelt. All Americans should join them.

As the only one with the authority to speak for the people of Hawaii, I support your stand that all friends of statehood should unite in permitting Alaska to go forward alone. On October 15, 1957, I was quoted in a Honolulu newspaper as saying: "I will work hard for Alaskan statehood. If it becomes necessary to drop Hawaii statehood in order to get Alaska through, I will do just that."

My statement has been supported by the people of Hawaii. Other than a few partisan efforts to make political capital of the statement, no objections, public or private, have been voiced.

I now repeat that statement as the Representative duly elected to speak for the people of Hawaii—the only one. Alaska and Hawaii should be considered separately. Since, as you point out, Alaska is presently before both the House and Senate with favorable reports from the respective committees of each body, Alaska is ready for consideration.

Enlightened self-interest demands application of the Golden Rule in this instance to our just claim. Hawaii does not want to be a means of killing statehood for both. She would rather withdraw to "clear the track." The sincerity of her desire for statehood would be suspect if she followed any other course.

In a matter so vital to our national best interest, Hawaii will not be found wanting. She has never been found wanting in her response to the needs of the great Nation of which she is an integral part. Hawaii always will respond willingly and wholeheartedly.

Your great confidence and your support are deeply appreciated with heartfelt thanks.

Warmest personal regards. May the Almighty be with you and yours always and in all ways.

Sincerely,

JOHN A. BURNS.

Mr. MURRAY. Also, the committee has been receiving many petitions and messages from Hawaii to the same effect. The board of supervisors of wealthy Maui County, who are popularly elected local officials, on June 6, unanimously adopted a resolution petitioning Congress to consider the Alaska and Hawaii bills separately, and not to combine them. I would like to read a particularly significant paragraph from this resolution of the popularly elected local officials:

Each of the said Territories (Alaska and Hawaii) should be considered separately on the matter of authorizing the establishment of a State government for each, and the said bills should not be joined, but the same should be considered and acted upon separately on the merits of each.

Similarly, the board of supervisors of Oahu County, the most populous of all of Hawaii's counties and the one in which is situated the capital city of Honolulu, unanimously adopted a similar resolution. I ask unanimous consent that the full text of these resolutions be printed in the RECORD as a part of my remarks.

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

OFFICE OF COUNTY CLERK,
COUNTY OF MAUI,
*Wailuku, Maui, T. H., June 9, 1958.*

Re Resolution No. 40.

Hon. JAMES E. MURRAY,
*Chairman, Senate Interior and Insular Affairs Committee, Congress of the United States, Washington, D. C.*

DEAR SIR: By direction of the Board of Supervisors of the County of Maui, we transmit herewith a certified copy of resolution No. 40, requesting and urging the Congress of the United States to consider the bills now pending before it to grant statehood to the Territory of Alaska and to the Territory of Hawaii separately and without combining the same.

Please be advised that the said resolution No. 40 was adopted by the Board of Supervisors of the County of Maui at its meeting held on June 6, 1958.

Very truly yours,

G. N. TOSHI ENOMOTO,
*County Clerk.*

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Resolution No. 40

Resolution requesting the Congress of the United States to separately consider and approve the bills to grant statehood to Hawaii and Alaska without combining the same

Whereas a bill to grant statehood to the Territory of Alaska is now pending for consideration before the Congress of the United States, and the said bill has passed the United States House of Representatives; and

Whereas the said bill is scheduled for debate and voting before and by the United States Senate; and

Whereas a bill to grant statehood to the Territory of Hawaii is now pending for like consideration by the United States Senate; and

Whereas it is very likely that attempts will be made to combine and consolidate the bill to grant statehood to the Territory of Hawaii with the bill to grant statehood to the Territory of Alaska, which has already received the approval of the United States House of Representatives; and

Whereas each of the said Territories [Alaska and Hawaii] should be considered separately on the matter of authorizing the establishment of a State government for each, and the said bills should not be joined, but the same should be considered and acted upon separately on the merits of each; and

Whereas the favorable consideration of statehood for Hawaii and Alaska will be greatly lessened if these matters are not considered in separate bills; and

Whereas the Board of Supervisors of the County of Maui, Territory of Hawaii, acting for and on behalf of the people of the said county, is opposed to the merger of the bills as aforesaid: Now, therefore, be it

*Resolved by the Board of Supervisors of the County of Maui, Territory of Hawaii,* That it does hereby respectfully request and urge the Congress of the United States to consider the bills now pending before it to grant statehood to the Territory of Alaska and to the Territory of Hawaii separately and without combining the same; and be it further

*Resolved,* That this resolution may be forwarded to the Honorable RICHARD M. NIXON, President of the United States Senate; to the Honorable LYNDON B. JOHNSON, Senate majority leader; to the Honorable JAMES E. MURRAY, chairman of Interior and Insular Affairs of the Senate; to the Honorable SAM RAYBURN, Speaker of the United States House of Representatives; to the Honorable JOHN W. MCCORMACK, House majority leader; to the Honorable CLAIR ENGLE, chairman of Interior and Insular Affairs of the House of Representatives; to the Honorable JOHN A. BURNS, Delegate to Congress from Hawaii; and to the Honorable Frederick A. Seaton, Secretary of the Interior.

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Resolution No. 385

Whereas the House of Representatives of the Congress of the United States has passed a bill providing for the granting of statehood to the Territory of Alaska; and

Whereas the Alaskan statehood bill is now before the Senate of the United States for consideration; and

Whereas reports have been received from Washington, D. C., strongly indicating that an effort will be made in the Senate to amend the Alaskan statehood bill to include a provision for the granting of statehood to both Alaska and Hawaii; and

Whereas competent observers are of the opinion that the coupling of the Alaskan and Hawaii statehood legislation under a single act would weaken support for the passage of the bill and ultimately end in its defeat—thereby killing statehood for both Alaska and Hawaii for some time to come; and

Whereas experience has shown that the interests of both Alaska and Hawaii can best be served by having their statehood legislation considered separately by the Congress; and

Whereas passage of the Alaska statehood bill by both Houses of the Congress will pave the way for similar action on the Hawaii statehood bill: Now, therefore, be it

*Resolved by the mayor and board of supervisors of the city and county of Honolulu,* That the Senate of the United States be urged to act upon the Alaskan statehood bill in its present form; and be it further

*Resolved,* That signed copies of this resolution be transmitted by the city and county clerk, to the Senate of the United States, the House of Representatives, JOHN A. BURNS, Delegate to Congress from Hawaii; and Gov. William F. Quinn.

Mr. MURRAY. I have received also the following cablegram from William Richardson, territorial chairman of the Democratic Party of Hawaii:

Your strong support in the past of Hawaiian statehood is greatly appreciated. Hawaii Democrats urge strong support of Alaska bill on own merits.

I submit that these statesmanlike expressions of willingness on the part of the people of Hawaii to let Alaska go ahead, alone, on its own merits, are further proof of Hawaii's political maturity.

HAWAII AND ALASKA MUST BE CONSIDERED SEPARATELY

In order that the situation as I see it may be clear I will summarize:

Any action to tie Hawaii into the Alaska bill would, if successful, irreparably harm the cause of statehood for both Territories. Both Territories can, and should be considered separately, each on its own merits and in its own time.

To the people of the progressive and prosperous American Territory of Hawaii, and to Delegate BURNS, who is a true statesman, I here renew my pledge to support, at the appropriate time, their desire for statehood with all of the strength at my command.

Mr. President, before concluding, I wish to touch on another aspect of Alaskan statehood in answer to a question which very likely will be asked. That question is: Why should the Alaskans have statehood? They are better off under the Federal Government.

The very same question could well have been asked concerning the aspirations of the people of any of the States admitted subsequent to the formation of the Union, including those of the people of my own great State of Montana in 1889.

In the case of each of the States that have been admitted in the manner now sought by the one-quarter million American citizens of Alaska, the same question could have been posed: Why should they have statehood? They are better off under the Federal Government.

FREEDOM THE CORNERSTONE OF AMERICAN TRADITION

The facts with respect to all of these States speak for themselves. I am glad that each of the other 34 States was admitted, and I hope the Senators from those States join me in being glad that Montana was admitted.

However forcefully the facts with respect to the reasons why Alaska should be admitted to statehood speak for themselves in the light of our history and our unvarying precedents with respect to incorporated Territories, I should like to touch briefly upon 1 or 2 points in specific answer to the question of why there should be statehood for Alaska.

For a more complete discussion, with Supreme Court citations of the status of incorporated Territories, I refer Members of the Senate to the committee reports on the Alaska statehood bills reported favorably by the Committee on Interior and Insular Affairs in the 81st, 82d, 83d, and 85th Congresses.

But the primary reason statehood should be granted Alaska is that the cornerstone of our American tradition is freedom—freedom to be governed by officials of our own choosing; freedom to participate, on a basis of equality, in the formulation of the laws and policies under which we live.

There is not a scintilla of doubt in my mind, or in the minds of any other members of the committee, I believe, that the overwhelming majority of the people of Alaska want statehood, want it with whole hearts, and want it now. They have fulfilled every historic requirement for statehood, and it is statehood they want, and not any other status.

TAXATION WITHOUT REPRESENTATION

Alaskans pay the same taxes into the Federal Treasury that the constituents of every Member of this body pays. Yet Alaskans have no voice whatever in the levying of such taxes, or in the manner in which the tax moneys are spent.

Alaskans are subject to the same military service to which our sons are subject. Yet they have no voice whatever in the making of war, or in the writing of peace treaties. With respect to war, it is significant that certain of the outlying Alaskan islands were the only part of the American Continent actually invaded and occupied by enemy forces during World War II. Yet, as I say, Alaskans had no voice whatever in the conduct of the war nor in the peace that followed.

Alaska is possessed of vast natural resources. There is wealth in the seas around her, in her mineral-bearing mountains and subsoil, and in her broad forests. Yet the people of Alaska, under Territorial status, have very little control over the development of the natural resources of Alaska.

In government, the one-quarter million American citizens of Alaska cannot elect their own governor, nor choose their own judges. Their daily lives are subject to the whims of distant bureaucrats and, yes, even of makers of laws for Alaska who sit in Washington and have little or no knowledge of conditions in Alaska.

STATEHOOD THE KEY TO FREEDOM AND DEVELOPMENT

All this would, of course, be changed by statehood. Only through statehood can the American citizens of Alaska free themselves from these and other shackles, political and economic.

Some Members of this body would say, "All those reasons for statehood for Alaska would be equally true with respect to granting statehood to the people of Puerto Rico, or Guam, or the Virgin Islands."

I find it difficult to believe that any Senator who puts forth that argument has bothered to learn anything about the history of our Federal Union and our historic precedents for statehood.

Those precedents are well established, having been followed more than 30 times over a period of 167 years. The constitutional requirement is, of course, very simple. Article IV, section 3, of the Constitution provides:

New States may be admitted by the Congress into this Union.

In every instance, except that of Texas and California, in which Congress has exercised this authority, the area involved had been an incorporated Territory. That is, the Constitution and the laws of the United States had been previously extended to it, and its people had undergone a period of tutelage—living under the Constitution and laws of the United States for some years.

The Supreme Court of the United States has described an incorporated Territory as "an inchoate State."

Mr. President, there are but two incorporated Territories or "inchoate States" remaining in the American political system. They are Alaska and Hawaii. That is all. Neither Puerto Rico, nor Guam, nor the Virgin Islands are incorporated Territories.

No areas other than Alaska and Hawaii are "inchoate States" under all of our political precedents and the decisions of our highest tribunal. Hence, no other areas have any historically honored claim for admission as States.

THREE REQUIREMENTS FOR STATEHOOD

In addition to those basic conditions precedent, analysis of the history of the admission of incorporated Territories shows that there have been 3 requirements followed in each of the 35 instances. They are:

First. That the inhabitants of the proposed new State are imbued with and are sympathetic toward the principles of democracy as exemplified in the American form of government and have proved their political maturity;

Second. That a majority of the electorate wish statehood;

Third. That the proposed new State has sufficient population and resources to support State government and at the same time carry its share of the cost of the Federal Government.

This has been the historic pattern under which new States have been admitted and by which our Nation has grown to greatness.

By each of these historic standards, Alaska is ready and qualified for statehood now.

No areas under the American flag—nor, of course, under any other flag—except Alaska and Hawaii do or can fulfill these requirements.

NO PRECEDENT FOR NONINCORPORATED TERRITORIES

So I can state categorically here on the floor of the Senate, with all of the responsibility of a senior Senator and committee chairman: By approving the Alaska statehood bill we are not establishing a precedent for the admission of any other area. Statehood for Puerto Rico, or Guam, or the Virgin Islands is in no way involved, and can in no way be involved, in our action on Alaska statehood.

I respect any Senator's right to disagree with me on the issue of whether Alaska should be admitted as a State. But I find it difficult to recognize that the objection is made in good faith that, by admitting Alaska, we are opening the door to Puerto Rico, Guam, and the Virgin Islands, and other areas not under the American flag.

Such an argument is not in any way in accord with the facts.

Such an argument is not a valid argument.

STATEHOOD IN BEST INTEREST OF NATION

Mr. President, in bringing to a conclusion my remarks, I realize I have dwelt much on the past—on our great forward progress as a Nation. As a lawyer I have profound respect for precedent and tradition, but as a Member of the Senate I realize the Congress is not bound by precedent. I realize the question of admitting, in 1958, the richly endowed and strategically situated American Territory of Alaska to full equality in our Union of States is within the sound discretion of the 85th Congress.

However, I believe the past can be used as a useful guide for the present and future. Therefore, I feel justified in calling the attention of the Senate to the historic precedents, and in pointing out that refusal to pass the measure would be breaking the historic pattern under which our Nation has expanded and grown great.

After thorough hearings and careful study, I have found that our fellow-Americans in Alaska merit statehood, that they desire it and that they are ready, willing, and able to support it. I believe that statehood for Alaska would be in the best interests of the United States as a whole and of the people of Alaska. I therefore earnestly recommend that the Senate take prompt, affirmative action on this measure which is a major plank in the platforms of both political parties.

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

Mr. MURRAY. I yield to the Senator from New Mexico.

Mr. CHAVEZ. The Senator's reasoning is correct. It is in keeping with precedents and American ideals. So far as I am concerned, I am ready to vote for statehood for Alaska. Notwithstanding that no other Territory of the United States should be considered in connection with the Alaska statehood bill, I still do not see any difference so far as other Territories or holdings of the United States are concerned. I do not see why we should discriminate against American veterans who live in Hawaii or in Puerto Rico, who have worn the American military uniform. I cannot see at the proper time, if those Territories are ready, and meet all other requirements that are necessary for statehood, why Puerto Rico, for example, should not be granted statehood. I hope it will be.

I do not like the status of Puerto Rico at the present time. I have a married daughter who is living in Puerto Rico. She is married to a veteran, who wore the American military uniform. I do not want my grandchildren or my son-in-law or my daughter to be merely associated with the United States. I want them to be a part of the United States.

Therefore, while I agree that we should not consider any other Territory in connection with the Alaska statehood bill—and I am ready to vote now, because I believe Alaska is entitled to statehood—I do not see any reason why other Territories should not also be admitted to statehood. Kodiak, Alaska, for example, is farther from the United States than is San Juan, Puerto Rico.

I see no reason why we should not at the proper time admit also Hawaii and Puerto Rico. I thank the Senator.

Mr. MURRAY. I thank the Senator for his observations. His views on the areas other than Hawaii he has mentioned merit the most careful consideration. I want to assure the Senator that I have an open mind on the issues he raises, but, as he has pointed out, it is the precedents respecting incorporated Territories—areas to which the United States Constitution and the Federal statutes have been extended and made applicable—that I was discussing. No incorporated Territory ever has had any destiny other than statehood in all American history. The other areas the Senator mentioned are not incorporated Territories and hence would have to be considered under different principles.

Mr. JACKSON. Mr. President, I wish to commend the distinguished chairman of the committee, the Senator from Montana, for his excellent presentation in behalf of statehood for Alaska. I should also like to extend to him my appreciation for his outstanding leadership, not only this year but over many years in behalf of Alaska statehood.

Mr. MURRAY. I thank the Senator.

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

Mr. MURRAY. I yield to my colleague from Montana.

Mr. MANSFIELD. Mr. President, I wish to join my colleagues in extending commendation to the distinguished senior Senator from the State of Montana, my senior colleague and chairman of the Committee on Interior and Insular Affairs.

I am extremely happy that the pending business before the Senate is the bill granting statehood to Alaska. I am happy because it is long overdue and happy that it is my colleague who is responsible for bringing the proposed legislation to the floor of the Senate.

It is my hope that on the basis of the cogent arguments set forth by the senior Senator from Montana we will be able to consider the bill on its merits, and that we will pass it without any kind of amendment whatever, so that, if we are successful in passing the bill in this form, it will go directly from the Senate to the President of the United States for his signature, which I am sure will be forthcoming.

Again I wish to congratulate and commend my distinguished colleague for the fine work he has done. As the Senator from Washington has said, not only has he done fine work on the bill this year, but also down through the years, most especially in being responsible for bringing this important measure to the floor of the Senate at this time.

Mr. MURRAY. I thank the Senator.

Mr. CHURCH. Mr. President, I should like very much to join my colleagues in commending the able and eminent senior Senator from Montana, the chairman of the Committee on Interior and Insular Affairs, for the leadership he has shown with respect to the pending proposed legislation. Not only in this session of Congress, but for many years in the past, the distinguished senior Senator from Montana has been recognized as the champion of statehood for Alaska.

The pending measure is not commonplace legislation. We have labored long and hard in this session, and we have passed much legislation which is of value and importance to the people of the United States. However, the measures we have passed, to a large extent, have been transient in nature. They have related to the meeting of exigencies of the present.

In the course of history, in the long span of events, that legislation will be

little remembered and little remarked upon. Not so the pending bill. The Alaska statehood bill confronts us with a historic challenge. If we rise to meet that challenge, if we enact a bill which will admit Alaska to statehood within the next few days, our action will be remembered and remarked upon for as long as the American saga is a great chapter in the chronicles of western civilization.

The bill, Mr. President, if passed by the Senate and approved by the President, will constitute the towering achievement of this session, just as the enactment of the civil rights law was the significant accomplishment of the last session.

On May 5, 1958, I spoke at length on the floor, urging statehood for Alaska. I was deeply gratified at the reaction which my address received. By mail, by telephone calls, and by telegrams, I was given assurances that the American people are wholeheartedly ready to welcome Alaska as a full partner in our Union of States.

From many parts of the Nation, too, came approving comment from the newspapers. I ask unanimous consent to have printed at this point in the RECORD a sampling of the editorials which reveal that the American press is fully aware of the significance of Alaskan statehood, and is ardent in the support of it, as are the American people themselves.

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

[From the Caldwell (Idaho) Times of June 5, 1958]

STATEHOOD FOR ALASKA

Statehood for Alaska has passed the United States House of Representatives and now faces action by the United States Senate. The Alaska statehood bill should pass.

Idaho's Senator FRANK CHURCH has been in the forefront of the battle for Alaska's admission as a sovereign and equal State of the Union. We trust that Senator HENRY DWORSHAK will likewise support this move to increase the 48-star constellation into a new array of 49.

In the House our District's Representative GRACIE PFOST voted for Alaska. The other Idaho Congressman added to his strange record by voting his usual "nay."

Alaskan statehood is a must. Alaska faces the Soviet Union across the narrow Bering Straits as the American continent's outpost and guardian. Likely to bear the brunt of a future war, the deserved recognition of statehood would strengthen the Nation's support for the Territory.

Alaska today is stronger as a potential State than any State, excepting Texas, when admitted to the Union. Alaska has untold riches and is the Nation's last frontier. Alaska today pays more in taxes than any State, including Texas, did when it became a State.

Alaska fits into the economy, the culture, and the outlook of the Northwest. Admitted to the Union it would strengthen the West's position in the councils of the Nation.

Let Alaska into our family of States now.

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[From the Idaho County (Idaho) Free Press of May 8, 1958]

A 49TH STATE

Senator CHURCH pinpointed the only real barrier to granting of Alaskan statehood as due to Congressional fears of changing the status quo of Representatives.

CHURCH made the argument in a noted speech Monday before the Senate urging that the body act now to grant statehood to the Territory.

In his oration, CHURCH also declared that not allowing statehood for Alaska means a deliberate flouting of the popular will. The United States has also been practicing taxation without representation in Alaska.

He explained that no Alaskan may vote to determine what his taxes are to be, nor how his money should be spent.

The Senator spoke frankly and with candor on the statehood issue.

Again, the only reason the Territory is not a State is due to the fine democratic two-party system of politicians who do not wish to disturb the status quo by allowing Alaska representatives into the Congress. For shame. For shame.—RLA.

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[From the Fairbanks (Alaska) News-Miner of May 6, 1958]

FOR ALASKA—FOR THE NATION

A speech which we think is significant not only in the Alaska statehood struggle but in the history of the Nation was made on the floor of the United States Senate yesterday by Senator FRANK CHURCH, of Idaho, one of Alaska's greatest champions in the Congress.

"In 1776, we proclaimed an idea that has fired the hearts of men, ever since, who would be free," CHURCH said. "In all the years that followed, we remained true to that idea, by extending the rights of statehood, full and equal participation within the Union, to the Territories which met, one by one, our historic tests. * * *

"If, in the days of our infancy, we could ignite a flame of freedom so bright as to shine like a beacon around the world, then now, in the days of our greatness, we must do no less.

"We do less so long as we withhold the bounty of statehood from Alaska. We do less as we allow yet another day, yet another hour to pass, without action on the bill to admit Alaska to the Union. The world is watching. The hour is late."

Those are stirring words, worthy of the attention they received in the greatest deliberative body in the world, and worthy of the treatment they had in the press of the Nation.

There are many signs that a great popular ground swell of support for Alaska's statehood aspirations is rising all across the Nation. Senator CHURCH referred to that, telling his fellow Members of Congress that "so preponderantly do the people we represent favor Alaskan statehood, that our continued failure to grant it can only be regarded as a deliberate flouting of the popular will."

The Senator noted that Alaska already has been a possession of the United States for 90 years and "has served the longest apprenticeship for statehood in our history."

He noted that Alaska has returned to the United States 425 times the $7.2 million paid for its purchase from imperial Russia in 1867. The United States, Senator CHURCH declared, has been practicing "taxation without representation" in Alaska.

"Regularly, by our votes, we have levied taxes on the people of Alaska," he said. "Yet no Alaskan may vote here to determine what their taxes are to be, nor how their money should be spent."

"Surely the historic principle that lit the fires of the American Revolution requires no advocate on this floor," CHURCH said.

Senator CHURCH spoke with rare cogency on a subject which appears to be concerning some people at the other end of the Capitol when he reviewed evidences that the majority of Alaskans have demonstrated again and again that they want statehood, and no new referendum is needed.

He noted that the 1946 referendum resulted in a 3-to-2 majority in favor of statehood. "A decade later, in 1956," he went on, "the people of Alaska again passed upon the issue of statehood by ratifying a proposed constitution for the new State, this time by a majority of more than 2-to-1. Only last year, the members of the Territorial Legislature, the elected representatives of the Alaskan people, passed unanimously a joint resolution calling for statehood by March 30, 1957."

Senator CHURCH's scholarly address was accompanied by an appendix of six exhibits which he put in the RECORD. These documented with facts the points he made in his speech.

Alaska is fortunate in having such friends as Frank Church, Fred Seaton, Leo O'Brien, James Murray, Clair Engle, and others, who are willing to work and speak for the rights of distant Americans who are not even their constituents. Their fighting support of statehood for Alaska is in the best traditions of our history as a Nation.

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[From the Houston Press of May 9, 1958]

ALASKA QUALIFIES

In one speech, Senator FRANK CHURCH, of Idaho has balanced all the arguments, pro and con, that have been put up in years of debate over admitting Alaska to the Union.

The arguments in opposition:

Alaska is too sparsely settled.

This ignores the historic fact that 13 States had even less population when they were admitted.

Adding 2 votes in the Senate might dilute the influence of the present 96 Senators. One or the other of the political parties might lose control.

If that kind of partisanship, or the specter of it, had prevailed in the past, we still would have 13 States, with 35 adjoining colonies.

The Territory is not contiguous to the United States mainland.

In this jet age, Alaska is nearer to Washington than Philadelphia was when Thomas Jefferson was inaugurated.

The clinching arguments rounded up by Senator CHURCH are familiar to most Americans because the residents of the 48 States, one way and another, repeatedly have endorsed Alaska statehood: Taxation without representation, government monopoly of the land, the proven patriotism of Alaska's citizens, resources frozen by Washington bureaucracy.

"Yet the straitjacketed economy of Alaska has had the vitality, without a sales tax and without a property tax except in incorporated cities and districts, to provide a surplus in the Territorial budget of some $11 million over-appropriated expenditures during the last 8 years.

"And this was accomplished while the Alaskan people bore their full share of the cost of maintaining the Federal Government in Washington."

Can there be more deserving qualification for the right of self-government and full citizenship?

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[From the Milwaukee Journal]

WESTWARD MARCH IS NOT OVER

One argument used against Alaskan and Hawaiian statehood is that the Union is complete. Not, so, Senator CHURCH, Democrat, of Idaho, told the Senate, Monday.

"Our westward march is not over, ours is not a finished country," he said, "as long as hundreds of thousands of American citizens, in our two incorporated Territories of Alaska and Hawaii, are barred entry and wait upon the doorstep of our Union for the rights which are their legacy."

CHURCH also criticized those who argue that statehood would bring new Senators who would affect the party alinement and

further dilute the voting strength of the more populous States.

"Such arguments," the Idahoan declared, "have been with us from the time of our national origin. Had we heeded them in the past, the United States would still be comprised of the thin tier of 13 States that stretch along the Atlantic coastline of our mighty continent."

Speaking particularly of statehood for Alaska, which could come up for action shortly, CHURCH warned that continued failure to grant it can only be regarded as a deliberate flouting of the popular will. Various polls, many newspaper editorials, and action of Democratic and Republican national conventions of 1956 evidence that this is true.

Mr. CHURCH. Mr. President, I join with the distinguished Senator from Montana, the chairman of the Committee on Interior and Insular Affairs [Mr. MURRAY], and with the junior Senator from Washington [Mr. JACKSON], as a fellow member of the Committee on Interior and Insular Affairs and as a cosponsor of the proposed Alaska statehood legislation, in the remarks which have been made and which I believe to be a fitting introduction to the historic debate which is about to commence in the Senate upon the question of the admission of the Territory of Alaska as the 49th State in the American Union.

Mr. MURRAY. Mr. President, first I congratulate my colleague, the able junior Senator from Idaho [Mr. CHURCH], on the great interest he has taken in the subject of statehood for Alaska. I thank him for the assistance he has given me throughout my efforts in this connection.

Mr. CHURCH. I thank the Senator from Montana.

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

Mr. MURRAY. I yield.

Mr. KUCHEL. Let me, as a Senator on the Republican side of the aisle, salute the able Senator on the other side of the aisle. In his capacity as the head of the Committee on Interior and Insular Affairs he is in large measure responsible for making it possible for the Senate of the United States to have an opportunity at this time to stand up and be counted on the question of statehood for Alaska.

Like all other Senators who have served under the very able senior Senator from Montana, I have been very glad of the participation, completely devoid of partisanship, in which the members of the Committee on Interior and Insular Affairs, carefully and painstakingly, under the direction of the chairman, fashioned the proposed legislation to provide for statehood for Alaska and also, it should be said, for statehood for Hawaii, too.

I salute the Senator from Montana. I am glad to be able to participate in this debate, which I hope very much will result in the admission of a new State to the American Union. Admission of Alaska will demonstrate to all the world that our Nation lives up to its commitments, both at home and abroad; and will demonstrate also the dynamism which is represented in Congress by able Democratic Senators like my friend, the Senator from Montana.

Mr. MURRAY. I thank the very able Senator from California for his most kind remarks. He has been of great help to me in my capacity as chairman of the committee; has taken a conscientious interest in every matter which has come before us, and has been most helpful in working out solutions to the various problems we have had.

I appreciate his support in the statehood struggle. The junior Senator from California has been a true statesman in his contributions to the work of the committee. I feel certain that as a result of our joint efforts—bipartisan efforts—and the great merit of the cause, statehood will be a reality for Alaska.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a telegram from the Young Democrats of the Western States, advocating the passage by the Senate of the House of Representatives bill for statehood for Alaska, without amendment.

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

SALT LAKE CITY, UTAH,
*June 23, 1958.*

Senator MIKE MANSFIELD,
*Senate Office Building,*
*Washington, D. C.:*

The Young Democrats of the Western States realizing that the time is soon at hand for both parties to demonstrate their integrity by keeping faith with their platforms; therefore, unanimously urge the adoption of the House of Representatives bill for statehood for Alaska without amendment.

The Young Democratic Clubs specifically call public attention to the parliamentary fact that any amendment to the House bill would automatically send the bill back to be buried in the House committee. Any vote in favor of any amendment is, therefore, a vote to kill statehood for Alaska, and a betrayal of Americans and the political platforms of both parties.

William Younger, Wood, Ariz.; Mike Gravel, Alaska; James Heavey, California; Patricia Burbin, California; A. Phillip Burton, California; David Bunn, Colorado; Wanda Edward, Colorado; Edna Haubrick, Colorado; J. Tim Brennan, Idaho; Wayne Loveless, Idaho; Harold Gunderson, Montana; David Kemp, Montana; Mary Pat Peoples, Montana; Lorella Montoya Salazar, New Mexico; Bruce Bishop, Oregon; Claire Jones, Oregon; Merlyn Smith, Oregon; Maco Stewart, Texas; Dean Mitchell, Utah; Allan Howe, Utah; Nancy Lou Larson, Utah; Robert Larsen, Washington; Frank Warnke, Washington; Paul Wieck, Wyoming; John Richard, Wyoming.

## ORDER FOR ADJOURNMENT UNTIL 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn until 11 o'clock tomorrow morning.

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

Mr. MANSFIELD. Mr. President, it is the intention of the leadership to meet early for the rest of the week, and perhaps beginning tomorrow night to meet late. It is the hope of the leadership that on that basis the bill can be considered fully and passed during this week.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 23, 1958, he presented to the President of the United States the enrolled bill (S. 2224) to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property.

## ADJOURNMENT TO 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, I move that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, June 24, 1958, at 11 o'clock a. m.

# HOUSE OF REPRESENTATIVES

MONDAY, JUNE 23, 1958

The House met at 12 o'clock noon.

Dr. W. F. Wagner, pastor, First Baptist Church, Opelika, Ala., offered the following prayer:

Our God and our Father of all nations, lead this august body in all the deliberations that each of us shall seek the changes in our hearts which will implement the changes in the minds of multitudes of millions who have not the happiness and the peace that this Nation knows. Give us the deliberations, Lord, that Thy spirit shall be ours and our policy Thine. In the name of the Master. Amen.

The Journal of the proceedings of Thursday, June 19, 1958, was read and approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On June 18, 1958:

H. R. 6908. An act to authorize modification and extension of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, to restore eligibility for hospital and medical care to certain veterans of the Armed Forces of the United States residing in the Philippines, and for other purposes; and

H. R. 7251. An act to amend the definition of the term "State" in the Veterans' Readjustment Assistance Act and the War Orphans' Educational Assistance Act to clarify

the question of whether the benefits of those acts may be afforded to persons pursuing a program of education or training in the Panama Canal Zone.

On June 20, 1958:

H. R. 1492. An act for the relief of Gillous M. Young;

H. R. 1700. An act for the relief of Western Instruments Associates;

H. R. 3679. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment on certain claims of the E. B. Kaiser Co., of Chicago, Ill.;

H. R. 5355. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment on certain claims of the United Foundation Corp., of Union, N. J.;

H. R. 5424. An act for the relief of Thomas Helms and other employees of the Bureau of Public Roads;

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

H. R. 7261. An act to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia;

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

H. R. 7953. An act to facilitate and simplify the work of the Forest Service, and for other purposes.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, 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. 11645. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, 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. HILL, Mr. CHAVEZ, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. PASTORE, Mr. THYE, Mrs. SMITH of Maine, Mr. DWORSHAK, Mr. POTTER, and Mr. IVES to be the conferees on the part of the Senate.

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. 12695. An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. KERR, Mr. SMATHERS, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2224. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property; and

S. 2533. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to lease space for Federal agencies for periods not exceeding 15 years, and for other purposes.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia;

S. 3680. An act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes;

S. Con. Res. 94. Concurrent resolution expressing indignation at the execution of certain leaders of the recent revolt in Hungary; and

S. Con. Res. 95. Concurrent resolution authorizing the correction of an error in the enrollment of S. 2533, amending the Federal Property and Administrative Services Act of 1949, etc.

## WATERSHED PROTECTION AND FLOOD PREVENTION

The SPEAKER laid before the House the following communication, which was read, and, together with the accompanying papers, referred to the Committee on Appropriations:

JUNE 20, 1958.

Hon. SAM RAYBURN,
*The Speaker, United States House of Representatives, Washington, D. C.*

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture has today considered the work plans transmitted to you by Executive Communication 2042 and referred to this committee and unanimously approved each of such plans. The work plans involved are:

STATE AND WATERSHED

Nebraska: Antelope Creek.
Oklahoma: Bear, Fall, and Coon Creeks.
Texas: Auds Creek.

Sincerely yours,
HAROLD D. COOLEY,
*Chairman.*

RESOLUTION APPROVING THE WORK PLAN FOR ANTELOPE CREEK, NEBR.

*Be it resolved by the Committee on Agriculture of the House of Representatives,* That the plan for works of improvement for the Antelope Creek Watershed, Nebr., submitted to the Speaker of the House of Representatives by Executive Communication 2042 and referred to the Committee on Agriculture pursuant to section 2 of the Watershed and Flood Prevention Act, as amended (16 U. S. C. 1002), is hereby approved.

RESOLUTION APPROVING THE WORK PLAN FOR BEAR, FALL, AND COON CREEKS, OKLA.

*Be it resolved by the Committee on Agriculture of the House of Representatives,* That the plan for works of improvement for the Bear, Fall, and Coon Creeks Watersheds, Okla., submitted to the Speaker of the House of Representatives by Executive Communication 2042 and referred to the Committee on Agriculture pursuant to section 2 of the Watershed and Flood Prevention Act, as amended (16 U. S. C. 1002) is hereby approved.

RESOLUTION APPROVING THE WORK PLAN FOR AUDS CREEK, TEX.

*Be it resolved by the Committee on Agriculture of the House of Representatives,* That the plan for works of improvement for the Auds Creek Watershed, Tex., submitted to the Speaker of the House of Representatives by Executive Communication 2042 and referred to the Committee on Agriculture pursuant to section 2 of the Watershed and Flood Prevention Act, as amended (16 U. S. C. 1002) is hereby approved.

## THE LATE JOHN H. KERR

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. FOUNTAIN].

Mr. FOUNTAIN. Mr. Speaker, I have the sad and unhappy duty this morning to announce to the House the passing of a former, very able and distinguished Member of this body, my predecessor, from the Second Congressional District of North Carolina, the Honorable John H. Kerr. Congressman Kerr died of pneumonia in the Warren County General Hospital in Warrenton, North Carolina, Saturday, June 21, at 6 p. m.

Congressman Kerr, because of his many years of able, loyal, and faithful public service on the superior court bench of North Carolina, was affectionately known as "Judge."

At the time of his passing Judge Kerr was approaching 85 years of age.

Many of you had the pleasure of knowing and working intimately with Judge Kerr for many years.

I share the great sorrow of his two sons, the Honorable John H. Kerr, Jr., and James Yancey Kerr, and countless others throughout North Carolina and our Nation, over the passing of this great man who, in so many ways, both as a public official and private citizen, gave so much of himself and his life in unselfish, dedicated service to the people of his district, State, and Nation.

My distinguished colleague, Congressman HAROLD D. COOLEY, dean of the North Carolina delegation, well described him prior to his departure from this body in 1952, when he said: "Truth has been his master, and his unblemished character the tower of his strength."

As his successor, I believe I know as well as anyone the love and affection which the people of the Second Congressional District of North Carolina and the entire State had for Judge Kerr.

As a private citizen, a distinguished lawyer, mayor of his home town of Warrenton, solicitor of his district, judge of the Superior Court of North Carolina, as a Member of the Congress of the United States from the 68th Congress through the 82d Congress, a period of 30 years, and in many other public and private capacities, he exemplified the qualities of a truly great man, patriot, and statesman of the first order.

It is not as easy to fill the shoes of a man like Judge Kerr. His service to his people and to humanity was so extensive and his activities so varied, that it is impossible to summarize his achievements and accomplishments in so short a space of time as is available today.

Since I have had the opportunity of serving in the Congress, I have met many of his closest and most devoted friends. They speak of him in the highest terms, as a loyal public servant, faithful at all times and under all circumstances, to

the trust reposed in him by the people he represented.

Time will not permit me to enumerate the many wonderful causes for which he stood and things for which he fought while a Member of this body. Among his many great works, as a Member of the House of Representatives, and perhaps the one for which he is best known today, was his sponsorship and persistent support, until passage by the Congress, of legislation providing for the development of a great flood-control and power project on the Roanoke River in North Carolina and Virginia, which today bears his name—the John Kerr Dam. This project brought an end in North Carolina, Virginia, and surrounding areas to repeated large-scale floods which had previously wrought havoc and devastation upon our people and their properties. The John Kerr Dam today is not only a barrier against the terrifying devastation of rapidly rolling floodwaters, but it is also another source of great good in that it has made available electric power to countless numbers of people who had never before enjoyed such conveniences of life.

In expressing our sorrow over his passing, and in extending our sympathy to his loved ones, I think it is fitting and appropriate for all of us to feel a deep sense of gratitude for a life so ably and so courageously lived.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FOUNTAIN. I yield.

Mr. McCORMACK. Mr. Speaker, it is with deep regret that I learned of the death of my valued friend and former colleague, John H. Kerr, of North Carolina. John Kerr was the chairman of the first committee I had the pleasure of serving on and to which I was assigned some 30 years ago. As a young Member, John Kerr was an inspiration to me. He took a special interest in me and gave me the benefit of his great ability and his years of legislative experience. John Kerr inspired respect for the nobler things in life in all those with whom he came in contact. He was a good man, a man of high ideals and untiring industry. He had a love for his fellow man and he was fearlessly devoted to truth and justice. His personal dignity and calm temperament were two of his outstanding characteristics. John Kerr was an outstanding legislator and a great American. He has left his indelible imprint on the pages of the legislative history of our country. Mrs. McCormack joins with me in extending to his two sons our deepest sympathy in their great loss and sorrow.

Mr. RAYBURN. Mr. Speaker, in the passing of Hon. John S. Kerr I have lost a very good friend. He was a gentleman of the highest type. His work and service here was of a high type and character. To his loved ones, I extend a deep sympathy.

Mr. SCOTT of North Carolina. Mr. Speaker, while I did not enjoy the honor and pleasure of personal acquaintance with Hon. John H. Kerr, I would, nevertheless, join other members of our delegation and other Members of the Congress in paying well deserved tribute to his memory. He was born in my Congressional District, at Yanceyville, in Caswell County, and I number many of his close relatives among my personal friends.

His is an illustrious family of many and varied accomplishments and distinctions, the enumeration of which would here serve no useful purpose other than as a backdrop for his own great and useful career in the public service. And it is not necessary, though it may be appropriate, to here enumerate his achievements and accomplishments as a man, nor his contributions to his State and to the Nation in the many fields of his service. For the record itself is the best evidence and speaks with more force and eloquence than do the voices of his many friends and admirers. His ability as a lawyer, his distinguished service as solicitor and superior court judge, and his long and valuable service as a Member of Congress constitute only the framework of the monument he built for himself; its stone and mortar were his honor, integrity and strength of character. Reinforced by these, it will long stand as a memorial to him and as an inspiration to others.

I join my colleagues in extending to the members of Judge Kerr's family the deepest sympathy and kindest wishes.

Mr. WHITENER. Mr. Speaker, with a deep sense of sadness I join with my distinguished colleague from North Carolina [Mr. FOUNTAIN] in taking note of the passing of the late Judge John H. Kerr, a former Member of this body.

The life and works of John Kerr will leave an indelible mark upon our beloved State of North Carolina and upon this Nation of ours. As a private citizen and public official he always made an outstanding contribution to his community, State, and Nation. We can ill afford to lose men of his stature.

It has been my privilege to be closely associated with one of his illustrious sons, John Kerr, Jr., who has made his mark in the legislative field in the State of North Carolina. I am confident that the zeal for public service which has typified the life of John Kerr, Jr., is directly attributable to the leadership and example given down to him by his illustrious father.

North Carolina and the Nation are better by reason of the life and service given by the late John H. Kerr. Both State and Nation have sustained a great loss in his passing.

Mrs. Whitener joins me in extending to the family of our departed friend our heartfelt sentiments of deepest sympathy.

Mr. COOLEY. Mr. Speaker, we have received the sad news of the death of a distinguished former colleague, Hon. John H. Kerr, Sr., of Warrenton, N. C. Our former distinguished and beloved colleague was affectionately known to all of us as Judge Kerr. Few men in public life ever held so many responsible positions as did our departed friend. As a judge, he was just, yet he was merciful, and with great impartiality he interpreted and administered the laws of his State. As a Member of Congress he rendered great service to his country. The record he made here shall never perish from the recollections of the people he so well represented. I express my deep and sincere sympathy to his two fine sons and to his grandson, who bears his name, and to all the members of his family, and to all his loved ones and to his thousands of friends.

When Judge Kerr left Congress and returned to Warrenton I paid to him a brief tribute and at that time I said he was "A mighty and a moral man, a gentle, a great and a good man." I further said, Mr. Speaker, that "He has never been infamous enough to be fond of fame. Modesty and simplicity have marked his life. Truth has been his master, and his unblemished character the tower of his great strength. The purity of his life and the purpose which has prompted his spirit exemplifies the finest virtues of patriotism and causes men to emulate his goodness."

The people who knew him loved him for his true worth. The people of his Commonwealth are proud of the distinguished record he made. His life was a blessing and a benediction to the people of our State and to all the people of this great Nation. He died knowing that in this world of sham, drudgery, and broken dreams, and in the changing fortunes of time, he did not surrender a spark of manhood. By his life he made this world a better place in which to live.

Mr. JONAS. Mr. Speaker, I wish to join my colleagues from North Carolina in paying tribute to the memory of the late Representative John H. Kerr, who represented North Carolina's Second District many years in Congress. Judge Kerr had left Congress before my service began so I never had an opportunity to work with him here. But I know from speaking with colleagues who served with him for many years that he was held in the highest esteem on both sides of the aisle and that he was considered an able and effective legislator.

Judge Kerr had a long and distinguished career in public service. He will long be remembered for the high quality of that service and for the great contributions he made to his District, State, and country.

My sincere sympathy is extended to his family in this hour of their bereavement and I wish to be numbered among the many who mourn the passing of a distinguished and honorable public servant.

Mr. KITCHIN. Mr. Speaker, the news of the passing of Hon. John H. Kerr, Sr., of Warrenton, N. C., brought to me a sharp sense of personal loss. I had known Judge Kerr since early childhood and he was my close personal friend and Representative for many years. He succeeded in the House of Representatives my uncle, the late Claude Kitchin.

I shall always be grateful for his advice and counsel when I came to Washington as a young man to enter the Government service. I found in him rare qualities; among them a sympathy which enabled him to comprehend the problems of people, old and young alike. He was good, modest, gentle. He was fair with all men and temperate in all matters, and was a man whom I highly respected and for whom I had a great

affection. Those of us who were privileged to know him over the years have been enriched by the example of devoted public service and Christian stewardship.

Judge Kerr was an outstanding lawyer, an able jurist, and a fine Representative. His life's span covered a period of rich and satisfying service to his State and Nation.

I send to his sons, both of whom he loved so dearly, my deepest and sincere sympathy.

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD, and also that all Members may have 5 legislative days within which to extend their remarks on the life and service of the late Honorable John H. Kerr.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

## TAX RATE EXTENSIONS ACT OF 1958

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12695) to provide a 1-year extension of the existing corporate normal tax rate and of certain excise-tax rates, with amendments of the Senate thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. REED. Mr. Speaker, reserving the right to object, I would like to make a short statement with reference to this bill.

Mr. Speaker, the Republican members of the House Committee on Ways and Means are, I believe, unanimous in supporting the repeal of the transportation tax. I personally am in favor of repealing this tax because of the way it discriminates against small business. However, I will support the House-passed version of H. R. 12695 if we are successful in the Committee on Ways and Means in including in the small business tax legislation now being developed a provision repealing the tax applicable to the transportation of property.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. MILLS, FORAND, KING, REED, and SIMPSON of Pennsylvania.

## EUROPEAN ATOMIC ENERGY COMMUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 411)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Joint Committee on Atomic Energy and ordered to be printed:

*To the Congress of the United States:*

I am transmitting today for approval by the Congress an international agreement between the Government of the United States and the European Atomic Energy Community which will be a first step toward mutually beneficial cooperation in the peaceful applications of atomic energy between this new European Community and the United States. The specific program which I am asking the Congress to consider and approve on an urgent basis is a joint undertaking by the United States and Euratom to foster the construction in Europe by 1963 of approximately 6 major nuclear power reactors which would produce about 1 million kilowatts of electricity.

This international agreement is being submitted pursuant to the provisions of sections 11 (L) and 124 of the Atomic Energy Act of 1954, as amended. The cooperation to be undertaken after approval of the international agreement will be pursuant to the terms and conditions of an agreement for cooperation entered into in accordance with section 123 of that act.

The elements which combine to make such a joint program possible are the same that led to the first great breakthrough in the development of atomic energy 15 years ago; the intimate association of European and American scientists and close association between European and American engineers and industries. While the joint nuclear power program draws heavily on the history of atomic energy development there are important new elements which reflect the changing world scene.

The first is the changing face of Europe symbolized by the European Atomic Energy Community, which now takes its place beside the Coal and Steel Community and the European Economic Community (Common Market) in a further major step toward a united Europe. The inspiration of European statesmen which has now come to fruition in Euratom is the simple but profoundly important idea that through concentration of the scientific and industrial potentialities of the six countries it will be possible to develop a single major atomic energy complex, larger than the sum of the parts, and designed to exploit the peaceful potential of atomic energy. One motivation which has therefore led to the creation of this new community is the growing sense of urgency on the part of Europeans that their destiny requires unity and that the road toward this unity is to be found in the development of major common programs such as Euratom makes possible. Another important motivation is the present and growing requirement of Europe for a new source of energy in the face of rapidly increasing requirements and the limited possibilities of increasing the indigenous supply of conventional fuels. The Europeans see atomic energy not merely as an alternative source of energy but as something which they must develop quickly if they are to continue their economic growth and exercise their rightful influence in world affairs. The success of this undertaking, therefore, is of vital importance to the United States, for the 160 million people on the Continent of Europe are crucial to North Atlantic strength.

It is therefore gratifying that the reactor research, development, testing, and construction program in the United States has progressed to the point that United States reactors of proven types are available and will be selected for commercial exploitation in the joint program of large-scale nuclear reactors.

The abundance of conventional fuel in the United States and hence our lower cost of electricity as contrasted with higher energy costs in Europe means that it is possible for nuclear power reactors to produce economic electrical energy in Europe before it will be possible to do so in most parts of the United States.

The basic arrangements which have been worked out with Euratom are designed to take advantage of many favorable factors and circumstances. They promise to result in a program that will initially be of great benefit to Euratom and the United States, and thereafter to nations everywhere that choose to profit from Euratom's experience. American knowledge and industrial capacity will be joined with the scientific and industrial talents of Europe in an accelerated nuclear power program to meet Europe's presently urgent need for a new source of energy.

The plants to be built will be paid for and operated by the existing public and private utilities in the six countries; components will be manufactured by American and European industry. Through this association the basis will be laid for future mutually beneficial commercial collaboration in the atomic energy business. The major portion of the fund for the construction of the plants will come from European sources of capital. The United States, through the Export-Import Bank, is prepared to supplement these funds by making available to the new community a long-term line of credit.

A central purpose of the proposed joint program is for Euratom and the United States Government to create an institutional and economic environment which will encourage the European utilities to embark quickly upon a large-scale nuclear power program. As this program goes forward, it will make possible significant progress in the development of atomic power elsewhere in the world.

The expectation that nuclear power will be economic rests on the inherent promise of achieving substantially lowered fuel costs which will more than compensate for the higher capital costs of nuclear plants. The principal immediate problem is to limit during this developmental phase the economic uncertainties connected with the burning of nuclear fuel in these reactors. To assist in meeting this problem the United States will provide certain special and limited guaranties and incentives to permit American fuel fabricators and the European utilities and industries to enter into firm contractual arrangements with greater certainty as to the actual costs of nuclear energy from the reactors than is now possible.

Of major importance, the new European Community and the United States will establish a jointly financed research and development program, the purpose

of which will be to improve the performance of these reactors and thus to further the economic feasibility of nuclear power. Information developed under the joint program will be made available to American and European industry for the general advancement of power reactor technology.

In addition to the international agreement submitted herewith, the necessary requests for Congressional action required to carry out the program will be submitted shortly.

I believe that the initiation of this program of cooperation with Euratom represents a major step in the application of nuclear technology for the benefit of mankind.

The United States and Euratom have reaffirmed their dedication to the objectives of the International Atomic Energy Agency and intend that the results of this program will benefit the Agency and the nations participating in it. Consideration is now being given to ways in which the United States can work with the Agency in carrying forward its functions. A proposed agreement for cooperation with the International Atomic Energy Agency is now being negotiated and is under review by the Agency. This agreement provides principally for the transfer of the special nuclear material already offered to the Agency by the United States, for certain services such as chemical processing, and for the broad exchange of unclassified information in furtherance of the Agency's program.

In recognition of the importance of the joint United States-Euratom program, I must stress its urgency. It was only on the first of January of this year that the new community came into being, determined to fulfill its obligation to create the conditions which will permit the earliest development of nuclear power on a major scale. The community is determined, as are we, that the joint program should be initiated this year. I am sure that the Congress, having in mind the political and economic advantages which will accrue to us and our European friends from such a joint endeavor, will wish to consider quickly and favorably the proposed program.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *June 23, 1958.*

## REPEAL OF TRANSPORTATION EXCISE TAXES

Mr. PORTER. 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 Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, repeal of the transportation excise taxes having passed the Senate and having gone to conference a few minutes ago, it is the hope of many of us in the House that we will repeal this discriminatory and consumer-burdening tax.

Of course we have to have taxes, Mr. Speaker. But we should not have taxes that discriminate against States in accordance with their distance from the major markets, such as my own State of Oregon. We not only have to pay high freight rates on our commodities but 3 percent in addition for tax. Oregon is willing to pay its fair share of course, but its growth should not be hampered by burdens inequitably imposed by law.

The consumer has an interest here, too. It is not only a question of one 3 percent tax, because as many as 3 occasions arise between logs from the woods and the consumer or between the farmer's wheat and the loaf of bread sold to the housewife. This pyramid weighs down heavily and pushes the cost of living ever higher.

Oregon's economic conditions have been bad, as bad as any in the Nation. They are by no means good at present. Prospects are brighter and the removal of this highly discriminatory tax would be of substantial assistance—to Oregon, to many other developing States and to consumers everywhere.

## PERMISSION TO SIT DURING SESSIONS OF HOUSE

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from New York [Mr. CELLER] I ask unanimous consent that the Committee on the Judiciary and subcommittees thereof may sit during general debate in the House during the balance of this week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## REPEAL OF TAX ON FREIGHT AND PASSENGER TRAVEL

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, it is my understanding that the extension of the excise and corporate tax bill which we passed here in the House has been amended in the other body to repeal the 3-percent tax on freight and the 10-percent tax on passenger travel, both of which were imposed as wartime measures, and that the conferees will be meeting shortly to determine whether the House or Senate position will prevail.

Personally, I hope the conferees will see fit to accept the Senate amendments, for I have said over and over again that there was no honest-to-goodness justification for extension of these wartime imposed taxes. These taxes are now doing great damage to the transportation system of the country and bearing unfairly upon shippers all over the United States. They are cumulative and repressive.

I have studied the comprehensive debate in the other body on this issue and it has been cited that the 3-percent freight tax has been pyramided as much as 11 times from raw material to finished product in the consumer's hand. This, in effect then, is a 33-percent tax. True, this is an extreme example; but on agriculture products, for instance, it is nothing to have the 3 percent jump to 6 percent or 12 percent from producer to consumer. This great spread we hear talked about so much between what the producer gets on the farm and what the consumer actually pays, comes as a result of the 3-percent tax on freight.

I think we will find that what revenue is lost excisewise will be more than made up for through corporate and income taxes and will go a long way toward revitalizing the transportation system of the country.

## THE BAUSCH & LOMB HONORARY SCIENCE AWARD

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, recently I was privileged to attend a silver anniversary luncheon here to mark the founding of the Bausch & Lomb honorary science award at Rochester, N. Y. This award which is symbolized by a handsome bronze medal goes annually to the outstanding science student in the senior classes of more than 6,000 high school and private schools throughout the country.

Bausch & Lomb, one of the world's outstanding optical firms, began this honorary award program 25 years ago to recognize outstanding achievement of young science students and to encourage the study of science as a career. The program has received the wholehearted support and cooperation of educators. It is readily seen today what an important and forward-looking program this has been.

The selection of the outstanding science student in each school is made by the individual school officials. Award winners become eligible to compete for Bausch & Lomb science scholarships to the University of Rochester. Surveys have indicated that 85 percent of the award winners in one group were actively following science or educational careers and 40 percent of another group stated that their choice of career had definitely been influenced by the award.

It is clear that this commendable program is accomplishing its noble purpose of rewarding outstanding scientific achievement and stimulating study and continued activity in the field of science. This is another excellent example of how in a free society private organizations and industry can and are stimulating interest in better education for our Nation. This type of cooperation between private enterprise and the free public school system is in the best American tradition, it seems to me. I wish to commend Bausch & Lomb for its conduct of this program, which deserves the attention of the entire Nation. I know it will continue to play an important role in the development and training of scientists, so essential to the future of our Nation.

## PRIVATE CALENDAR TO BE CALLED JULY 7

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar on July 1 be dispensed with and that it may be in order to call the Private Calendar on July 7, following the call of the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District Day. The Chair recognizes the gentleman from South Carolina.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that in connection with the passage of each bill I may be permitted to insert my remarks in the RECORD in explanation of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

## GRANT OF ADDITIONAL POWERS TO COMMISSIONERS OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1706) to amend the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944, as amended, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

*Be it enacted*, etc., That the first section of the act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved December 20, 1944 (58 Stat. 819), as amended (sec. 1–244, D. C. Code, 1951), is amended by adding at the end of such section the following subsections:

"(i) (1) To purchase and sell maps, and regulations and parts of regulations issued by any agency of the government of the District of Columbia and amendments thereof, including binders therefor (hereinafter referred to as 'material'), at such prices as the Commissioners or their designated agent may from time to time determine to be necessary to approximate the cost thereof, including the cost of distribution. All receipts from the sale of such material on hand as of the effective date of this amendment, shall be deposited into a fund which is hereby established, to be known as the 'District of Columbia Publications Fund,' which fund shall be available without fiscal year limitation for all necessary costs connected with the procurement, publication, and distribution of such material, including postage. There is hereby authorized to be appropriated from the revenues of the District of Columbia $50,000 to provide working capital, which sum shall be deposited to the credit of the fund established by this section, and receipts from the sale of such material shall likewise be deposited to the credit of such fund: *Provided*, That as soon as practicable after the close of each fiscal year, after provision has been made for payment of all obligations then incurred, the amount in such fund in excess of $50,000 shall be deposited to general revenues of the District of Columbia.

"(2) To issue such material without charge, in the discretion of the Commissioners, to officers and employees of the Governments of the United States and the District of Columbia to States, Territories, and possessions of the United States, local governmental units, and foreign governments; to institutions of research and learning; to applicants for or holders of, particular licenses issued by the District of Columbia; and to any other person when it is determined by said Commissioners or their designated agent or agents that it is in the best interest of the District of Columbia to furnish such material without charge; and to delegate to the heads of departments and agencies of the government of the District of Columbia the authority likewise to make the distribution authorized by this paragraph of such material as may be purchased by the departments and agencies. Material to be distributed under the authority of this paragraph shall be supplied to the District of Columbia department or agency proposing to make such distribution, only upon payment by the department or agency of the cost thereof.

"(j) To place orders, if they determine it to be in the best interest of the District of Columbia, with any Federal department, establishment, bureau, or office for materials, supplies, equipment, work, or services of any kind that such Federal agency may be in a position to supply or be equipped to render, by contract or otherwise, and shall pay promptly by check to such Federal agency, upon its written request, either in advance or upon furnishing or performance thereof, all or part of the estimated or actual cost thereof as determined by such department, establishment, bureau, or office as may be requisitioned; but proper adjustments on the basis of the actual costs of the materials, supplies, or equipment furnished or work or services performed, paid for in advance, shall be made as may be agreed upon by the departments, establishments, bureaus, or offices concerned. Orders placed as provided in this subsection shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors.

"(k) To authorize any department, office, or agency of the District of Columbia government, when it is determined to be in the best interest of the District of Columbia so to do, to place orders with any other department, office, or agency of the District for materials, supplies, equipment, work, or services of any kind that such requisitioned department, office, or agency may be in a position to supply or equipped to render. The department, office, or agency placing any such orders shall either advance, subject to proper adjustment on the basis of actual cost, or reimburse, such department, office, or agency the actual cost of materials, supplies, or equipment furnished or work or services performed as determined by such department, office, or agency as may be requisitioned. Orders placed as provided in this subsection shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors."

SEC. 2. The Commissioners are authorized to delegate any of the functions to be performed by them under the authority of this act to any officer or employee of the District of Columbia.

SEC. 3. The second paragraph under the caption "District of Columbia" of the act entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1910, and for other purposes," approved February 25, 1910 (36 Stat. 202, 208), as amended (title 49, sec. 110, D. C. Code, 1951 edition), is hereby repealed.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to amend the act of December 20, 1944—to grant additional powers to the Commissioners of the District of Columbia—so as to authorize the Commissioners to perform the following functions:

First. To purchase, sell, and to give to certain persons, institutions, and governmental agencies, both municipal and Federal, at the discretion of the Commissioners or their designated agent, copies of various municipal regulations, and establish a fund, without fiscal-year limitation, from which the cost of procuring, handling, and mailing municipal publications will be defrayed and into which the receipts from the sale of such publications will be paid.

Second. To make advance payments to Federal agencies for supplies to be furnished or work to be performed in accordance with agreements between the Commissioners and such agencies.

Third. Empower the Commissioners to authorize the several departments, establishments, bureaus, and offices of the government of the District of Columbia to place orders with other agencies of the District, and to make payment for such orders either in advance or on a reimbursement basis.

The District of Columbia, as in the case with any large municipal government, must for the benefit of the public, the courts, and the officers and employees of the District, make available in printed form the regulations which have been adopted by the Commissioners. Certain of these regulations, as in the case of the Building Code, the Electrical Code, and the police regulations, are in the form of complete volumes consisting of a large number of pages, printed at considerable expense to the District. Accordingly, when such publications are made available to members of the public, a charge is made therefor to recover the cost to the District. Moreover, since the amendments of these regulations are likewise voluminous, the District makes a charge for the service of furnishing such amendments.

Under existing law, it is necessary that the cost of reproducing each particular set of regulations and the amendments thereto be paid out of the appropriation of the District department charged with the administration of such regulations. The receipts from the sale of such regulations, however, are deposited to the credit of the general fund of the District of Columbia, and such receipts do not continue available for the reproduction of regulations to replace those which are sold.

In order to provide readily available funds for the reproduction and distribution of District publications, this legislation would authorize the establishment of a revolving fund not subject to fiscal year limitation, with an initial working capital of $50,000, into which shall be paid receipts from the sale of all District publications and from which the cost of reproducing, procuring, handling, and mailing such publications may be defrayed.

Under existing law, there is no authority for the District to make advance payments to the Federal Government for supplies to be furnished or work to be performed. Frequently therefore, the District is unable to enter into an agreement with the Federal Government for the furnishing of supplies and work, to the District's disadvantage. This bill would amend present law so as to authorize such advance payments to the Federal Government.

This bill would also authorize the Commissioners to advance funds between appropriations of District departments, subject to adjustment upon a determination of actual cost, as a means of providing for the more expeditious handling of transactions between the various departments of the District government.

This legislation has the approval of the Commissioners of the District of Columbia.

The enactment of this legislation would not involve any cost to the District of Columbia, inasmuch as the bill provides for the creation of a revolving fund.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## EXEMPTING CERTAIN CARRIERS FROM MILEAGE TAX

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 11246) to amend the act of July 1, 1902, to exempt certain common carriers of passengers from the mileage tax imposed by that act and from certain other taxes, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That subparagraph (b) of paragraph (31), of section 7 of the act approved July 1, 1902, as amended (D. C. Code 47-2331 (b)), is amended as follows:

(1) The third sentence of such subparagraph (b) is amended by inserting after "each such applicant" the following: "who is not otherwise exempt under this subparagraph from payment of the mileage tax imposed by this subparagraph."

(2) The fifth sentence of such subparagraph (b) is amended to read as follows: "Upon receipt by the Commissioners of the District of Columbia, or their designated agent of the approved copy of the application of any applicant who is exempt under this subparagraph from payment of the mileage tax imposed by this subparagraph, the Commissioners of the District of Columbia or their designated agent shall issue a license authorizing the applicant to carry on the operations embodied in the approved application. No increase of operations shall be commenced or continued unless and until an application similar to the original and covering such increase in operations shall have been approved and forwarded in the same manner as the original and, if a payment is necessary, the corresponding additional payment is made, and license issued. No applicant engaged in the transportation of passengers for hire principally within the commercial zone of Washington, District of Columbia, as such commercial zone has been established on the date of enactment of this amendment by the Interstate Commerce Commission for the purposes of section 203 (b) (8) of the Interstate Commerce Act (49 U. S. C. 303 (b) (8)), shall be required to pay any tax under this section and no such applicant shall be subject to:

"(1) the gross sales tax levied under the District of Columbia Sales Tax Act;

"(2) compensating use tax levied under the District of Columbia Use Tax Act;

"(3) the excise tax upon the issuance of titles to motor vehicles and trailers levied under subsection (j) of section 6 of the District of Columbia Traffic Act of 1925 (D. C. Code 40-603 (j) (4));

"(4) the tax that is imposed on tangible personal property, to the same extent that the District of Columbia Transit System, Inc., is exempt from such taxes on the effective date of this amendment, under section 8 (b) (5) of the act entitled 'An act to grant a franchise to the District of Columbia Transit System, Inc., and for other purposes, approved July 24, 1956."

SEC. 2. The amendments made by the first section of this act shall take effect as of October 1, 1958.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to exempt from the operation of the mileage tax effective October 1, 1958, applicants engaged in the transportation of passengers for hire principally within the commercial zone of Washington, D. C., as such commercial zone has been established on the date of enactment of H. R. 11246 by the Interstate Commerce Commission for the purposes of section 203 (b) (8) of the Interstate Commerce Act title 49, United States Code, section 303 (b) (8). A map showing the commercial zone of Washington, as established by the Interstate Commerce Commission and released by the Washington Board of Trade, is in the files of the committee. That zone includes Arlington and Fairfax Counties in Virginia, and Montgomery and Prince Georges Counties in Maryland.

This bill would also exempt common carriers coming within its provisions from the gross sales tax levied under the District of Columbia Sales Tax Act; the compensating use tax levied under the District of Columbia Use Tax Act; the excise tax upon the issuance of titles to motor vehicles and trailers levied under subsection (j) of section 6 of the District of Columbia Traffic Act of 1925; and the tax imposed on tangible personal property, to the same extent that the District of Columbia Transit System, Inc., is, on October 1, 1958.

The following named transportation companies, operating principally within the commercial zone of Washington, D. C., will be exempt from all of the foregoing taxes by the enactment of H. R. 11246: Alexandria, Barcroft & Washington Transit Co.; American Bus Lines, Inc.; Atwood Transport Lines, Inc.; Federal Coach Line; The Gray Line, Inc.; Suburban Transit Co.; Washington, Marlboro, Annapolis Transit Co.; Washington, Virginia & Maryland Coach Co., Inc.

The estimated loss of revenue to the District of Columbia, in the event this legislation is enacted, will amount to approximately $26,500.

The Commissioners of the District of Columbia are in favor of this legislation being enacted because they believe that the traveling public will receive a benefit through the reduction in the cost of operation which will result to the transportation companies.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## AMENDING DISTRICT OF COLUMBIA TEACHERS' SALARY ACT OF 1955

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 3057) to amend the District of Columbia Teachers' Salary Act of 1955 and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That class 1 of section 1 of the District of Columbia Teachers' Salary Act of 1955, approved August 5, 1955 (69 Stat. 521; sec. 31-659a 1, D. C. Code, 1951 edition, Supp. V), is amended to read as follows:

"Class 1. Superintendent of Schools, $22,000"

SEC. 2. This act shall take effect on the first day of the first pay period following the approval of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That class 1 of section 1 of the District of Columbia Teachers' Salary Act of 1955, approved August 5, 1955 (69 Stat. 521; sec. 31-659a-1, D. C. Code, 1951 edition, supp. V), is amended to read as follows:

" 'Class 1. Superintendent of Schools, $19,000'

"SEC. 2. Except as provided by section 3 of this act, the compensation of the Commissioners of the District of Columbia shall be at the rate of $19,000 each per annum.

"SEC. 3. The Commissioner detailed from Corps of Engineers of the United States Army shall receive an annual compensation which, when added to any compensation he receives as an officer of the United States Army, will equal the compensation authorized for a Commissioner by section 2 of this act.

"SEC. 4. (a) This section shall take effect on the date of enactment of this act.

"(b) The first section of this act shall take effect on the first day of the first pay period which begins after the date of enactment of this act.

"(c) Sections 2 and 3, inclusive, of this act shall take effect on the first day of the first month which begins after the date of enactment of this act."

Amend the title so as to read: "An act to increase the compensation of the Superintendent of Schools and the Commissioners of the District of Columbia."

The committee amendment was agreed to.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to increase the compensation of the Superintendent of Schools for the District of Columbia

and the Commissioners of the District of Columbia.

Under existing law the Superintendent of Schools of the District of Columbia is entitled to a salary of $18,000 if he has an earned doctor's degree. If a doctor's degree is not earned but was conferred the salary of the Superintendent of Schools would be limited to $16,000 per annum as in the case of the Superintendent of Schools who has recently retired. The purpose of the language in this bill is to increase the salary of the Superintendent of Schools to $19,000 regardless of what degree he holds. The present Superintendent of Schools, who has recently been appointed by the Board of Commissioners, has an earned doctor's degree and for this reason is now receiving a salary of $18,000 per annum.

The bill would also increase the salary of the Commissioners of the District of Columbia from $16,000 per annum to $19,000 per annum.

The President of the Board of Commissioners, in testimony before the Fiscal Affairs Subcommittee, gave certain reasons why he felt that the salary of the Commissioners should be increased, which are listed below.

The District of Columbia has a population of approximately 835,000 and ranks ninth among the cities of the United States, and ahead of 12 of the States. The Commissioners of the District of Columbia, who are appointed by the President and confirmed by the Senate, are required to administer a government which not only performs the functions of a municipal government, but which also performs functions ordinarily performed in the States, by State and county governments. The annual budget of the District exceeds $200 million per year, and the functions of the government are carried on by more than 23,000 employees. The Commissioners serve as the chief executives and in addition perform legislation and quasi-judicial functions.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to increase the compensation of the Superintendent of Schools and the Commissioners of the District of Columbia."

A motion to reconsider was laid on the table.

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## AUTHORIZING COMMISSIONERS OF THE DISTRICT OF COLUMBIA TO PROMULGATE CERTAIN SPECIAL REGULATIONS

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia I call up House Joint Resolution 582 and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

*Resolved, etc.*, That for the period of the Middle Atlantic Shrine Association Meeting of A. A. O. N. M. S. to be held in the District of Columbia from September 4, 1958, to September 6, 1958, both dates inclusive, the Commissioners are authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during said period; and to grant under such conditions as they may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to charge such fees for such privilege, as they may deem proper.

SEC. 2. For the purposes of this act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia or their designated agent or agents;

(b) The term "corporation" mean Almas Temple Shrine Activities, Inc., or its designated agent or agents;

(c) The term "meeting" means the Middle Atlantic Shrine Association Meeting of A. A. O. N. M. S. to be held in the District of Columbia on September 4, 5, and 6, 1958;

(d) The term "period" or "meeting period" means the 5-day period beginning September 3, 1958, and ending September 7, 1958, both dates inclusive;

(e) The term "Secretary of Defense" means the Secretary of Defense or his designated agent or agents; and

(f) The term "Secretary of the Interior" means the Secretary of the Interior or his designated agent or agents.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the Commissioners to provide additional municipal services in said District during the meeting period, including employment of personal services without regard to the civil-service and classification laws; travel expenses of enforcement personnel from other jurisdictions; hire of means of transportation; means for policemen and firemen, cost of removing and relocating streetcar loading platforms, construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and other incidental expenses in the discretion of the Commissioners.

SEC. 4. The Secretary of the Interior, with the approval of such officer as may exercise jurisdiction over any of the Federal reservations or grounds in the District of Columbia, is authorized to grant to the corporation permits for the use of such reservations or grounds during the meeting period, including a reasonable time prior and subsequent thereto; and the Commissioners are authorized to grant like permits for the use of public space under their jurisdiction. Each such permit shall be subject to such restrictions, terms, and conditions as may be imposed by the grantor of such permit. With respect to public space, no reviewing stand or any stand or structure for the sale of goods, wares, merchandise, food, or drink shall be built on any sidewalk, street, park, reservation, or other public grounds in the District of Columbia, except with the approval of the corporation, and with the approval of the Secretary of the Interior or the Commissioners, as the case may be, depending on the location of such stand or structure. The reservation, ground, or public space occupied by any such stand or structure shall, after the meeting, be promptly restored to its previous condition. The corporation shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage to such property and against any liability arising from the use of such property, either by the corporation or a licensee of the corporation.

SEC. 5. The Commissioners are authorized to permit the corporation to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park, reservation, or highway in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park, reservation, or highway. Such conductors with their supports shall be removed within 5 days after the end of the meeting period. The Commissioners, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this joint resolution, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue or alley which is disturbed or damaged is restored to its previous condition. No expense or damage from the installation, operation, or removal of said temporary overhead conductors or said illumination or other electrical facilities shall be incurred by the United States or the District of Columbia, and the corporation shall indemnify and save harmless the District of Columbia and the appropriate agency or agencies of the Federal Government against any loss or damage and against any liability whatsoever arising from any act of the corporation or any agent, licensee, servant, or employee of the corporation.

SEC. 6. The Secretary of Defense is authorized to lend to the corporation such hospital tents, smaller tents, camp appliances, hospital furniture, ensigns, flags, ambulances, drivers, stretchers, and Red Cross flags and poles (except battle flags) as may be spared without detriment to the public service, and under such conditions as he may prescribe. Such loan shall be returned within 5 days after the end of the meeting period, the corporation shall indemnify the Government for any loss or damage to any such property, and no expense shall be incurred by the United States Government for the delivery, return, rehabilitation, replacement, or operation of such equipment. The corporation shall give a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

SEC. 7. The Commissioners, the Secretary of the Interior, and the corporation are authorized to permit electric lighting, telegraph, telephone, radio-broadcasting, and television companies to extend overhead wires to such points along and across the line of any parade as shall be deemed convenient for use in connection with such parade and other meeting purposes. Such wires shall be removed within 10 days after the conclusion of the meeting period.

SEC. 8. The regulations and licenses authorized by this act shall be in full force and effect only during the meeting period, but the expiration of said period shall not prevent the arrest or trial of any person for any violation of such regulations committed during the time they were in force and effect. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until 5 days after such publication. Any person violating any regulation promulgated by the Commissioners under the authority of this act shall be fined not more than $100 or imprisoned for not more than 30 days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

SEC. 9. Nothing contained in this act shall be applicable to the United States Capitol Buildings or Grounds or other properties under the jurisdiction of the Congress or any committee, commission, or officer thereof.

With the following committee amendment:

On page 3, line 11, strike out the word "means" where it appears the second time and insert "meals."

Mr. McCORMACK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I take this time to call to the attention of my colleagues on both sides of the aisle an event which took place in Atlanta, Ga., the evening of June 2, 1958.

One of our elected officers of the House of Representatives, our beloved Doorkeeper, William M. Miller, who has been of service to us for more than 25 years, has been honored by the Atlanta Law School in that they have bestowed upon him an honorary degree, doctor of laws.

Although Mr. Miller will probably respond to the name "Fishbait" or "Bill" more quickly than to that of "Doctor," I am sure the Republicans as well as the Democrats on both sides of the aisle join me in congratulating him on the honor conferred by this distinguished school.

To Mrs. Miller and to his daughter, Sarah Patsy, may I add my congratulations.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Speaker, I thank the distinguished gentleman from Massachusetts for yielding to me at this point.

I was highly gratified, as he was, to learn of this honor that has been bestowed upon our very efficient employee of the House, "Fishbait" Miller, now Dr. William M. Miller. I have been personally acquainted with the officers of the Atlanta Law School and its faculty for many, many years. It is an outstanding institution in Atlanta and is recognized not only throughout Georgia but throughout the entire South as being an outstanding law school. It is an honor of no small magnitude to be granted this distinction that has come to our beloved friend "Fishbait" Miller.

I congratulate him and I am happy indeed that this honor has been bestowed upon him.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, along with what the majority leader has said, I want to emphasize that we, the minority on this side of the aisle, join in heartily congratulating our good, mutual friend, "Fishbait" Bill Miller, on the wonderful honor that has come to him, on his being awarded an honorary degree. I had always thought our efficient Doorkeeper had all the answers, but I am sure that now he has them doubly so. The membership, I feel certain, are pleased to know about the honor that has been bestowed on an outstanding official of this House. We rejoice with Mrs. Miller in this recognition honoring him.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I would particularly like very much to be associated with my colleagues who have just spoken so generously about my friend, "Fishbait" Miller. I am very happy over this new honor that has come to our Doorkeeper, an outstanding servant of this House.

I have known "Fishbait" practically all of his life. He comes from my hometown of Pascagoula, Miss. The people of that town and, in fact, the people of Misissippi generally, are proud of this hometown boy who has come to the Nation's Capital and made good. In fact, some 26 years ago I had the pleasure of bringing "Fishbait" up here and placing him on my patronage as an employee of the House Post Office. He soon moved up to the position of an Assistant Doorkeeper and when the late and beloved Joe Sinnott died while occupying the position of Doorkeeper itself, "Fishbait" was elected to that position on the first ballot over several outstanding young men. He has held the position ever since that time. And it is my prediction that in view of the splendid service that he has rendered the Members of this House on both sides of the aisle, he will continue to occupy the position of official Doorkeeper of this House as long as he desires.

Mr. Speaker, this young man is an outstanding Christian character, who has endeared himself to all of the Members of the House. He is deserving of the honor that he has received and the confidence of us all. Because of his splendid qualities and because of his devoted family, I am happy that he has received this outstanding honor.

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the distinguished majority leader in congratulating our able an efficient Doorkeeper, "Fishbait" Miller, upon the well deserved honor which he has received in the form of a doctor of laws degree. It is appropriate that he receive such a degree in law. Few people in the country are as important to the lawmaking process as William Miller. He is a model of efficiency, courtesy, and industry in the performance of his duties in this House.

Mr. ASPINALL. Mr. Speaker, it gives me keen personal pleasure to join with his many friends in congratulating "Doctor" Miller on the honor which has so recently been bestowed upon him. When a friend receives such a high honor as our beloved "Fishbait" received this past week from the Atlanta Law School, it causes us to rejoice with him in this deserved tribute and acknowledgement of public service rendered so ably and unselfishly.

When I first came to Congress in 1949, Doorkeeper Miller was the first employee of this House to greet me and to offer his services and assistance. To a newcomer to this great Chamber, his friendliness and help are of inestimable value. "Fishbait" offers his assistance to all Members of this body without regard to party affiliation. He brings such energy, enthusiasm, and devotion to his work of aiding the membership in the discharge of their individual and collective responsibilities that each and everyone of us would feel a great personal loss if we were ever deprived of his presence.

I congratulate the Atlanta Law School on its good judgment of conferring an honorary doctor of laws degree to such an outstanding public servant. "Doctor," I congratulate you and join with my colleagues in wishing for you and yours the Lord's choicest blessings for the years to come.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, this resolution is similar in several of its aspects to the two resolutions adopted by the Congress for the American Legion National Convention of 1954—the acts approved August 18 and August 20, 1954 (68 Stat. 743 and 748)—and substantially patterned after the Presidential Inaugural Ceremonies Act, approved August 6, 1956 (70 Stat. 1049), and would have the following effects:

First. The Commissioners are authorized and directed to make regulations to preserve peace and order, especially regulate traffic, and issue special licenses to peddlers and vendors, such regulations to be effective during the period of the meeting, defined by the resolution as the period of September 3 through 7, 1958.

Second. Appropriations are authorized to pay the cost of providing additional municipal services and to pay for other municipal expenses connected with the meeting, estimated at $144,500.

Third. The Secretary of the Interior and the Commissioners are authorized to grant permits for the use of public space under their respective jurisdictions, subject to certain limitations imposed by the resolution.

Fourth. The Commissioners are authorized to permit the installation of temporary electrical facilities of all kinds, also subject to certain limitations imposed by the resolution.

Fifth. The Secretary of Defense is authorized to lend certain equipment belonging to the Department of Defense to be used in connection with providing for the well-being of the expected crowds, also subject to limitations imposed by the resolution.

Sixth. The temporary placing of wires along and across the line of any parade for use by electric lighting and communications concerns is authorized.

Seventh. The effective period of the regulations authorized to be adopted and a penalty for their violation are prescribed.

Eighth. Finally, the resolution specifically exempts from its provisions the United States Capitol Building and

Grounds, and other property under the jurisdiction of the Congress.

The resolution provides the Commissioners, the Secretary of the Interior and the Secretary of Defense with authority to take such action as may be necessary to handle the estimated 10,000 participants in the meeting, and the estimated 50,000 to 75,000 persons expected to view the parade to be held during the meeting. In general the resolution is designed to provide such authority as may be necessary to allow certain Federal officials and the Commissioners to cooperate fully with the Shrine officials in making the forthcoming Shrine convention in Washington a pleasant, safe and memorable event.

This legislation has the approval of the Board of Commissioners for the District of Columbia.

## MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 12643) amending the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'the Municipal Court for the District of Columbia,' to create 'the Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942, as amended, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 6 of the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court for the District of Columbia,' to create 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes," approved April 1, 1942 (ch. 207, 56 Stat. 194; sec. 11-771, D. C. Code, 1951 edition), as amended, is hereby amended by adding at the end of such section the following new paragraph:

"Each judge, the clerk and each deputy clerk of the court may administer oaths and affirmations and take acknowledgments."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to provide that each judge, the clerk, and each deputy clerk of the Municipal Court of Appeals may administer oaths and affirmations and take acknowledgments.

Under existing law the language is spelled out providing that the judges, clerks and deputy clerks of the Municipal Court for the District of Columbia, and the Juvenile Court for the District of Columbia, may administer oaths and affirmations and take acknowledgments. However, the act creating the Municipal Court of Appeals is silent on this question, thus creating an anomalous and sometimes embarrassing situation. This proposed legislation would take care of this and bring this court in line with the Municipal Court and the Juvenile Court for the District of Columbia.

## AUTHORIZING CONSTRUCTION OF TWO FOUR-LANE BRIDGES

Mr. DAVIS of Georgia submitted a conference report and statement on the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes".

## EVERGLADES NATIONAL PARK, FLORIDA

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 594 and ask for its immediate consideration.

The Clerk read the resolution as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6641) to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included with said boundary, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs. the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN]; and pending that I yield myself such time as I may require.

Mr. Speaker, House Resolution 594 makes in order the consideration of H. R. 6641, to fix the boundaries of the Everglades National Park, Fla. The resolution provides for an open rule and 1 hour of general debate on the bill.

The bill redefines the park boundaries and the acreage to be included. The park will encompass 1,390,000 acres which is less than the present acreage of the park which was defined by order of the Secretary of the Interior in 1954. The Federal Government will turn back to the State some federally owned land which originally was given to the Federal Government by the State. The Government will acquire land donated to the State by the Collier Corp. for inclusion in the park, and also 81,000 acres of privately owned land. An additional 22,000 acres of privately owned land within the boundaries will not, according to the terms of the bill, be subject to condemnation as long as they are devoted to agriculture or remain in their natural State. The billl authorizes an amount not to exceed $2 million for this acquisition.

A committee amendment extends the reservation of mineral rights in lands which are not owned by the United States until October 9, 1967, thus giving the owners of these lands approximately the same length of time in which to make discovery that was given the private owners under the act of 1949. Another committee amendment provides that unless it is found by the Secretary of the Interior to be detrimental to the preservation and propagation of the flora and fauna of the park, drainage through the natural waterways of the park will be permitted.

This acquisition will, it is believed, be of value in protecting the bird population, and will also protect the coastal fisheries, particularly the shrimp fisheries.

I urge the adoption of House Resolution 594.

Mr. Speaker, I know of no opposition to this rule and reserve the balance of my time.

Mr. ALLEN of Illinois. Mr. Speaker, I know of no opposition to this rule. At this time I yield 1 minute to the gentleman from Illinois [Mr. MASON] and ask unanimous consent that he may speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, this Congress should repeal the transportation tax. It was levied as an emergency measure to discourage the use of the railroads by civilians because the facilities of the railroads were needed for the transportation of troops and for the transportation of military supplies during the war.

It was an emergency measure and it was definitely understood at the close of the war that it would be ended. The measures brought in such a juicy plum of about $600 million a year, that they do not want to let loose of it now. The railroads need the business that has been cut from them because of the transportation tax more than the Government needs the money derived from the transportation tax.

We are practically morally bound to repeal this tax, and I think it should be done at this session of the Congress.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I yield such time as she may require to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. 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 gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, last week, in the other body, a measure was adopted which can mean much for the future economic growth of the West.

I refer to H. R. 12695 relating to the extension of certain taxes and the repeal of the tax on transportation.

The repeal of this tax is long overdue. Originally imposed as a wartime measure to discourage shipping and travel, it should have been repealed long before this. This 3 percent tax pyramids until its final effect upon selling costs and prices is all out of proportion to the levy made on the initial transaction.

By increasing the transportation costs two results have been effected. Western manufacturers have difficulty in competing in Eastern markets, and vice versa. At the same time the consumer in both the West and the East, in the North and the South finds himself saddled with higher prices.

On February 18, 1957, I joined with other members of the Oregon Congressional delegation in urging the House Committee on Ways and Means to consider favorably the repeal of the tax on transportation. In that letter it was stated: "Federal taxes ought not to be levied in such a manner as to constitute an unequal burden on citizens residing in different areas of the country. The excise taxes on transportation do just that. They unfairly and injuriously discriminate against the long-distance shipper and the long-distance traveler. Transportation, both of persons and of property, plays much too vital a role in the economy of every part of the country for the present inequities to be longer continued."

That was some 16 months ago. The statement is still true. The inequities still continue.

It is my earnest hope, therefore, that the conferees on the part of the House on H. R. 12695 will recede with respect to the amendment on the part of the other body repealing the transportation tax.

Under unanimous consent, I include in the body of the CONGRESSIONAL RECORD a few of the many communications I have received during the repeal of this tax as well as the full text of the letter referred to before dated February 18, 1957.

FEBRUARY 18, 1957.

Hon. AIME FORAND,
*Chairman, Subcommittee on Excise Taxes, Committee on Ways and Means, House of Representatives, House Office Building, Washington, D. C.*

DEAR MR. CHAIRMAN: We, members of the Congressional delegation from the State of Oregon, urge action looking toward early repeal of the Federal excise taxes on transportation.

The effect of these taxes, levied at the rate of 10 percent on amounts paid for the transportation of persons and 3 percent on amounts paid for the transportation of property, is especially burdensome and discriminatory to the people of Oregon and the West in general. This is so because of the great distances, and consequent larger transportation charges, involved in the movement of persons and goods to, from, and within the West.

It is essential to the State of Oregon that the eastern market be developed and preserved as an open market in which agricultural and forest products of our State may compete freely with the produce from other more nearly adjacent areas of the country. The present transportation tax on property unfairly burdens Oregon in this regard, however, for it adds what is in effect an additional tariff on goods shipped from Oregon to the eastern market and thus constitutes an artificial and discriminatory barrier to trade.

Likewise, the tax on passenger transportation unfairly hinders the State of Oregon in its efforts to protect and develop its vacation and tourist travel on a basis of equality with other vacation travel areas.

Federal taxes ought not to be levied in such a manner as to constitute an unequal burden on citizens residing in different areas of the country. The excise taxes on transportation do just that. They unfairly and injuriously discriminate against the long-distance shipper and the long-distance traveler. Transportation, both of persons and of property, plays much too vital a role in the economy of every part of the country for the present inequities to be longer continued.

For these reasons, we urge favorable action on the legislation to repeal the transportation excise taxes.

Yours very truly,
WAYNE L. MORSE,
*United States Senator.*
RICHARD L. NEUBERGER,
*United States Senator.*
EDITH GREEN,
*Member of Congress.*
AL ULLMAN,
*Member of Congress.*
CHARLES O. PORTER,
*Member of Congress.*

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PORTLAND CHAMBER OF COMMERCE,
*Portland, Oreg., April 14, 1958.*

Hon. EDITH GREEN,
*Member of Congress,*
*House Office Building,*
*Washington, D. C.*

MY DEAR MRS. GREEN: The Portland Chamber of Commerce has adopted the attached resolution, calling for support in the repeal of Federal taxes on transportation and communications.

We have continually opposed any legislation which would create a burden on our transportation and communication agencies, thereby resulting in increased costs to users of these services.

These taxes are in fact a burden and detrimental to the economic development of the Pacific Northwest. We know that you concur in the view of the Portland Chamber of Commerce in this matter and it is our hope that you will again support legislation to bring about the repeal of these taxes.

Yours sincerely,
LOFTON L. TATUM,
*President.*

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Whereas the excise taxes on transportation and communication were imposed by the Federal Government during World War II to discourage unnecessary use of overburdened facilities; and

Whereas the continued imposition of these taxes result in particular hardship upon western United States business and residents in view of their distance from eastern markets and the necessity for constant transportation and communication contact in the normal and essential conduct of daily business; and

Whereas these taxes remain in force as though they were taxes on luxuries; and

Whereas the public interest requires the maintenance of sound and vigorous transportation and communication services and such services are weakened and impeded by continued collection of taxes patently created as a war measure: Now, therefore, be it

*Resolved*, That the Portland Chamber of Commerce vigorously urge all elements of the West to call upon the Members of Congress representing Western States to undertake as a unit to affect repeal of the wartime imposed and still-continuing burdensome excise taxes on transportation and communication.

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SALEM, OREG., *April 24, 1958.*

Hon. SINCLAIR WEEKS,
*Secretary of Commerce,*
*Washington, D. C.:*

I am sure I speak for most and very possibly for all commissioners at the State and Federal level who are charged with responsibility for maintaining the stability, solvency, and adequacy of the common carrier system of this country when I express my dismay and disappointment at your failure to recommend to the White House and to the Congress the immediate repeal of the Federal excise taxes on the transportation of persons and property by common carrier. Failure to repeal these taxes now will extend an unnecessary and perhaps very dangerous drag upon the entire economy which because of its pyramiding effect is of far more consequence than would appear upon superficial examination. Failure to repeal these taxes will also extend a situation in which the common carriers are pinpointed as the objectives of a tax which has the effect of encouraging competition by unregulated carriers including those carriers which operate through various subterfuges and evasions of proper regulation. Furthermore failure to repeal these taxes at the present time will increase the already considerable pressure from railroad executives for enactment of various dangerous and unsound proposals contained in the so-called Cabinet committee report on transportation. It is the opinion of hundreds of independent transportation experts of this country that these proposals carry with them the threat of either competitive chaos within the transportation industry or the threat of eventual monopoly. I urge that upon reconsideration of this matter you will add to your recommendations the immediate repeal of all Federal excise taxes in the fields of freight and passenger transportation.

Respectfully,
HOWARD MORGAN,
*Public Utility Commissioner of Oregon.*

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HUDSON HOUSE, INC.,
*Portland, Oreg., June 19, 1957.*

Hon. EDITH GREEN,
*United States House of Representatives,*
*Washington, D. C.*

DEAR REPRESENTATIVE GREEN: We respectfully but urgently ask your's and the committee's support for legislation now being considered by the Excise Tax Subcommittee to eliminate the 3 percent tax on transportation of property.

Inasmuch as this was an emergency measure to assist our country during the emergency years of World War II, it certainly stands to reason that it is now time to remove this tax. Also, this burden on carriage-for-hire is manifestly unfair in view of the exemption of private carriage of freight.

We sincerely hope that this injustice to shippers using common carriers will be removed at this session.

Very truly yours,
ROBERT A. HUDSON,
*President.*

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mrs. PFOST. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration

of the bill (H. R. 6641) to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6641, with Mr. JONES of Missouri in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mrs. PFOST. Mr. Chairman, I yield myself 5 minutes. First of all, I want to say that the committee worked long and diligently on this bill. Many hours have gone into hearings and study, both in Washington and in the field.

I particularly want to commend the committee counsel, Mr. Witmer, for his excellent work in connection with the legislation. And I want to thank both members of the committee and Mr. Witmer for their support and assistance in bringing the bill to the floor.

Mr. Chairman, this bill proposes to change the boundaries of the Everglades National Park. This change will actually result in a reduction of about 110,000 acres of the park below the acreage included in Secretary McKay's boundaries of March 12, 1954, or in a net increase of approximately 197,000 acres over what is now owned by the Government within the park.

Some 64,000 of these 197,000 acres will be acquired by exchange with the State of Florida, and 30,000 will be acquired by donation from the Collier Corp. through the State of Florida. Eighty-one thousand acres will be purchased or acquired by other means, as they are lands that are in private ownership. These lands have never been developed. Twenty-two thousand acres of the lands which are privately owned will be purchased only if and when they are not used for farming purposes.

The committee has written into the bill a $2 million ceiling on the amount which may be appropriated, and no private lands shall be bought until an exchange of certain lands within the State has been consummated.

Many of you have read or heard about the delightful book entitled "Wild America" by the great ornithologists Roger Tory Peterson and James Fisher. In this book is a chapter on the Everglades which is as good an introduction to the country with which H. R. 6641 is concerned as you can get anywhere short of going to Florida for yourselves. Members of our committee had the good fortune of visiting Everglades Park during the Easter recess. I cannot read all of the book that I would like to for the benefit of those of you who have not visited the park—but a few samples will give you some idea of what we saw and why we think this bill should be enacted.

The Everglades—

The authors point out—

is, in truth, a river of grass, a broad shallow slow-sloping river choked with sawgrass through which the water, swelled by rains, flows, or rather oozes, for a hundred miles until it merges imperceptibly with the tidewater of the Gulf of Mexico.

Everglades National Park is not a park in which one goes for a walk. It is not a park like our Western national parks, which are notable for their spectacular scenery—their mountains and mesas and canyons and geysers. But it is a national park in its own right—its vegetation and its birdlife make it such—and it is one that is attracting more and more visitors. In 1957 there were 350,000 of them, 3½ times as many as in 1949. Thus it is a good public investment for the great American public to enjoy now and for generations to come. As Mr. Peterson and Mr. Fisher say:

Only in America, so far, has it been possible to combine the national park (where man is encouraged) with the nature reserve (from which, at least in the old days, man was supposed to be kept away.).

If we enact H. R. 6641, as I believe we should and will, we will make Everglades National Park far more accessible than it now is to visitors coming down the west coast of Florida. We will save the lands that are to be added to it from the depredations of speculators. We will protect the feeding grounds of birds that have nowhere else to go—egrets, men-of-war, roseate spoonbills, white ibis, herons of all varieties, and so on. We will protect not only the great stands of cypress and mangrove, but we will protect, both for sports fishermen and for commercial fishermen, the habitat which, as we are just beginning to appreciate, is the source of so many of the fish they catch. Whether you like to go fishing on your own for tarpon or snook, or whether you merely appreciate the virtues of shrimp for eating purposes, this is an important bill to you.

I realize that not everyone agrees that this land should be preserved for the public. There are some who think it can be developed into a second Miami by cutting down the mangrove and filling the swampland. Perhaps so, but only at very great expense and, if it is successful, at irreparable loss to the rest of the country. Let me read a few more short extracts from Wild America:

This sea of sawgrass, sodden and waterlogged in summer, drying in winter, is a fantastic plain of slough and swamp. * * * Over a third of the Everglades is neither water nor land but something between the two. * * *

Below the sawgrass is the muck * * * and below the muck a sedimentary oolitic limestone. * * *

To the east, along the coast, the busy towns—Palm Beach, Fort Lauderdale, Miami, Coral Gables, Homestead—all stand on a ridge of limestone that is comparatively high, as much as 25 feet above sea level. But the average height of the Everglades above sea level is not much more than 8 feet; and within the last century there has been considerable lowering because of rash experiments in clearing and burning, which have resulted in the oxidation and denudation of the muck, the sticky black Everglades soil. To man, the Everglades has been a continuous challenge. He has involved himself in drainage schemes far more costly than he has ever dreamed, many of which have been disastrous failures. Land won from the sloughs and swamps, and densely populated with fruit growers and catch-crop market gardeners, has been drowned more than once, with heavy loss of life, when violent hurricanes pushed the rising water over it. To drive roads through the Everglades men have had to blast right through the muck down to the limestone bedrock and build on that, which is why the great road out of Miami across the Everglades, the Tamiami Trail, was 50 years building.

I like to think of this land as one of our irreplaceable natural resources, and I need not remind you of how much easier it is to preserve such a resource at the beginning than it is to get it back after it is gone. The experience I have had in my own district with the Hells Canyon damsite is enough to make me well aware of this.

Here we have the opportunity of a lifetime—to acquire this land while it is still undeveloped and to acquire it at a very reasonable cost: 64,000 acres by exchange with the State of Florida; 30,000 acres as a gift; and 103,000 acres at an average price of $10 to $20 an acre. Our committee received expert and detailed evidence on land values from well-qualified men, both those in favor of and those opposed to the bill, and concluded that $2 million will cover this cost.

It also received expert evidence from representatives of the National Audubon Society, the University of Miami Marine Laboratory, and the Department of the Interior on other aspects of the proposal. Pertinent portions of what these men said is reprinted in our committee report which is before you. All agreed on the importance of enacting H. R. 6641.

Assistant Secretary Ross Leffler of the Interior Department has pointed out that the preservation of the mangrove area is "very important in sustaining the fish populations upon which commercial and sport fishing of this region depend."

He states:

Approximately 7 million pounds of food fish are landed in Collier County annually with an exvessel value of over $1 million. These catches are mainly in the coastal areas from the Ten Thousand Islands area (near the town of Everglades) southward. Many of the species involved depend on the mangrove fringe areas for feeding and nursery areas. The littoral zones are also vitally important to game fish such as snook and tarpon for which nursery areas are shrinking under dredging and filling developments. The park may one day be the only mangrove area left in the United States.

Mr. Leffler further states that Everglades provides a resting and feeding stopover for many species of waterfowl, wading birds, and song birds on their annual migrations and nesting grounds for other migratory birds protected under treaties with Great Britain and Mexico. The park also plays a significant role in providing sanctuary for resident and migratory wildlife.

The proposed final boundaries of the Everglades probably encloses the minimum acreage of coastal waters necessary to protect both the fish and waterfowl which frequent this area.

The Rutherford Lumber Co. holds leases upon several thousand acres of mangrove timber. In answer to a committee question, Mr. Leffler stated that

the logging operations of this company pose a particular problem:

Certainly the construction of roadbeds to allow access could alter the drainage pattern of the white ibis feeding areas along the upper reaches of the Lopez and Huston Rivers and cause drastic changes in the environment. Lumbering operations close to these feeding areas could cause abandonment of Duck Rock as a wading bird concentration area. Increased turbidity in the waters of the area due to logging operations could also cause a severe drop in the production of bird and fish food organisms.

Mr. Leffler concluded by saying that "the future of the commercial and game fisheries and endangered birds hinges to a large degree on habitat preserved within the boundaries of the Everglades National Park."

Dr. Gilbert Voss, of the University of Miami, summed up his testimony by saying that "clearing and improving this land will prove disastrous to the fisheries which it supports" and pointed out that in 1956 the Florida shrimp catch alone was worth $19 million and that a large part of this is dependent on maintenance of the mangroves. This stand of mangroves, he said—

is as unusual in its way as the giant redwoods or sequoias of the Pacific coast. This forest has been built up over several thousand years, and once destroyed may be lost to mankind.

H. R. 6641 has been strongly supported outside the halls of Congress. The Audobon Society, the National Parks Association, the Florida Board of Parks and Historic Memorials, the Governor of Florida, the National Park Service and the United States Fish and Wildlife Service are all in favor of it. There has been opposition, to be sure. But the merits of the bill, our committee is convinced, far outweigh the reasons advanced by those who are against it. I strongly urge its enactment.

Mr. ASPINALL. Mr. Chairman, will the gentlewoman yield?

Mrs. PFOST. I yield to the gentleman from Colorado.

Mr. ASPINALL. I wish to join with the disinguished gentlewoman from Idaho in support of the legislation which is now before this committee. At the same time, I wish to compliment the gentlewoman from Idaho for the very careful and effective manner in which she has handled this particular legislation. We have had it before our committee for a long time. We have held extensive hearings, not only here on the Hill but in the area concerned. There have been several resolutions that have had to be considered concerning this bill. I compliment the gentlewoman on the fine way she has listened to those who favor the legislation and those who had some opposition to it. The determination that has been made certainly is a credit to the House.

Mrs. PFOST. I thank the acting chairman.

Mr. ROGERS of Florida. Mr. Chairman, will the gentlewoman yield?

Mrs. PFOST. I yield.

Mr. ROGERS of Florida. I concur in those remarks. As a cosponsor of the legislation, in which I am vitally interested, I want to commend the chairman of the subcommittee and all other members of the committee on the very extensive work they did, and also the counsel, on the really hard work I personally know each member has put in on this bill. I have never seen any piece of legislation that was given more time and more thorough attention, including actual inspection of the area. I commend the fairness with which the hearings were conducted. I certainly want to commend the chairman and also each member on this study. We are delighted that the committee has come to this agreement on this subject. We think it is necessary for Florida. I thank the gentlewoman at this time.

Mrs. PFOST. I thank the gentleman very much.

Let me say in answer to the gentleman from Florida's remarks that the majority of the credit is due the committee members and the staff member who went with us to Florida.

Let me also say, however, that this legislation would not be on the floor of the House today had it not been for the devoted efforts of the gentleman from Florida [Mr. ROGERS] and his colleague [Mr. FASCELL], whose bill we are considering today. I want the people of the Congressional Districts they represent to know that if this bill becomes a law, and the famous Everglades are protected for generations to come, they owe a great debt of gratitude to these two gentlemen.

Mr. SAYLOR. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, and members of the Committee, I would like to commend the author of this bill, the gentleman from Florida [Mr. FASCELL] and his colleagues from Florida [Mr. ROGERS and Mr. HALEY], for their tremendous interest in this matter. As has been stated by the gentlewoman from Idaho, the chairman of the Subcommittee on Public Lands which handled this bill, there has been a tremendous amount of local pressure caused by people who have placed a dollar sign upon lands in this section of Florida. If some of them had had their way, one of the great areas of this country which has been set aside as a national park would have been ruined. It is because of the courage of the Members from Florida who introduced this bill and who have worked for its passage and resolved many of the delicate problems associated with this legislation, that all the people of the United States are now in possession of a priceless heritage in the Everglades National Park. It is interesting to note that since this bill has been reported out of our committee, the State of Florida through its university and the Department of Fish and Wildlife in a cooperative movement have determined that one of the great natural resources of the State of Florida and of these United States will be preserved by this bill. This research has now shown that within the area which was in dispute, which some people would have excluded from the park, which some would have liked to develop for private resources and private land holdings, is actually found the home and the breeding ground of the gulf shrimp. It is remarkable that this discovery should have been made while this bill was pending, but it verifies what many of the witnesses stated—that this area probably has more fauna—marine fauna—and flora than any other area in any other national park. Because of the action of this committee, we will preserve it and it will become a place to which, I am sure, all the peoples of the United States will want to go because they will find there specimens of wildlife that are to be found nowhere else in the world.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Florida.

Mr. HALEY. Mr. Chairman, I would like first to congratulate the gentlewoman for bringing this bill to the floor and the tremendous job that the committee has done on this bill.

Mr. Chairman, I associate myself with the remarks of the distinguished gentleman from Pennsylvania and thank him for yielding.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield.

Mr. ASPINALL. There are holdings within the park area known as inholdings, and it is the gentleman's information, is it not, that those inholdings are protected in the light of the national interest?

Mr. SAYLOR. The inholdings are now protected in the light of the national interest. This piece of legislation has the unqualified endorsement and support of every conservation group in the United States.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I understand it came out of the committee with great enthusiasm.

Mr. SAYLOR. That is correct.

Mrs. ROGERS of Massachusetts. Mr. Chairman, this bill has my enthusiastic support also.

Mr. FASCELL. Mr. Chairman, I must express my appreciation to the gentlewoman from Idaho [Mrs. PFOST]. All during the course of the consideration I have become more and more aware of her ability as a Congresswoman. Her handling of this difficult legislation has been outstanding. Never have I seen a matter which has received more thoughtful attention, more careful consideration, and more objective understanding. Everyone has had ample opportunity to express his views on the matter thoroughly. The committee held hearings in Washington. It also held hearings in Miami, Fla., and visited the site of the park. Every conceivable point in issue has been fully considered.

The bill before us today, H. R. 6641, authored by me, is also cosponsored in the House by my colleague, Congressman ROGERS. Similar bills were introduced in the Senate by Senators HOLLAND and SMATHERS. At this point, I must express my appreciation to my colleague, Congressman HALEY, who is a valuable and outstanding member of the full committee which considered this bill. He has

been of immeasurable assistance on the current legislation.

Mr. Chairman, the bill before us today concerns the Everglades National Park, originally authorized by act of Congress in 1934.

The principle purpose of the present legislation is to finally determine the park's boundaries within the area authorized in 1934 by the Congress and to release all land and water in that area not incorporated therein by this bill.

The primary objective of this legislation, as was that of the authorizing act of 1934, is to preserve for the people of the United States one of the most unique areas in the world—the Florida everglades—with its rare bird life, its flora, fish, and wildlife.

The total park area to be fixed under the bill would be approximately 1,390,300 acres of land and water. Of this amount, there is already under Federal ownership 1,193,200 acres. There would remain to be acquired, therefore, about 197,100 acres.

Of this amount, the State of Florida will transfer 64,000 acres to the Federal Government on an exchange basis for unneeded Federal lands. An additional 30,500 acres have been donated by Baron Collier and are now held in trust by the State of Florida, pending the passage of this legislation. The balance of the land and water acreage remains to be acquired. A large portion of this land consists of streams, bays, lakes and rivers. The rest of it, if not all of it, is mangrove swamp and salt-water marsh. Ooze and slime are over 10 feet deep. There is no human habitation except in intermittent isolated instances.

The land has produced very little tax revenue to Monroe Country while in private ownership. Prior to 1958, most of the land in the area in question brought about 3 cents per acre per year in tax revenues. Therefore, the loss of revenue because of the inclusion of this land in the park will be nominal.

However, the maintenance in a natural state of these lands and water is vital to the fundamental objectives of the Everglades National Park. By the passage of the legislation, there will be preserved an unbroken shoreline from the Ten Thousand Islands south to the tip of Florida. Biologists of wildlife organizations, State and Federal biologists are all in agreement that the area encompassed by this legislation is the minimum which can be safely held to preserve the rare bird life, fish, wildlife and flora of this area.

Furthermore, all of these biologists are in agreement that this coastal area, together with its streams, marshes, tributaries and bays, is the nursery ground for Monroe County's, and Florida's, multi-million-dollar shrimp, commercial, and sport fishing industries. Nonpreservation of these areas would have a marked detrimental effect on the principal industry of Monroe County.

The park is being carefully developed for the benefit of all Americans. Attendance figures indicate that more and more Americans wish to enjoy this phenomenal wildlife area known as the Everglades.

The establishment of this park and the final determination of its boundaries to conserve and preserve for all time this unique and valuable wildlife area will be a tribute to this committee, the Congress and to the many people and organizations who have struggled for many, many years to bring it about.

Mr. Chairman, I urge favorable action on the pending legislation.

Mr. SAYLOR. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I am delighted to join with my distinguished colleague in support of the bill H. R. 6641 having to do with the finalizing and fixing boundaries for the Everglades National Park. I predict it will probably become one of the most outstanding, most interesting, and most popular, and most valuable natural resources of this Nation in the near future.

I am happy to see that an issue that has long been a very difficult and very heated one, involving a much needed public facility in the State of Florida apparently, as far as the House of Representatives is concerned, is finally being laid at rest. Admittedly, there has been some opposition, particularly as to the specified area to be included, and involving the size and location of the acreage to be included in the new acquisition and proposed boundaries.

The several interests of the State, including the State legislature and Federal Government, as well as private firms and individuals affected, have been given every consideration and are resolved in this measure which is admittedly a compromise. The Federal contribution to the cost of acquiring certain lands is provided by an appropriation of $2 million—a small sum in comparison to the value received in one of the finest areas of natural beauty and an equally important home of wildlife. Much depends on the retention of this great natural breeding ground for fish and fowl in its natural state.

It is unusual that preservation of natural lands can result in commercial gain, but in the case of the Everglades National Park, scientists now believe that the future of the great $19 million shrimp industry, as an example, depends on retention of these nursery grounds. Many of the sporting and edible fish, of such great value to visitors and residents of Florida alike, seek these natural waters to replenish this rapidly depleting natural resource. The importance of this vast park area, which as finally adjusted will comprise 1,390,000 acres, is well known to those who seek to perpetuate some of the rare species of birds who nest and find protection in its far reaches.

For years there has been considerable discussion with regard to the western corridor question and as to what extent and whether the Everglades Park should have a western entrance. I think everyone is now agreed, as is evidenced by the resolution of the Florida Legislature, that a western entrance is advisable and also beneficial to the Everglades National Park.

I would like to ask the distinguished gentleman from Florida, the sponsor of the bill, if it is not true that the proposed boundary in this bill substantially conforms to the recommendation set out in the resolution of the Florida Legislature with regard to fixing the boundaries of this national park?

Mr. FASCELL. Those lands are included, but it is not identical with the resolution of the State legislature.

Mr. CRAMER. But it substantially conforms to the resolution?

Mr. FASCELL. I do not think it would be fair to say that it substantially conforms to the lands which were included in the resolution.

Mr. CRAMER. In approving this resolution is it not true that your committee took into consideration the position of the Florida Legislature?

Mr. FASCELL. Very definitely. The gentleman is correct. Thorough consideration was given to the legislative resolution.

Mr. CRAMER. I think this bill will prove most beneficial. It has been my position that being composed of representatives keenly aware of this Florida problem, the Florida Legislature should, of course, be given every consideration in fixing and determining the boundaries for the Everglades National Park. It is primarily, as far as the area and the land to be acquired, particularly when Florida money and some Florida land is involved, a State matter, particularly when the State legislature has acted upon the question.

In addition, I make this observation concerning the manner in which this compromise as contained in this bill has been worked out. I have felt it was rather unfortunate that when discussions intended to finally resolve this matter were held concerning this matter in Tallahassee, all members of the Florida Congressional delegation were not included, it being my understanding that even some of the House Members whose districts are most affected were not invited to confer on this matter vital to all of Florida. Had that been done, we could have better understood what some of the problems and justifications for the compromise were, particularly those involved in determining exactly what boundaries should be fixed.

However, I am happy that the matter has been compromised and worked out after lengthy hearings and investigations by Congress.

As an indication of the fact that it is a compromise, the original acreage has been decreased in this bill by approximately 800,000 acres, leaving a national park of 1,390,000 acres, a reduction from 2,164,500 acres.

Further, protections for present landowners who are involved in the boundary area fixed in the bill are included within the framework of accomplishing the general purposes of the bill.

The amendments offered by the committee to the bill gives present private ownership some protection under the first and second amendments; the Federal Government some assurance the State will live up to its land-transfer obligations, under the third amendment; some solution to the complex drainage problems, in the fourth amendment; a

land acquisition Federal contribution authorization of $2 million, in the fifth amendment; and assurances of free access to the area over customary routes for commercial fishing, as contained on page 8 of the committee report.

I believe this park will prove to be a valuable asset in the future, and I am happy to join my colleagues in this legislation.

It is laudatory that out of the 1,370,000 acres involved in this bill it will be necessary to acquire only 81,000 acres by condemnation, and these are undeveloped areas, and that only an additional 22,000 acres privately owned that are developed to some extent will have to be acquired. An amicable solution to this problem has been worked out whereby these lands shall be subject to condemnation only after they are no longer devoted to agriculture or remain idle, that is only after they fail to fit into the park concept or are not used agriculturally.

The other 94,000 acres that must be acquired to conform to the present boundaries include 64,000 acres owned by the State of Florida that are to be exchanged for other Florida land presently owned by the United States outside the boundaries and about 30,000 acres donated to the State by the Collier Corp.

Thus, for the size of the area involved, a minimum of Federal expense or forced acquisition of private land is involved. It is to be further noted, for those who have been avid opponents of this project, that the actual total acres of land and water in the park is being decreased from 1,500,000 acres as contained in the order of Secretary McKay dated March 12, 1954 to 1,390,000 as contained in this bill.

It is imperative in my opinion, in the interests of the general public as well as the private landowners involved, that this matter be resolved immediately in order that all concerned will know the definite fixed boundaries involved and in order that the proper development of the park might go forward.

Mrs. PFOST. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. ROGERS], a cosponsor of the legislation.

Mr. ROGERS of Florida. Mr. Chairman, as a sponsor of H. R. 6653, which is identical to the bill under consideration, H. R. 6641, I urge that favorable action be taken today by the House so that the final boundaries of the Everglades National Park might be finalized. By setting the final boundaries of the park, proper development of this great natural resources can be made for the benefit of all of Florida as well as the Nation.

The principal purposes of H. R. 6641 is to determine the park boundaries within the area authorized in 1934 and releasing all land and water in said area not incorporated therein by this bill.

As defined by the order of Secretary McKay dated March 12, 1954, the boundaries of Everglades National Park enclosed about 1,500,000 acres of land and water, of which the United States owns 1,193,000. Under H. R. 6641, the park boundaries will be redefined and the acreage included within them will be reduced to 1,390,000. The 197,000 acres which are not now owned by the Government fall in the following categories:

First. Approximately 64,000 acres—of which 19,000 are land—owned by the State of Florida which will be exchanged for about 65,000 acres—of which about 30,000 are land—now held by the United States outside the redefined boundary.

Second. About 30,000 acres which were donated to the State by the Collier Corp. for inclusion in the park.

Third. Approximately 22,000 acres of privately owned lands which H. R. 6641, as amended, provides shall not be subject to condemnation as long as they are devoted to agriculture or remain idle.

Fourth. About 81,000 acres of privately owned lands which have not been developed and which are to be acquired as appropriations become available for the purpose.

Most of the area to be acquired lies to the north and west of the park lands which are now owned by the Government. It includes a segment of the Ten Thousand Islands area, an important strip of mangrove lands along the coast, and headwater areas back of this strip. This acquisition will be of great value in protecting the bird population, which is one of the chief beauties and attractions of the park; in protecting the coastal fisheries, particularly the shrimp fisheries, the breeding and nursery grounds for which are in the mangrove swamps; and in making the park more accessible from the west by furnishing a basis for an entrance to it through the town of Everglades and the west coast of Florida.

The western entrance to the park will mean a great deal to Florida which this legislation makes possible.

This legislation has had wide support. It is supported by the Department of Interior; the National Audubon Society; the National Parks Association; the National Wildlife Federal and other national organizations; most State and local organizations. It is also supported by the Governor of Florida.

In hearings before the House Interior and Insular Affairs Committee the committee received technical information that the addition to the park proposed in this legislation would be valuable to fisheries and wildlife. This testimony was from representatives of the University of Miami Marine Laboratory; the National Audubon Society; Mr. Dan Beard of the National Park Service; and Assistant Secretary Ross Leffler of the Department of the Interior.

The development of the park is not only important as a great natural resource but important to the commercial fishermen in the shrimp industry. Scientists of the marine laboratory of the University of Miami have established that the prolific breeding grounds for the pink-shrimp industry of the Everglades National Park are definitely tied in with the Tortugas fishing beds. This substantiates the theory that the Tortugas grounds are dependent upon the shallow-water, brackish areas at the southern tip of Florida for their supply of shrimp. The breeding grounds of the Everglades National Park are not only important to the multimillion shrimp industry but to the commercial fishing industry and to sports fishermen as well.

The National Park Service has given assurances that commercial fishermen would have a right to traverse their usual routes from home to fishing grounds across the park with their gear.

The growing importance of the park to the public is evident from the steady increase in the number of people visiting it. In 1949, 94,927 people visited the park; in 1957, over 344,723.

I believe the time is past due to finalize the park boundaries. The tremendous growth of Florida and its increased tourist activity make it imperative that the boundaries be finalized so that full benefit of this great and unusual attraction can be available to the public and so that lands which are to be excluded can without further delay and uncertainty proceed with orderly development.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

Mrs. PFOST. Mr. Chairman, I have no further requests for time.

The Clerk read as follows:

*Be it enacted, etc.*, That, notwithstanding section 1 of the act of May 30, 1934 (48 Stat. 816, 16 U. S. C., sec. 410), or any action taken pursuant to authority contained therein, the exterior boundary of Everglades National Park, Fla., is subject to the provisions of section 6 of this act, hereby fixed to include the following described lands:

(1) Beginning at the intersection of the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, and the west line of township 54 south, range 37 east, as shown on the Everglades National Park base map numbered NP-EVE-7109, revised August 10, 1949:

thence southerly along the west line of township 54 south, range 37 east, along the west line of Government lot 6 lying between township 54 south, and township 55 south, range 37 east, and along the west line of township 55 south, range 37 east, and township 56 south, range 37 east and along the west lines of sections 6, 7, and 18, township 57 south, range 37 east, to the southwest corner of section 18, said township and range;

thence easterly along the north line of section 19, 20, 21, 22, and 23 of said township and range to the northeast corner of section 23;

thence southerly along the east line of sections 23, 26, and 35 of said township and range to the southeast corner of said section 35;

thence easterly along the south line of section 36, of said township and range, to the southeast corner of said section 36;

thence southerly along the east line of sections 1, 12, 13, 24, 25, and 36, township 58 south, range 37 east, and along the west line of sections 6, 7, and 18, township 59 south, range 38 east, to the northwest corner of section 19, said township and range;

thence easterly along the north line of sections 19, 20, 21, 22, 23, and 24 of township 59 south, range 38 east, and sections 19 and 20 of township 59 south, range 39 east, to the southwest right-of-way line of United States Highway Numbered 1;

thence southeasterly along the southwest right-of-way line of United States Highway Numbered 1 to a point which is the northerly point of a tract of land conveyed by the trustees of the internal improvement fund, State of Florida, to John E. Ravlin, and others, by deed dated November 5, 1943, recorded in deed book G16, page 72, in Monroe County public records;

thence following along the westerly and southerly boundary of said tract to its point of intersection with a line parallel with and 200 feet northwesterly from the centerline of Intracoastal Waterway near the southern point of said Ravlin tract;

thence southwesterly, following a line parallel to the centerline of said Intracoastal Waterway and 200 feet northwesterly from said centerline to a point due north of Long Key light, approximately longitude 80 degrees 50 minutes west, latitude 24 degrees 51 minutes north;

thence northwesterly, following a line at all times parallel to the centerline of said Intracoastal Waterway and 200 feet northeasterly from said centerline to a point opposite the Oxfoot Bank Light, approximately longitude 81 degrees 00 minutes 40 seconds west, latitude 24 degrees 59 minutes 10 seconds north;

thence northwesterly in a straight line to a point 3 miles due south of the most southernmost point of East Cape (Cape Sable);

thence due north in a straight line to a point 2 miles due south of the most southernmost point of East Cape (Cape Sable);

thence northwesterly in the Gulf of Mexico in a straight line to a point 2 miles due west of the southeast corner of fractional section 31 (Middle Cape), township 60 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the most westernmost point of Northwest Cape (Cape Sable);

thence northeasterly in a straight line to a point 2 miles due west of the northwest corner of fractional section 6 township 59 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the southwest corner of section 6, township 58 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the northwest corner of fractional section 28, township 56 south, range 31 east;

thence northwesterly in a straight line to a point 3 miles due west of the southwest corner of fractional section 32, township 54 south, range 30 east;

thence northwesterly in a straight line to the southwest corner of section 28, township 53 south, range 28 east;

thence northerly along the west line of section 28, township 53 south, range 28 east, to the northwest corner of said section 28;

thence easterly along the north line of section 28, township 53 south, range 28 east, to the northeast corner of said section 28;

thence northerly along the west line of section 22, township 53 south, range 28 east, to the northwest corner of said section 22;

thence easterly along the north line of section 22, township 53 south, range 28 east, to the northeast corner of said section 22;

thence northerly along the west line of section 14, township 53 south, range 28 east, to the northwest corner of said section 14;

thence easterly along the north line of section 14, township 53 south, range 28 east, to the northeast corner of said section 14;

thence northerly along the west line of section 12, township 53 south, range 28 east, to the northwest corner of said section 12;

thence easterly along the north line of section 12, township 53 south, range 28 east, to the northeast corner of said section 12;

thence northerly along the west line of section 6, township 53 south, range 29 east, to the northwest corner of said section 6;

thence easterly along the north line of township 53 south, range 29 east, to the northeast corner of section 4, township 53 south, range 29 east;

thence southerly along the east lines of sections 4, 9, 16, and 21, township 53 south, range 29 east, to the southeast corner of the northeast quarter of said section 21;

thence easterly to the center of section 22, township 53 south, range 29 east;

thence southerly to the southeast corner of the southwest quarter of section 22, township 53 south, range 29 east;

thence easterly along the south line of section 22, township 53 south, range 29 east, to the southeast corner of said section 22;

thence southerly along the west line of section 26, township 53 south, range 29 east, to the southwest corner of the northwest quarter of said section 26;

thence easterly to the center of section 26, township 53 south, range 29 east;

thence southerly to the northwest corner of the southwest quarter of the southeast quarter of section 26, township 53 south, range 29 east;

thence easterly to the northeast corner of the southeast quarter of the southeast quarter of section 26, township 53 south, range 29 east;

thence southerly along the east line of section 26, township 53 south, range 29 east, to the southeast corner of said section 26;

thence easterly along the north line of section 36, township 53 south, range 29 east, to the northeast corner of the northwest quarter of said section 36;

thence southerly to the southwest corner of the northwest quarter of the southeast quarter of section 36, township 53 south, range 29 east;

thence easterly to the southeast corner of the northeast quarter of the southeast quarter of section 36, township 53 south, range 29 east;

thence continuing easterly to the southeast corner of the northwest quarter of the southwest quarter of section 31, township 53 south, range 30 east;

thence northerly to the northeast corner of the northwest quarter of the northwest quarter of section 31, township 53 south, range 30 east;

thence continuing northerly to the northeast corner of the southwest quarter of the southwest quarter of section 30, township 53 south, range 30 east;

thence westerly to the northeast corner of the southeast quarter of the southeast quarter of section 25, township 53 south, range 29 east;

thence northerly along the east lines of sections 25, 24, and 13, township 53 south, range 29 east, to the northeast corner of said section 13; thence easterly along the north lines of sections 18, 17, 16, 15, 14, and 13, to the northeast corner of section 13, township 53 south, range 30 east;

thence southerly along the east lines of sections 13, 24, 25, and 36 to the southeast corner section 36, township 53 south, range 30 east;

thence easterly along the north lines of sections 6, 5, and 4 to the northeast corner of section 4, township 54 south, range 31 east;

thence southerly along the east line of section 4 to the southeast corner of section 4, township 54 south, range 31 east;

thence easterly along the north line of section 10 to the northeast corner of section 10, township 54 south, range 31 east;

thence southerly along the east line of section 10 to the southeast corner of section 10, township 54 south, range 31 east;

thence easterly along the north line of section 14 to the northeast corner of section 14, township 54 south, range 31 east;

thence southerly along the east line of section 14 to the southeast corner of section 14, township 54 south, range 31 east;

thence easterly along the north line of section 24 to the northeast corner of section 24, township 54 south, range 31 east;

thence southerly along the east lines of sections 24 and 25 to the southeast corner of section 25, township 54 south, range 31 east;

thence easterly along the north lines of sections 31, 32, and 33 to the northeast corner of section 33, township 54 south, range 32 east;

thence southerly along the east line of section 33 to the southeast corner of section 33, township 54 south, range 32 east;

thence easterly along the north line of section 3, to the northeast corner of section 3, township 55 south, range 32 east;

thence southerly along the east lines of sections 3 and 10, to the southeast corner of section 10, township 55 south, range 32 east;

thence easterly along the north line of section 14, to the northeast corner of section 14, township 55 south, range 32 east;

thence southerly along the east line of section 14, to the southeast corner of section 14, township 55 south, range 32 east;

thence easterly along the north line of section 24, to the northeast corner of section 24, township 55 south, range 32 east;

thence southerly along the east lines of sections 24 and 25 to the northeast corner of the southeast quarter of section 25, township 55 south, range 32 east;

thence easterly along the north line of the south half of section 30 to the northeast corner of the south half of section 30, township 55 south, range 33 east;

thence southerly along the east lines of sections 30 and 31 to the southeast corner of section 31, township 55 south, range 33 east;

thence southerly along the east line of section 6, to the southeast corner of section 6, township 56 south, range 33 east;

thence easterly along the north lines of sections 8, 9, 10, 11, and 12, to the northeast corner of section 12, township 56 south, range 33 east;

thence easterly along the north lines of sections 7, 8, 9, 10, 11, and 12, to the northeast corner of section 12, township 56 south, range 34 east;

thence easterly along the north line of section 7 to the northeast corner of section 7, township 56 south, range 35 east;

thence northerly along the west line of section 5 to the northwest corner of section 5, township 56 south, range 35 east;

thence northerly along the west lines of sections 32, 29, 20, 17, 8, and 5 to the northwest corner of section 5, township 55 south, range 35 east;

thence northerly along the west lines of sections 32, 29, and 20 to the intersection of the south right-of-way line of the Loop Road, township 54 south, range 35 east;

thence easterly along the south right-of-way line of the Loop Road and the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, through sections 20, 21, 22, 23, and 24, township 54 south, range 35 east, to the intersection of the east township line, township 54 south, range 35 east;

thence easterly along the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, through sections 19, 20, 21, 22, 23, and 24, township 54 south, range 36 east, to the east township line of township 54 south, range 36 east;

thence easterly along the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, across township 36½ east to the intersection of the west line of township 54 south, range 37 east, the point of beginning;

(2) Land acquired by the United States of America for furthering administration and use of the park by deeds dated January 25, 1954 (2), and February 27, 1954 (2), recorded in the public records of Monroe County, Florida, book OR-3, pages 302 to 308, inclusive, and book OR-2, pages 378 to 381, inclusive, respectively; and accepted by the National Park Service on April 7, 1954 (2), and April 5, 1954 (2), respectively; and

(3) Not to exceed 35 acres, to be acquired by donation only, in or in the vicinity of Everglades City, Florida, which the Secretary

of the Interior may find necessary and suitable for furthering administration and use of the park.

Land and water now in Federal ownership within said boundary shall continue to be administered as Everglades National Park; however, the land and water therein not in Federal ownership shall be administered as a part of the park only after being acquired as hereinafter provided.

SEC. 2. The authority of the Secretary of the Interior to acquire land and water for Everglades National Park shall hereafter be restricted to the area within the boundary described in section 1. Notwithstanding the proviso contained in section 1 of the act of May 30, 1934 (48 Stat. 816, 16 U. S. C., sec. 410), or any other provision of law, the said Secretary is hereafter authorized, within the boundary fixed in this act and with any funds made available for that purpose, to acquire land, water, and interests therein by purchase or otherwise subject to the proviso that so long as parcels within the following described area encompassed within said boundary are used exclusively for agricultural purposes and housing directly incident to such purposes said parcels may not be acquired without the consent of the owners thereof:

Beginning at the southwest corner of section 31, township 58 south, range 37 east;

thence southerly along the west line of sections 6 and 7, township 59 south, range 37 east, to the southeast corner of section 24, township 59 south, range 36 east;

thence westerly along the south lines of sections 24, 23, 22, 21, and 20, township 59 south, range 36 east, to the southwest corner of said section 20;

thence northerly along the west lines of sections 20, 17, 8, and 5, township 59 south, range 36 east, to the northwest corner of said section 5;

thence to the southwest corner of section 33, township 58 south, range 36 east;

thence northerly along the west lines of sections 33 and 28, township 58 south, range 36 east, to the northwest corner of said section 28;

thence easterly along the north lines of sections 28, 27, 26, and 25, township 58 south, range 36 east, to the northeast corner of said section 25;

thence southerly along the east line of section 25, township 58 south, range 36 east, to the point of intersection of the east line of said section 25 and the north line of section 18, township 58 south, range 37 east, extended westerly along the hiatus;

thence easterly across the hiatus to the northwest corner of section 18, township 58 south, range 37 east;

thence easterly along the north lines of sections 18, 17, and 16, township 58 south, range 37 east, to the northeast corner of said section 16;

thence southerly to the northeast corner of section 21, township 58 south, range 37 east;

thence westerly along the north lines of sections 21 and 20, township 58 south, range 37 east, to the northeast corner of the northwest quarter of said section 20;

thence southerly along the west line of the east half of section 20, township 58 south, range 37 east, to the southeast corner of the southwest quarter of said section 20;

thence westerly along the north lines of sections 29 and 30, township 58 south, range 37 east, to the northwest corner of said section 30;

thence southerly along the west lines of sections 30 and 31, township 58 south, range 37 east, to the southwest corner of said section 31; the point of beginning.

The authority to acquire land, water, and interests therein within the park boundary fixed in section 1 is further subject to the right of retention by the owners of such land, water, and interests therein, interests in oil, gas, and mineral rights, or royalties, their heirs, executors, administrators, successors, or assigns, at their election, of the following:

(1) The reservation until October 9, 1958, of all oil, gas, and mineral rights or interests, including the right to least, explore for, produce, store, and remove oil, gas, and other minerals from such lands;

(2) In the event that on or before October 9, 1958, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary of the land and water described in the first section of this act, the time of the reservation as provided in subsection (1) of this section shall automatically extend for all owners within such boundary, regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said boundary. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress and egress to and from such land and water as may be necessary; and

(3) After the termination of the reserved rights of owners as set forth in subsections (1) and (2) of this section, a further reservation of the right to customary royalties, applying at the time of production, in any oil, gas, or other minerals which may be produced from such land and water at any time before January 1, 1985, should production ever be authorized by the Federal Government or its assigns.

SEC. 3. Unless consented to by an owner retaining the reservation set forth in subsections (1) and (2) of section 2 of this act, no action shall be taken by the Federal Government during the period of such reservation to purchase, acquire, or otherwise terminate or interfere with any lease or leases which may be applicable to said owner's land.

SEC. 4. Any reservations retained under the provisions of subsections (1) and (2) of section 2 of this act shall be exercised by the owners subject to reasonable rules and regulations which the Secretary may prescribe for the protection of the park, but which shall permit the reserved rights to be exercised so that the oil, gas, and minerals may be explored for, developed, extracted, and removed from the park area in accordance with sound conservation practices. All operations shall be carried on under such regulations as the Secretary may prescribe to protect the land and area for park purposes.

SEC. 5. In acquiring any of the land or water within the area described in the first section of this act the Secretary of the Interior shall exercise reasonable diligence to ascertain whether owners elect to retain reservations in accordance with the provisions of section 2 of this act. If, after the exercise of such reasonable diligence, owners cannot be located, or do not appear in judicial proceedings to acquire the land and water, so that it may be ascertained whether they desire to retain reservations in accordance with the provisions hereof, the Secretary may acquire the fee simple title to their land free and clear of reservations as set forth in subsections (1), (2), and (3) of section 2 of this act.

SEC. 6. The Secretary of the Interior is authorized to transfer to the State of Florida by quitclaim deed the land, water, and interests therein, previously acquired by the United States of America for Everglades National Park and not included within such park by section 1 of this act, such transfer to be in exchange for the conveyance by the State of Florida to the United States of all land, water, and interests therein, owned by the State within the boundary of the park as described in section 1 of this act: *Provided*, That exclusion of any land, water, and interests therein from the park boundary pursuant to section 1 of this act shall be dependent upon the contemporaneous conveyance by the State to the United States of all land, water, and interests therein, owned by the State within the park boundary described in section 1 of this act, including land, water, and interests therein, heretofore conveyed to the State for transfer to the United States for inclusion in Everglades National Park.

Mrs. PFOST (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 14, lines 2 to 7 inclusive, strike out "subject to the proviso that so long as parcels within the following described area encompassed within said boundary are used exclusively for agricultural purposes and housing directly incident to such purposes said parcels may not be acquired without the consent of the owners thereof" and insert in lieu thereof the following: "subject to the proviso that no parcel within the following described area shall be acquired without the consent of its owner so long as it is used exclusively for agricultural purposes, including housing directly incident thereto, or is lying fallow or remains in its natural state."

The committee amendment was agreed to.

The Clerk read as follows:

Page 16, line 7, strike out all of the language through page 17, line 5, and insert in lieu thereof the following:

"The authority to acquire land, water, and interests therein within the park boundary fixed in section 1 of this act but outside the area designated in the act of October 10, 1949 (63 Stat. 733) is further subject to the right of retention by the owners thereof, including owners of interests in oil, gas and mineral rights or royalties, and by their heirs, executors, administrators, successors and assigns, at their election of the following:

"(1) The reservation until October 9, 1967, of all oil, gas, and mineral rights or interests, including the right to lease, explore for, produce, store, and remove oil, gas, and other minerals from such lands;

"(2) In the event that on or before said date, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary fixed in section 1 of this act but outside the area designated in the act of October 10, 1949, the time of the reservation provided in subsection (1) above shall automatically extend for all owners within said boundary and outside of said area regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said bounadry and outside of said area. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress to and egress from such land and water as may be necessary."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 18, following line 18, add a new section 6 as follows:

"SEC. 6. Unless the Secretary, after notice and opportunity for hearing, shall find that

the same is seriously detrimental to the preservation and propagation of the flora or fauna of Everglades National Park, he shall permit such drainage through the natural waterways of the park and the construction, operation, and maintenance of artificial works for conducting water thereto as is required for the reclamation by the State of Florida or any political subdivision thereof or any drainage district organized under its laws of lands lying easterly of the eastern boundary of the park in township 54 south, ranges 31 and 32 east, township 55 south, ranges 32 and 33 east, and township 56 south, range 33 east. He shall grant said permission, however, only after a master plan for the drainage of said lands has been approved by the State of Florida and after finding that the approved plan has engineering feasibility and is so designed as to minimize disruptions of the natural state of the park. Any right-of-way granted pursuant to this section shall be revocable upon breach of the conditions upon which it is granted, which conditions shall also be enforceable in any other appropriate manner, and the grantee shall be obligated to remove its improvements and to restore the land occupied by it to its previous condition in the event of such revocation."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 18, line 19, renumber "Sec. 6" to read "Sec. 7."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 19, line 11, add a new sentence, as follows:

"The effectuation of the transfer provided for in this section shall be a condition precedent to the acquisition by the Secretary of any land, water, or interests therein held in private ownership within the boundaries set forth in section 1 of this act and outside the area designated in the act of October 10, 1949, except as such acquisition is by donation."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 19, following line 11, add a new section, as follows:

"SEC. 8. There are hereby authorized to be appropriated such sums, but not more than $2 million in all, as are required for the acquisition of land, water, and interests therein held in private ownership within the boundaries of Everglades National Park as fixed by section 1 of this act and outside the area described in the act of October 10, 1949."

The committee amendment was agreed to.

Mrs. PFOST. Mr. Chairman, I offer a clarifying amendment.

The Clerk read as follows:

Amendment offered by Mrs. PFOST: Page 1, line 7, strike out "6" and insert "7."

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments, under the rule the Committee will rise.

Accordingly the Committee rose, and Mr. WALTER having assumed the chair as Speaker pro tempore, Mr. JONES of Missouri, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 6641, pursuant to House Resolution 594, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## SMALL BOAT SAFETY

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, the Committee on Merchant Marine and Fisheries has been working on legislation to modernize the Federal laws relating to small boats for the past 3 years. H. R. 11078 is the result of these efforts and provides a minimum of needed regulation for the 7 million pleasure boats now in existence in the United States.

The legislation will be brought before the House Wednesday of this week, and I hope each Member will familiarize himself with the bill and the report.

In this connection, I was pleased to see that under date of June 6, 1958, President Eisenhower proclaimed the week beginning June 29, 1958, as National Safe Boating Week. This is certainly a helpful step in the right direction, but I also feel that the substance of H. R. 11078 is required to make boating a safer sport for the 35 million of our people who annually go out in such boats.

The proclamation of the President is as follows:

PROCLAMATION 3245—NATIONAL SAFE BOATING WEEK, 1958

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas our people in increasing numbers are taking part in boating activities on the waters of the Nation, and it is estimated that approximately 28 million will participate in such activities during 1958; and

Whereas safety is essential for the full enjoyment of boating, and safe boating practices will result in the saving of many lives and in the avoidance of injuries and property damage; and

Whereas the Congress, by a joint resolution approved June 4, 1958, has authorized and requested the President of the United States to proclaim annually the week which includes July 4 as National Safe Boating Week:

Now, therefore, I, Dwight D. Eisenhower, President of the United States of America, do hereby designate the week beginning June 29, 1958, as National Safe Boating Week.

I urge boating organizations, the boat industry, Government agencies, and all other organizations and all individuals interested in boating, to join in the observance of National Safe Boating Week; and I ask them to do their utmost during that week and throughout the year to make boating a safe and enjoyable activity.

I also invite the Governors of the States, Territories, and possessions of the United States to provide for the observance of National Safe Boating Week in order to focus universal attention on the importance of safe boating practices.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the city of Washington this 4th day of June in the year of our Lord 1958 and of the Independence of the United States of America the 182d.

DWIGHT D. EISENHOWER.

By the President:

[SEAL] JOHN FOSTER DULLES,
*Secretary of State.*

[F. R. Doc. 58-4413; Filed, June 6, 1958; 2:51 p. m.]

## ANTITRUST LAWS AS APPLICABLE TO SPORTS

Mr. CRETELLA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CRETELLA. Mr. Speaker, I am introducing in the House of Representatives today a bill to define clearly the status of professional baseball, football, basketball and hockey in relation to the antitrust laws.

This bill would, if enacted, clear away once and for all the confusion and doubt besetting professional team sports. It sets up guideposts which free baseball, football, basketball and hockey from the fear that they might unknowingly be violating the antitrust laws. This bill would, for the first time, state clearly what is and what is not a violation of the antitrust laws. It protects the interests of all concerned—players, owners and fans.

Beyond that, this bill eliminates the discrimination which now exists between one professional team sport and another. By decree of the United States Supreme Court, professional baseball since 1922 has enjoyed an exempt status from antitrust laws. By contrast, the Supreme Court ruled in February 1957 that professional football is subject to the antitrust laws. In that ruling, the high court plainly indicated that if it were ruling without precedent, it would not give preferential treatment to one professional team sport over the other and suggested that the remedy lies with Congress. My bill does that. It wipes out preferential status and places all professional team sports on an equal legal footing—as it should be.

This bill has been prepared after discussion and consultation with sports authorities. I agree with Baseball Commissioner Ford Frick that all professional team sports would be better off if a bill clearly defining their antitrust status could be enacted by Congress. This is the very purpose and essence of this bill.

It provides that the antitrust laws shall apply to professional baseball, football, basketball and hockey, but it specifically exempts from any antitrust action the reserve clause, player contracts, territorial rights, expansion of leagues, formation of leagues, advancement of players through draft and waiver rules, and assignment of player contracts.

This bill does, however, clearly spell out limitations which I firmly believe are for the good of the game—be it baseball, football, basketball, or hockey.

My bill protects baseball's minor leagues from total destruction by attacking the two major threats to the existence of the minor leagues, first, indiscriminate telecasting and broadcasting of major league games into minor league territory; and, second, the farm system.

Last winter, after major league owners had agreed to broadcast Saturday and Sunday games throughout the minors, the minor leagues through the Committee of the National Association of Professional Baseball Leagues appealed to the Judiciary Committee of the United States House of Representatives to save them. They said that:

These certain major-league clubs have, by their greedy actions, forfeited all rights to receive any special consideration from your committee. The crossroads have been reached and the survival of minor-league baseball in America is dependent upon swift, concise action by the Congress and by the Justice Department to give relief to the minors. * * * Telecasts of major-league Sunday games on Sunday afternoon can nail down the lid on the coffin of minor-league baseball.

I cannot sit idly by and ignore such a life-or-death plea for I have seen a minor-league team die.

Accordingly, for the sake of minor league survival, I am proposing that:

First. No major-league game telecast or broadcast be permitted into a minor-league city when a minor-league team is playing in that city, unless that minor-league team specifically consents to such broadcast or telecast.

Second. No major-league team may, after January 1, 1960, own a minor-league team directly or indirectly.

Both of these practices at present constitute, in my judgment, the worst type of sports monopoly. Indeed, there has been testimony before the Judiciary Committee's antitrust subcommittee that the greatest monopoly in baseball today is the farm system. Certain major-league clubs today are vast holding companies which exercise complete control over the lives and careers of hundreds of baseball players. This is an abuse which must be curbed, and would be under this bill.

My bill also provides these other protections:

First. A player who signs a contract when he is a minor shall be entitled to the protection of the laws applicable to infants. That is, at the age of 21 he would have a free choice of continuing to play for the team with which he originally signed or he could become a free agent. The commisioner of baseball has testified that if a minor terminated his contract or refused to sign a new one on becoming 21 years of age, he would be placed on baseball's restricted list. This bill protects the rights of the young player.

Second. A player who has served in the major leagues for a period of 3 years cannot be transferred to the minor leagues without his consent after he is once placed on the waiver list and is claimed by a major league club. This would forestall any chicanery or sharp practices that have been complained of in the past about waiver rule abuses.

Third. It would eliminate indiscriminate shuffling of players in the minors by providing that a player who has served 5 years in the minor leagues, cannot be transferred without his consent to another team in the same or lesser classification.

The House of Representatives this week will consider H. R. 10378. This bill, known as the Celler bill, is a step in the right direction but its great weakness lies in its "reasonably necessary" clauses which could lead to endless, needless, and costly litigation.

Nor can I agree with the substitute bill (H. R. 12991) introduced by four of my colleagues because that measure, in my opinion, gives professional team sports a clear field to do as they please.

My bill is a fair and just one. It eliminates evils and abuses. It spells out the responsibilities of professional team sports. It leaves no doubt about where they stand. It enhances their integrity. It preserves the public confidence in the honesty of sports.

A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes

*Be it enacted, etc.*, That the act of July 2, 1890, as amended (26 Stat. 209); the act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717) shall apply to the organized professional team sports of baseball, football, basketball, and hockey: *Provided, however*, That the sports practices, such as the reserve clause, player contracts, territorial rights, expansion of leagues, formation of leagues, advancement of players through draft and waiver rules and assignment of player contracts, are exempted therefrom, with the following limitations:

(1) A person who signs a contract when he is a minor shall be entitled to the protection granted him by the laws applicable to infants;

(2) A person who has served in the major leagues for a period of 3 years cannot be transferred to the minor leagues without his consent after he is once placed on the waiver list and is claimed by a major league club;

(3) A person who has served 5 years in the minor leagues cannot be transferred without his consent to another team in the same or lesser classification;

(4) No major league game will be broadcast or telecast into a minor league town or city when a minor league team is playing in that town or city without the consent of said minor league team in the minor league town or city.

(5) No major league team may own directly or indirectly a team in the minor league after January 1, 1960.

Nothing contained herein shall be held to affect or impair any right heretofore legally acquired.

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## EXTENSION OF CORPORATE AND EXCISE TAX LAWS

Mr. THOMSON of Wyoming. 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 Wyoming?

There was no objection.

Mr. THOMSON of Wyoming. Mr. Speaker, I believe that the House should concur in the Senate amendments to H. R. 12695, the corporate and excise tax extension bill. The effect of these amendments, my colleagues know, is to repeal transportation tax on property and on persons. I had hoped that this could be done without a conference. I would urge the conferees to agree to the Senate amendments.

As H. R. 12695 was presented to the House, amendments to repeal these taxes were not in order. I think the overwhelming majority of this body is in favor of the elimination of these taxes. I believe that we should at least have the opportunity of voting on this issue.

The arguments for the repeal of these taxes are overwhelming. Over a year ago, on May 13, 1957, I introduced H. R. 7470 and H. R. 7471 to accomplish this purpose.

These were wartime taxes imposed to slow down and hold back the civilian economy. Their repeal is long overdue and especially indicated now as a means of strengthening the civilian economy on a sound basis.

As wartime taxes these were designed to discourage use of common carrier facilities. There is no doubt that they have this effect. Now our railroads are in serious difficulty. We are considering legislation to improve their position which I support. Repeal of these taxes would be one of the most sound things we could do to accomplish this purpose. It would have a good effect on all of our common-carrier facilities including truck and air as well. These taxes have placed a penalty on all common carriers.

These taxes are discriminatory. They particularly result in higher prices in those areas far away from principal points of production. This, in turn, has a harmful effect on producers because it reduces the market for their products.

In the West the tourist business is very important to our economy. The tax on persons encourages travel in foreign countries or by Canadian routes.

The tax on transportation of property applies to everything without regard to necessity or luxury. It is viciously pyramided all along the line from raw material to the ultimate consumer.

We are about to consider farm legislation. Many of us have been much concerned with the continuing spread between what the consumer pays and what the farmer receives for farm products. The repeal of the transportation tax on property would have a significant and desirable effect upon correcting this spread.

I firmly believe that the repeal of these taxes is good business for the Government. Additional revenue to the Government from the expansion of business which repeal of these taxes would stimulate would more than offset the loss of revenue from the tax itself. Mr. Speaker, I am most appreciative of the financial position of the Government. I have continually supported the proposition that we must be responsible in our action. I would not favor a general tax reduction. This is a tax readjustment

that is long overdue. This House is afforded the opportunity to consider this readjustment without the possibility of developing other, unsound proposals. We should have that opportunity. We should repeal the taxes on transportation of property and persons without delay.

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## THE NEED FOR THE REESTABLISHMENT OF A CIVILIAN CONSERVATION CORPS

The SPEAKER pro tempore (Mr. WALTER). Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 20 minutes.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the creation of a Civilian Conservation Corps, patterned along the lines of the one which functioned so effectively in the 1930's and the early 1940's.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, in America today great emphasis is being placed on exploration of outer space, on development of complex high-powered rockets, and on projected trips to the moon. Much concern has been expressed over the lack of qualified scientists and engineers and Congress is presently considering legislation which will provide scholarships for deserving young men and women who desire to pursue studies in these fields. I commend this program because, if we in America are to continue to lead the fight for freedom and democracy, we must have the necessary knowledge and trained manpower to meet and overcome the challenges we face.

Today our youth are thinking in terms of missiles, research, space travel, and other subjects which were unheard of a few years ago. Now, I realize this is a natural thing in keeping with the times. Yet, I am concerned that so much emphasis and thought is being directed along this one channel. There are many other important fields which should also command the attention of the youth of America. One of the most important of these is the conservation and development of our natural resources and this is just as essential to the long-time welfare of the United States.

This Nation has long been the dreamland of freedom for the individual and of an abundance of everything necessary to make life a pleasure. When our founders came to this country, they found forests abounding with timber—they found an abundance of fish and wildlife—they found rivers and lakes that were unspoiled. In other words, they found nature at its best. Since that time, however, modern progress, increased population, human consumption, transportation needs, and urban development, have all contributed to the reduction and deterioration of our natural resources.

Our local, State, and National Governments, as well as many civic and fraternal organizations, are doing an outstanding service to the country through programs to promote the conservation and development of natural resources. However, I am firmly convinced that much more progress in this field is necessary if we are to insure for future generations the natural resources which are necessary for our own survival.

Mr. Speaker, as a step in this direction, I am today introducing a bill designed to establish a youth conservation organization to assist in the conservation and development of natural resources, provide employment and training for unemployed youthful citizens, and for other purposes.

This organization would be similar to the Civilian Conservation Corps, better known as the CCC, which was in existence from April 1933 to June 30, 1942.

The successful part this organization played in aiding the Nation's forests and implementing the national economy is still fresh in the minds of the people.

The magnitude of the contribution of the CCC to American forestry has been estimated at 730,000 man-years, valued at nearly a billion dollars. The details of lookout towers, cabins, storehouses, garages, bridges, and dams built; campgrounds and recreational sites improved; miles of telephone lines, roads, trails, and firebreaks constructed, areas of trees planted and forests thinned and improved; pounds of tree seed collected, cleaned, and planted in nursery beds; man-days spent in fighting forest fires, combating forest insects, guarding and policing public campgrounds, and so forth, are impressive and challenging.

Throughout the 9 years of its existence the Civilian Conservation Corps was largely concerned with forest conservation. At the beginning its work projects were almost entirely sponsored by the Forest Service. As the program broadened, the Forest Service retained responsibility for the work programs of Federal, State and private forestry camps and for those assigned to the Tennessee Valley Authority. In Alaska and Puerto Rico the Forest Service was responsible for camp administration as well as for the work program.

Through purchases during CCC activities, Federal forests were increased by 7,725,000 acres from 1933 to 1937. Under the stimulus of this program the acreage of State forests also increased rapidly all over the United States. These new public forests were properly developed and improved by CCC manpower.

The CCC became the main line of defense against fires, not only on public forests, but also on most of the privately owned forest land that had been organized for protection under the Clarke-McNary Act.

Less tangible, but perhaps fully as significant was the effectiveness of the CCC in popularizing forestry throughout the Nation. Thousands of young men who served in the CCC have gone forward in other fields imbued with a sense of understanding and pride in the Nation's natural resources, ready to exert their influence for forest conservation in whatever positions they may find themselves.

Now for some details: Under my bill, a Youth Conservation Organization will be established to assist in the performance or acceleration of useful work in connection with the conservation and development of the natural resources of the United States, its Territories and insular possessions, and to provide an opportunity for development through healthful employment, general education, and vocational training for youthful citizens of the United States who are unemployed and in need of employment. At least 10 hours each week may be devoted to the general educational and vocational training phase of the program of the Organization.

The bill provides for the appointment of an Administrator who is authorized to enroll no more than 300,000 enrollees at any one time. All such enrollees must be unmarried males between the ages of 17 and 23 years, both inclusive, and shall at the time of enrollment be unemployed and in need of employment.

The cost of such a program would be negligible when compared with the benefits to be derived. Enrollment will be for a period of not less than 6 months and not more than 2 years. The pay of enrollees shall be at a rate equal to that provided by law for the compensation of the lowest rank of enlisted personnel in the Army. Not more than 10 percent of the enrollees may be designated as assistant leaders or assistant foremen and shall receive pay equal to that provided by law for the lowest rank of noncommissioned officers in the Army. An additional limit of 6 percent of enrollees may be designated as leaders or foremen and shall receive not more than the compensation of the second lowest rank of noncommissioned officers in the Army.

The President of the United States will, under the provisions of my bill, be authorized to utilize the services and facilities of such departments or agencies of the Government as he may deem necessary for carrying out the purposes of this act.

I call particular attention to the fact that under my bill both publicly owned and privately owned forest land may be improved. In addition to the provisions affecting publicly owned land, the measure would also permit the Administrator to undertake needed improvements on privately owned forest land provided that the cost of such work for private parties would be paid for by such parties at the rate established by the Administrator based on the cost and the value and to the extent that the Administrator determines the work does not have public benefit.

Mr. Speaker, time does not allow me to explain all phases of my bill. But, I would like to call to the attention of my colleagues that today we are constantly having called to our attention reports about crimes involving our young people. Many of the young men who might be involved in the years ahead in similar crimes would instead be given an opportunity to perform a useful service under the proposals of my bill. The Youth Conservation Organization, when established, will, I am confident, assist in decreasing the number of crimes. Many young men between the ages of 17 and

23 would be removed from the temptations which result from idleness and lack of responsibility. Educators and law enforcement officers have long contended that our youth are lacking in discipline, responsibility, and a feeling of security—all of which contribute to delinquency and crime. The bill which I am introducing today is a step forward in preparing our young men for their rightful places in society. It is also a step forward in promoting greater interest in the development and conservation of our natural resources and in providing personnel qualified to continue the programs which will assure adequate natural resources for our future generations. Of equal importance are the great contributions to be anticipated in the improvement of forests and woodlands, of natural resources and of recreational facilities throughout the Nation. And, I have not even mentioned the economic value of useful employment to deserving young men from needy families.

In conclusion, I am confident that a thorough study of the provisions of this bill will leave no doubt whatsoever in the minds of my colleagues that we should make greater efforts to develop and conserve our natural resources and to maintain qualified personnel in the fields of forestry and conservation. My bill will accomplish these things, and will, at the same time, provide active training, useful employment, and proper physical development for many young men.

## TRANSPORTATION EXCISE TAXES

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Minnesota [Mrs. KNUTSON] is recognized for 10 minutes.

Mrs. KNUTSON. Mr. Speaker, the House and Senate will soon have a conference committee working on the bill to extend the excise taxes, H. R. 12695. An amendment to this bill by the Senate would repeal the transportation excise taxes.

I would like to urge the House conferees to approve this Senate amendment. The transportation excise taxes are a vicious, pyramiding tax. They discriminate against the small-business man and the smalltown consumer for the reason that small-business men cannot acquire their own transportation services to avoid the tax. Large businesses can acquire their own trucks and haul their own products without paying such taxes.

My District, like so many more all over the country, has no big business. I urge every Member of Congress to support the repeal of these taxes. The revenue is small and the increased business to income-tax payers and common carriers will more than offset the loss in revenue.

The transportation systems need the repeal to recapture some of the business gone to private carriage. Employment by common carriers in my District as well as all others is down. Let us put our people back to work and help small business by repealing the transportation excise taxes.

I am sure most people are aware of the facts about these taxes. However, for purposes of the RECORD and for those who do not know all the facts, I include certain general information about these out-of-date and inequitable taxes which should be eliminated:

### TRANSPORTATION EXCISE TAXES—GENERAL INFORMATION

#### WHAT ARE THEY?

They are Federal excise taxes on the services of for-hire transportation companies. More specifically, they include: 10-percent tax on passenger fares, 3-percent tax on general freight bills, 4½-percent tax on revenues of oil pipelines, 4-cent tax on each short ton of coal shipped.

Transportation services performed by private carriers are not subject to any of these taxes.

#### WHY WERE THEY LEVIED?

These taxes were originally enacted for two major purposes:

Discourage transport: One purpose was to discourage the use of overloaded public transportation facilities during World War II, when passenger traffic volume quadrupled and freight traffic doubled.

Revenue: The other purpose was to get revenues, although they were intended to be emergency measures to meet special situations such as the depression in the case of the petroleum tax and World War II in the case of the other taxes.

#### HOW MUCH ARE THEY?

In the fiscal year 1956, the Federal Government received nearly $702 million from these taxes, broken down roughly as follows:

| | *Million* |
|---|---|
| General freight, including coal | $451 |
| Passenger | 215 |
| Oil by pipeline | 36 |

Over $8 billion has been collected from these taxes since their enactment. They have acted as an added charge on passenger fares and freight rates of public carriers.

#### WHO PAYS THEM?

Users pay initially: Travelers and shippers using public carriers initially pay these taxes. In the case of the tax on petroleum shipments, the pipelines pay the tax direct to the Government.

Consumers pay eventually: If it is a business shipment (and most of it is) or business travel, it becomes a part of the cost of doing business. Usually it then is added to the price which the consumer pays.

TRANSPORTATION ASSOCIATION OF AMERICA.
CHICAGO, ILL.

### TRANSPORTATION TAX REPEAL ARGUMENTS

1. No longer needed to discourage use of commercial transportation services. Need now is to promote the use of commercial transportation systems to keep them going and to provide for adequate transportation as a national defense measure. In time of emergency, railroads have demonstrated their essential value to the country in carrying freight and military personnel, as shown in World War II. Canada repealed its tax in 1949.

2. The tax causes diversion of transportation to private carriers, thus causing increased rates. Commercial carriers, particularly the railroads, have certain costs which must be met regardless of the volume of business and when business is diverted to private carriers, the standard costs must be met by increased rates. Shippers using commercial transportation must pay the increased rates.

3. The tax is discriminatory—

(a) Against long haul—shippers having a long haul have to pay a greater tax than shippers close to the market.

(b) Against high rated traffic—shippers of high-rated traffic have to pay a greater tax than those shipping low-rated commodities.

(c) In favor of State and Federal governments—shipment by parcel post are tax exempt, those carried by railway express and other small shipments by carriers have to pay the tax.

(d) Against for-hire transportation in competition with private transportation. For-hire transportation has to charge the tax on shipments it carries; private transportation is tax exempt.

(e) Against the small shipper—he cannot afford to purchase a private fleet of vehicles to transport his commodities and must use commercial transportation. Big shipper can avoid the tax by providing his own means of transportation.

4. Repeal of tax would not noticeably result in diminution of taxes to Federal Government as such taxes are a business expense in most instances and deductible in income-tax returns as an ordinary and necessary expense. Edward R. Jelsma, director of the Commission's Bureau of Transport Economics (ICC) and statistics, concluded in an independent survey that repeal of the law would increase railroad business alone to the extent that increased railroad income-tax payments would not only replace the revenue now brought in by the excise tax but would bring in $24 million more. He stated that the total untaxed highway transportation, as estimated by the Bureau of Public Roads as cost to the service would amount to transportation business worth $4,308,000,000, and that if the transportation tax were repealed, he estimated the railroads would capture at least one-fifth of this business, or $861,600,000 and the railroads would pay $271,400,000 in increased income taxes on this new business—a sum about $24 million greater than the $247.5 million now actually being received by the Government from the freight tax. See exhibit A.

5. It is a tax on a necessity not a luxury.

6. It is a tax on the flow of commerce not a tax on goods.

7. It pyramids the cost of living by adding to the transportation costs at successive stages of manufacturing, marketing, and distribution. It is a cumulative tax.

8. It encourages travel in foreign countries and discourages travel in the United States. Through a series of amendments, the tax now applies only to travel within the United States and a 225-mile buffer zone outside the boundaries of the United States. At present time it is possible to travel to Europe, Asia, Africa, South America, most of Central America, and parts of Mexico and Canada without payment of tax. It is also possible to travel within the United States by private conveyance without payment of the tax. Nevertheless, a tax is still imposed upon travel within the United States upon any form of its commercial transportation system.

9. Cost of collection of tax by carriers must be added to their operating expenses. Places an additional burden on the carriers to figure and collect and remit the tax to the Government. Such costs, as part of the operating expenses, must ultimately be borne by the shipping public in the form of increased rates and fares.

10. Passenger deficit must be recovered by adding to freight rates. Rail passenger traffic has continued to decline even after the war years and the freight business has to absorb the deficit. In connection with ex parte 175, the ICC stated: "the drain which the passenger-train service makes on freight revenues was an important factor in our decision to permit increases in ex parte 175." Consequently, any factor, tax or otherwise, which discourages travel on common carriers and results in further passenger revenue deficits, affects the freight rates and burdens carried by carriers of property. Passenger

travel on common carriers subject to the tax dropped 21 percent from 1946 to 1955 while increasing on private carriers not subject to tax.

11. The tax is contrary to the transportation policy of Congress as expressed in the Interstate Commerce Act, which calls for development and preservation of a national transportation system adequate to meet the needs of commerce, the postal service, and the national defense. To this end, the policy declares for regulations designed to foster sound economic conditions in transportation. The transportation excise tax is inflationary, discriminatory, cumulative, burdensome, and regressive. It does not foster sound economic conditions in our national transportation system.

12. The tax is a regressive tax—it places a greater burden on low income groups, those who cannot afford to have private transportation. There are still about 14 million families in the United States representing about 47 million Americans that do not own an automobile. The vast majority of these people must rely on public transportation.

EXHIBIT A—*Increased revenue through tax repeal*

| | *Million* |
|---|---|
| Receipts from the excise tax on transportation of property (1956) | $450.0 |
| Reduction in income tax receipts | 202.5 |
| Net receipts | 247.5 |
| Total private untaxed highway transportation as estimated by the Bureau of Public Roads at cost of the service | *Billion* $4.308 |
| | *Million* |
| Railroads alone would recapture at least one-fifth | $861.6 |
| Increase in income-tax receipts from railroads only | 271.4 |
| Net increase in Federal revenue would be at least | 24 |

## TWENTIETH ANNIVERSARY OF THE CIVIL AERONAUTICS ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. HORAN] is recognized for 20 minutes.

Mr. HORAN. Mr. Speaker, the CAA is 20 years old today.

The Congress passed the Civil Aeronautics Act just 20 years ago today. This legislation was a sorely-needed shot-in-the-arm to an ailing aviation industry. The act, in 1938, set up the necessary machinery to encourage the development of the best air transportation system in the entire world.

The past 20 years have marked the unparalleled growth of civil aviation with the highest standards of safety. Even though the air carriers in this Nation increased the number of passenger-miles by more than 50 times what it was in 1938, the fatalities per 100 million passenger-miles decreased from 4.5 to 0.2.

The combined fleets of the Nation's scheduled airlines at the end of 1957 totaled 1,829 aircraft as compared to 345 in 1938. Passenger volume swelled from 1,300,000 in 1938 to more than 49 million in 1957. The United States general aviation fleet, which in 1938 consisted of about 10,000 light planes devoted primarily to sport and pleasure, now totals more than 65,000 aircraft of all types, large and small. These are now used mainly by business and industry, by agricultural interests, air taxi operators, aerial surveyors, air patrollers, special charter operators, and by many haulers of air cargo.

To meet the needs of this rapidly expanding and dynamic industry, the Civil Aeronautics Administration has continually adjusted its program to provide the necessary service. New facilities are being established as fast as money and manpower will allow. The crowded airways are being continuously examined and modernized.

It seems fitting that as we celebrate the 20th anniversary of the Civil Aeronautics Act, we launch civil aviation into the jet age. Before this year is out we will have giant civil jet transports in service, increasing the capacity and speeds of our civil air fleet. As we stand on the threshold of this new era, we can look ahead to even greater achievements by the aviation industry.

On this, the 20th anniversary of the Civil Aeronautics Act, we in the House of Representatives should recognize the service and progress of the Civil Aeronautics Administration in carrying out the objectives of the act, and commend all of its employees for their dedication to safety in aviation, and for their planning to meet the needs of aviation in the jet age.

This may sound a bit strange to some of you due to two recent tragedies which would make this statement appear other than it actually is.

I wish to state to my colleagues here and now that Members of the Congress whose committees are close to the problems of safety in aviation in this jet age are deeply concerned and will concur with our responsible people in Government in the direction of complete safety in aviation. It was my privilege as a member of the Subcommittee on Commerce Appropriations and in company with my good friend and colleague, the gentleman from Oklahoma, JOHN JARMAN, and the Honorable MIKE MONRONEY, Senator from Oklahoma, and also chairman of the Subcommittee on Aviation in the United States Senate, to attend the dedication of our new aeronautics training center at Oklahoma City. This is a fine institution. It is located at Will Rogers Airport just outside of Oklahoma City. There we dedicated on the 20th anniversary of the founding of our Civil Aeronautics Administration, a series of fine, new, functional-type buildings and hangars, designed to train those who operate towers and control rooms, to train those who inspect our airplanes for safety, to train those who install and take care of our aviation facilities at airports, who learn to use radar and all of the other instruments of electronic devices. All in all, it is called, and justly so, the University of Air. Perhaps we should say that it deals largely with the vocational training of those who would control the airspace. It is a progressive institution, constantly on the alert to find new devices and new systems and to train our American men and women—as well as selected foreigners from all sections of the Free World—to use these new achievements in the fundamentals of air safety. This center was developed through the complete cooperation of the Government and the good people of Oklahoma City. In fact, they built this great center and paid for it themselves and have leased it to the United States at a very favorable rental. I feel that we should pay tribute to these people.

This year we expect to graduate from this school some 8,000 persons, schooled in the basics of aviation traffic control and all of the other intelligences that go with the handling of traffic in the air. Next year, it is expected that 10,000 will graduate in the basics that form the knowledge of greater air safety. In this way, I feel that we are making great strides to keep abreast of the tremendous progress we are making in the direction of more and more effective air safety. Following the dedication this morning, we had the privilege of flying back from Oklahoma City in America's first jet transport, the Boeing 707 Jet Stratocruiser. We made the trip in approximately 2½ hours from takeoff to landing, a distance of around 1,100 miles. It was a real experience to fly in a 100-ton eagle at an elevation of 25,000 feet. To complete the cycle we flew from Friendship Airport to Washington, D. C., in a Bell helicopter.

I am happy to have this opportunity for myself and others to report that real progress is in process on this the 20th anniversary of the founding of the Civil Aeronautics Administration.

In conclusion would like to pay high tribute to Under Secretary for Transportation Louis S. Rothschild, James T. Pyle, Administrator of Civil Aeronautics and to all of those who are working long hours and traveling great distances to keep up the morale of this excellent organization to the end that all of us may share the space form terra firma to the exosphere in effective safety.

At this time I would also like to mention and pay high tribute to the work being launched by Gen. Pete Quesada and those working with him in the Air Modernization Board, to Chairman James Durfee and those working with him in the Civil Aeronautics Board and to those in the military who are cooperating fully in the investigations of air safety. The AMB work on basic research and the CAB on rules of the road. As Congress now considers legislation dealing with "space control" it is well to consider these factors.

## THE HISTORY OF BRANIFF INTERNATIONAL AIRWAYS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker 30 years years ago Friday of last week, June 20, a small Stinson Detroiter airplane made its first scheduled passenger flight from Oklahoma City to Tulsa, Okla., 116 miles away. This short flight inaugurated service on an airline which today carries more than 2 million passengers each year. This small airline was founded by Tom E. Braniff who was president of this company for 25 years until his

death in 1954. Its busy headquarters is now in Dallas, Tex.

This 1-pilot Stinson Detroiter, carrying 5 passengers, whizzed along at 90 miles an hour and made 3 round trips daily on the 116-mile route. In the 30 years that have followed, Braniff planes have spanned the entire midwestern section of the United States, linked the Southwest with Washington and New York, and stretched over the Americas to Cuba, Panama, and the 7 South American countries.

Last year its fleet of 68 planes flew 37,178,018 miles or the equivalent of 77 round trips to the moon.

Braniff International Airways will move into the jet age during its 30th year on the swept wings of the new Lockheed Electra and later with the Boeing 707 jets. Braniff's first plane cruised at only 90 miles an hour, while the 707 will fly 117 passengers at 600 miles an hour over the farflung Braniff system.

After the war, Braniff's routes continued to expand from Oklahoma westward to Denver, and eastward to Arkansas and Tennessee. In May 1946 the CAB awarded Braniff 7,719 miles of international routes to Cuba, Panama, Colombia, Ecuador, Peru, Bolivia, Paraguay, Brazil, Argentina, and Mexico. An entire network of navigational and communications stations was built by Braniff across South America before its routes were completely inaugurated.

Following the death of T. E. Braniff in 1954, the board of directors elected Chas. E. Beard president and J. W. Miller, former president of Mid-Continent, as executive vice president of Braniff.

In 1955 Braniff was awarded a route between New York and Texas and between New York and Oklahoma City, and service was begun in February 1956. In late 1956 the company inaugurated its DC-7C El Dorado liners over its Texas-New York route and, early in 1957, over its Latin American system.

In May 1957, service was inaugurated between Colombia and the United States with through flights to Washington and New York by an interchange with Eastern Airlines.

In the jet age of tomorrow, distances will be cut in half with the 600-mile-an-hour Boeing 707 liners. The jet can fly Braniff's original route in 11 minutes with 23 times as many passengers as the first plane 30 years ago.

## TWENTIETH ANNIVERSARY OF THE CIVIL AERONAUTICS ACT OF 1938

Mr. HARRIS. 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 Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, 20 years ago this day—on June 23, 1938—the most important aviation legislation ever enacted became effective. It was the Civil Aeronautics Act of 1938, sponsored by the late Senator Pat McCarran of Nevada, and Congressman Clarence Lea of California.

Time and the march of progress has proved the importance of that legislation, and it is entirly fitting that this body, which shared responsibility with the Senate and the executive department of the Government for the architecture of organization and policy governing civil aviation, take official cognizance of 20 years of forward movement and growth in the vital field of aviation.

As you all know, the act of 1938 was dedicated to the encouragement and development of an air transportation system properly adapted to the present and future needs of foreign and domestic commerce of the United States, of the postal service, and of national defense.

The fulfillment of these aims, which cannot be disputed, stands as a monument to the foresight and wisdom of the legislative fathers of the act. Under it there has evolved in this country the largest, most efficient air transportation system in the world. The effect of the global system of American civil aviation on the economic, cultural and political well-being of the entire world has been incalculable. Similarly, in the field of national defense, the existence of a strong civil aviation community in these United States has provided our military services with an auxiliary and reserve strength unduplicated anywhere in the world. In short, the growth and development of civil aviation under the act has been a major element of the national strength of the United States.

In retrospect, the situation that prevailed in 1938 when the act was enacted was similar in many respects to that which now exists. The airlines were beset with financial ills, and a series of crashes had pointed up the deficiencies of adequate traffic control and regulatory rules of procedure. Passage of the act of 1938 gave stability to civil aviation and assured continued, steady growth, and technological advancement.

So it is today, as we consider implementation of the 1938 legislation through the medium of legislation to create a single, independent Federal Aviation Agency. Consideration of, and, I hope, the passage of this new legislation does not in any way deprecate or dilute the 1938 legislation. Rather, it points up additionally the soundness and effectiveness of the Civil Aeronautics Act of 1938. Under the stabilizing and stimulating economic regulation established by the act, the technological and physical growth of civil aviation has outrun the governmental organizational structure in its ability to handle and control the present and future volume of air traffic.

The new legislation does not in any way alter the aims or concepts of the Civil Aeronautics Act. It simply modernizes the machinery to better and more efficiently administer the functions of government stated in the 1938 act. It provides the impetus and the tools with which to control both civil and military air traffic and to accelerate the development, installation, and operation of modern radar, communications, and electronic devices and equipment necessary for continued growth and development.

In summation, permit me to observe that the United States today is essentially an air community. The aviation industry is the Nation's biggest source of employment. The airplane has become the prime mover among common carriers engaged in intercity traffic. Airpower is a cornerstone of our national strength and national defense. Let us pay homage, then, to the 20-year-old legislation that in large measure made this possible, and then turn our sights forward to even greater advancement and growth under the implementation to be provided by the Federal Aviation Act of 1958.

## FOREIGN AID

Mr. MOULDER. Mr. Speaker, we will soon consider and vote on the annual so-called mutual security or foreign aid bill to appropriate an additional $3,675,000,000 for foreign-aid spending. The amounts of foreign aid extended to foreign countries since the inception of the program have reached staggering proportions:

*Summary of the aid program*

| | |
|---|---|
| Grants-in-aid and lend-lease, July 1, 1940, to June 30, 1957 | $101,365,284,000 |
| Loans, July 1, 1940, to June 30, 1957 | 16,535,502,000 |
| Total grants and loans | 117,900,786,000 |
| Repayment of loans | 4,980,254,000 |
| Total | 112,920,532,000 |

Mr. Speaker, this huge sum, $112,920,532,000, together with interest charges, amounts to more than one-third of our Federal debt. At a time when many foreign countries are balancing their budgets and decreasing taxes, it seems unwise for our country to raise its debt ceiling and continue to distribute our resources throughout the world.

Mr. Speaker, has foreign aid stopped the Communists? Has it reduced our military budgets? Has it won us more friends than we had when we started the foreign-aid program? Apparently Russia has made more friends by loaning money than we have by giving it away. This question has been asked: "Is our ideology so weak when compared with Russia's that we must pay people to support our democratic ideals?"

Our national debt is larger than all the combined national debts of all the other countries in the world. The pursuance of our present foreign policies must eventually lead to insolvency and strangulation of our free-enterprise system. Let us glance at our currency situation. In 1939, the purchasing power of the American dollar, according to the Consumer's Index, was slightly more than 100 cents. It is now worth only 48 cents. One of the most potent factors in the decline of the value of our currency is the foreign-aid spending programs.

Mr. Speaker, our answer to the Communists' sputniks will not be found in circling the globe with more foreign-aid dollars. We must recognize that a strong national spirit and economy are still the most powerful weapon for our survival.

Mr. Speaker, England has had 5 tax cuts in the past 7 years. The British Treasury anticipates that their revenue will exceed spending during the coming

year by $1.3 billion. They are now thinking of a sixth tax cut. The British United Kingdom has received from the United States under lend-lease, $341,462,000, and giveaway grants amounting to $3,798,179,000. Thus our Government borrows money to reduce the taxes and debts of foreign nations.

Mr. Speaker, the foreign-aid programs have cost 3 times as much as all the social security programs, plus aid to the needy, aged, blind and disabled. And they have cost 4 times as much as the total cost of all farm programs.

If we really want to benefit the American people, let us discontinue the foreign-aid spending program and pass these savings on to the American people. They are, in my opinion, the most important people on earth, and certainly, our own fiscal economy should not take second place to any nation.

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## SECRETARY BENSON SHOULD TELL CHEESE COMPANIES TO PAY BACK THEIR WINDFALL PROFITS OF 1954

Mr. REUSS. Mr. Speaker, last Friday the United States District Court for the Western District of Wisconsin ordered a number of private firms to repay to the Government more than a million dollars in windfall profits which they made in 1954 in illegal paper transactions in cheese and butter.

These purchase-resale transactions were authorized by Secretary of Agriculture Benson.

Last July, the United States District Court for Maryland ordered another quarter of a million dollars repaid. It was the same kind of windfall from the same kind of paper transactions authorized by Secretary Benson.

Despite these Federal court decisions—the Maryland decision has been upheld by the Fourth Circuit Court of Appeals—Secretary Benson and the Department of Agriculture have continued to maintain that the transactions were proper.

Mr. Speaker, it certainly was not proper for the Department of Agriculture to buy cheese from these companies at 37 cents a pound, then sell it back imediately at 34¼ cents a pound, without the cheese ever having left the company warehouses. These paper transactions cost the taxpayers in total some $2.5 million.

### MILLION TO BE RECOVERED

The Wisconsin and Maryland court decisions have ordered repayment of some $1,325,000. That leaves some $1,175,000 still to be recovered for the taxpayers. I think it is time Secretary Benson admitted that his previous action was improper, erroneous and illegal, and that he join in the effort to recover the remaining amount.

With that in mind, I have today sent the following telegram to Secretary Benson:

JUNE 23, 1958.

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

Federal court in Wisconsin has now joined Federal court in Maryland in ordering repayment to the Government of windfall profits made by companies through illegal paper transactions in cheese and butter authorized by you in 1954.

Illegal payments made by you in such transactions totaled about $2.5 million. Courts have so far ordered repayment of $1,325,000. This leaves some $1,175,000 of the taxpayers' money still to be recovered by the Government.

I urge you as Secretary of Agriculture to stop opposing the repayment of these obvious windfall profits, to come over to the side of the taxpayers, and to make easier the Justice Department's job in recovering the illegal payments.

I urge you to admit you exceeded your authority and made a most serious error against the public interest when you approved these illegal transactions. If you order Department of Agriculture officials to stop fighting repayment, and, if you tell your cheese-and-butter-company friends that you're sorry but they had better pay back the money, I am sure that recovery of the funds will be expedited. The taxpayers not only should get back immediately the full amount of the illegal payments, but should be saved additional expense connected with further lawsuits to recover the remaining $1,175,000. An admission by you of your error would be most helpful in both respects.

HENRY S. REUSS,
*Member of Congress.*

Mr. Speaker, I should like to point out that this is by no means a new matter.

The Intergovernmental Relations Subcommittee of the House Committee on Government Operations held hearings in June and July of 1955 on these unusual transactions. It was evident to us, then, that these were paper transactions of the most doubtful legality.

### COMPTROLLER GENERAL'S RULING

Representative L. H. FOUNTAIN, our subcommittee chairman, asked the Comptroller General for a ruling on the legality of the transactions. On August 15, 1955, on the basis of evidence brought out in the subcommittee hearings, the Comptroller General ruled the transactions "unauthorized and improper."

Chairman FOUNTAIN then entered into correspondence with the Department of Agriculture, and later the Department of Justice also, to bring about action that would result in either the voluntary or compulsory repayment of the windfall profits to the Government and the taxpayers. After months of delay by the executive agencies, Chairman FOUNTAIN wrote Secretary Benson on April 13, 1956, requesting the Secretary's personal appearance before the subcommittee. I include at this point the last six paragraphs of Chairman FOUNTAIN's letter to Secretary Benson:

It is now more than 10 months since the subcommittee held its first public hearing on these "purchase-resale" transactions. Eight months have passed since the Comptroller General ruled that these transactions were "unauthorized and improper." Seven months have gone by since the Department of Agriculture asked the Attorney General for legal advice. It is more than 2 months since the Attorney General informed me that "our study is completed" and "the Secretary of Agriculture will be in touch with you in the very near future."

So far as I know, no effort has been made by the responsible executive agencies to recover the nearly $2½ million improperly paid out on cheese and butter transactions. To this moment I have received no word from the Department of Agriculture as to any action being planned to recover this money, nor has any further communication been received from the Department of Justice.

Despite 5 separate letters addressed to you on this matter over a 10-month period, the subcommittee has not had the courtesy of a single reply over your signature.

It is my sincere conviction that the Department of Agriculture has thus far failed completely to carry out its clear and unmistakable duty in this matter. In spite of repeated efforts, I have been unable to ascertain whether you are familiar with the facts in this matter and personally aware of, or responsible for, this delay. However, whether or not your subordinates have kept you properly informed, I am sure you realize that the ultimate responsibility is yours.

The Congress and the people are entitled to action in this matter without further delay. My responsibility as chairman of the subcommittee which has jurisdiction leaves me no alternative but to ask that you appear personally before the subcommittee in public session sometime during the next 2 weeks.

If you will advise me what day is convenient for you, I will call a meeting of the subcommittee for your appearance on any date you select up to and including April 27.

Sincerely,

L. H. FOUNTAIN,
*Chairman, Intergovernmental Relations Subcommittee.*

### JUSTICE DECIDES TO ACT

This letter requesting Secretary Benson's appearance bore results, for it was on April 27, 1956, that the Justice Department notified the subcommittee that it would start legal action for recovery of the unauthorized payments.

Since then the Department of Justice has proceeded in the Federal courts to recover the money. As noted, it has been successful in the Maryland and Wisconsin cases. I want to commend Marvin C. Taylor, special litigation counsel for the Justice Department, for his work in these matters.

I should like to note that counsel for the Justice Department have had a most reluctant client in the Department of Agriculture, which has continued to contend that the paper transactions were legal. Department of Agriculture employees have appeared in court as witnesses against the Government. The Department of Agriculture has never requested the return of the windfalls paid to the companies.

At one point in the Wisconsin case, counsel for the Justice Department told the court:

The Department of Agriculture wouldn't feel a bit sorry if I lost the cases which I have brought.

As an excellent summary of the questions involved and the decision reached in the Wisconsin case, I submit the following article from the Milwaukee Journal of Friday, June 20, 1958:

CHEESE WINDFALL PROFITS RULED ILLEGAL IN STATE CASE—DAIRY FIRMS ARE ORDERED TO REPAY UNITED STATES—LACK OF DELIVERY KEY POINT IN MILLION DOLLAR DECISION MADE BY FEDERAL JUDGE

WAUSAU, WIS.—More than $1 million in cheese windfall profits made by 8 firms in dealings with the Commodity Credit Corporation in 1954 were ordered returned to the Government Friday.

Federal Judge Patrick T. Stone said the cheese sales were illegal paper transactions with "unrealistic and fictitious" delivery provisions. He said that Secretary of Agriculture Benson exceeded his authority when he ordered the transactions to be made.

Judge Stone's decision was result of a 10-day trial held here last October.

In this case, a total of $1,062,087 was at stake. However, a Justice Department spokesman said last year that the total disputed payments made by the CCC totaled $2,500,000.

FIRMS FILED SUIT

The suit was begun by the firms, who sought judgment to absolve them from repaying the money demanded by the Government. The Justice Department filed a counterclaim in Judge Stone's court asking repayment with interest. The counterclaim was upheld.

The cheese companies reaped the profits by selling cheese to the Government's Commodity Credit Corporation (CCC) at 37 cents a pound and buying it back again at 32¼ cents a pound. The deals—involving butter in some other cases—were made with Department of Agriculture approval.

The case involved changes made in butter and cheese support price levels. During February 1954 when dairy supports were at 90 percent of parity, the Government bought cheddar cheese at 37 cents a pound.

CHANGE ANNOUNCED

Warehouses were crammed with surplus dairy products. Secretary Benson indicated in February and March 1954 that dairy support prices would be lowered.

The level was dropped to 75 percent of parity effective April 1, 1954.

Under the lower support level, the Government purchase price for cheese was cut to 32¼ cents a pound.

From February 15, when the support price change was announced, the dairy companies sold to the Government at the 90-percent-level price. After April 1, they bought back at the lower price plus 2 cents a pound as a Government markup.

The first "windfall" case verdict was reached last July in Baltimore, Md., where a Federal judge ruled that three companies had to repay the Government $253,865 in profits from cheese and butter transactions with the CCC. Involved in that case were the A. & P. stores, National Biscuit Co., and Swift & Co., Chicago.

GOVERNMENT SUES

In the Baltimore case, the Government was a complainant. More than 100 other firms were named as windfall recipients, but the Government limited its trial cases to those in Maryland.

However, a number of companies, including those in Wisconsin, filed suits for declaratory judgment, seeking court support in refusing to repay the money.

The Wisconsin case was filed before a decision was reached in the Baltimore case. Another declaratory judgment suit was filed in Minnesota by the Land o' Lakes Corp., a cooperative.

Companies involved in the Wisconsin case and the amounts Judge Stone ordered each to repay, with interest dating from May 8, 1956, were:

Kraft Foods Co. of Wisconsin, $404,547; Borden Co., $314,817; Cudahy Packing Co., $27,687; Armour & Co., $25,490; C. J. Berst & Co., Portage, $141,402; Safeway Stores, Inc., $81,227; H. J. Heinz Co., $24,865; and L. D. Shreiber & Co., Inc., $42,052.

NO DECEIT CLAIMED

There was no question of fraud or deceit involved, because the windfalls were made openly under contract with the Department of Agriculture. However, the Federal Government claimed—and Judge Stone agreed—that a single contract under which a firm could sell to the CCC at one price and buy back at a lower price could not be legally authorized by the Department of Agriculture.

"The goods never moved from plaintiffs' (the firms) possession and custody," Judge Stone said in his decision. "(Under the contract) CCC was obligated to resell to the plaintiffs what the plaintiffs sold to the CCC. The alleged transfer of title to CCC and retransfer to plaintiffs was simultaneous in most transactions.

"Plaintiffs could sell the same cheese and butter sold to CCC, to anyone, as they saw fit, without liability for breach of its contract, notwithstanding its 'sale' to CCC."

CCC HAD NO RIGHT

Consequently, Judge Stone said, the CCC never had the right to dispose of or sell the products while the firms were free to sell to anyone who offered a better price.

Judge Stone added that enormous quantities of aged cheese worth more than 37 cents a pound were included in the transactions because the firms knew they would retain the cheese in their inventories.

"It was, as the (Government) contends, nothing but a 'paper transaction' which ended with the Government owing plaintiffs (the firms) 2¾ cents a pound on all cheese and 3 cents a pound on all butter on which they had submitted invoices to the CCC," the decision said.

"There is no evidence that the purchase and resale at a loss program did achieve the main objective of the price support program, that is, the support of prices paid to farmers for their milk and butterfat. Affording inventory protection to the plaintiffs was not an objective of the milk support program, and never was so intended by Congress."

Judge Stone's decision also stated:

"Congress intended that the goods purchased by CCC would be more or less removed from the commercial market. The basic theory of the 'purchase' method is removal from the market of goods which cannot be sold in the commercial market at CCC's purchase price and there was no such removal in these transactions."

Judge Stone listed three reasons he did not consider the transactions purchases in the commercial sense. One was that the CCC did not gain possession and control. A second was that the "goods remained in plaintiffs' possession, and were continuously carried by them in their inventories." The third was that the firms could sell the cheese without "liability to CCC."

In arguments before the court last April, an attorney for Kraft said the cheese firms were victims of a jurisdictional dispute between the Department of Agriculture and the Justice Department.

"The major issue in these cases is whether the challenged transactions were authorized by the statutes," Judge Stone's decision said.

He added that Congress had empowered the Secretary of Agriculture to support milk prices through loans and purchases of cheese and butter by the CCC. He said that the department's plan to buy and sell cheese and butter under the order in question was a wide departure from the normal program followed by the CCC since the Agricultural Act was passed in 1949.

The all-important difference, he said, was the provision that the cheese would not be delivered to the CCC.

Judge Stone announced his decision at his office here. He said that the 24-page document would be filed simultaneously with the clerk of Federal Court in Madison.

Mr. Speaker, the subcommittee record in this case, the court decisions and all other pertinent materials clearly show that Secretary Benson has been dead wrong.

It is time for Secretary Benson to admit his grievous error, and exert his efforts on behalf of the taxpayers to recover the remaining funds which he improperly paid out. Let him say he was wrong, tell his cheese company friends he was wrong, and ask them to repay the money due the Government. If Secretary Benson will do this, he will help to get back for the taxpayers what is theirs, and save the taxpayers a great deal of time and expense in further litigation.

I hope the Secretary of Agriculture will be big enough to get on the side of justice now, after two court decisions have said he was wrong. In this case Secretary Benson's motto should be "Better late than never."

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## MUTUAL SECURITY ACT OF 1958

Mr. MORGAN submitted the following conference report and statement on the bill (H. R. 12181) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

CONFERENCE REPORT (H. REPT. No. 1941)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12181) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Mutual Security Act of 1958.'

"SEC. 2. The first section of the Mutual Security Act of 1954, as amended, is amended by adding at the end thereof the following: 'This Act is divided into chapters and titles, according to the following table of contents:

" 'TABLE OF CONTENTS

" 'Chapter I—Military Assistance.
" 'Chapter II—Economic Assistance.
" 'Title I—Defense Support.
" 'Title II—Development Loan Fund.
" 'Title III—Technical Cooperation.
" 'Title IV—Special Assistance and Other Programs.
" 'Chapter III—Contingency Fund.
" 'Chapter IV—General and Administrative Provisions.'

"CHAPTER I—MILITARY ASSISTANCE

*"Military assistance*

"SEC. 101. Subsection (a) of section 103 of the Mutual Security Act of 1954, as amended which relates to military assistance, is amended by striking out '1958' and '$1,600,000,000' and inserting in lieu thereof '1959' and '$1,605 000,000', respectively.

*"Procurement programs relating to military assistance*

"SEC. 102. Paragraph (1) of subsection (b) of section 105 of the Mutual Security Act of 1954, as amended, which relates to conditions applicable to military assistance, as amended by inserting immediately before the period at the end thereof the following: ', including coordinated production and procurement programs participated in by the members of the North Atlantic Treaty Organization to the greatest extent possible with respect to military equipment and materials to be utilized for the defense of the North Atlantic area.'

*"Policy on military assistance to American Republics*

"SEC. 103. Paragraph (4) of subsection (b) of section 105 of the Mutual Security Act of

1954, as amended, which relates to military assistance to American Republics, is amended by adding the following sentences at the end thereof: 'The President annually shall review such findings and shall determine whether military assistance is necessary. Internal security requirements shall not normally be the basis for military assistance programs to American Republics.'

"CHAPTER II—ECONOMIC ASSISTANCE

*"Defense support*

"SEC. 201. Subsection (b) of section 131 of the Mutual Security Act of 1954, as amended, which relates to defense support, is amended by striking out '1958' and '$750,000,000' and inserting in lieu thereof '1959' and '$810,000,000', respectively.

*"Utilization of funds in special accounts*

"SEC. 202. Paragraph (iii) of subsection (b) of section 142 of the Mutual Security Act of 1954, as amended, which relates to utilization of funds in Special Accounts, is amended by inserting immediately before the period at the end thereof the following: ': *Provided*, That if amounts in such remainder exceed the requirements of such programs, the recipient nation may utilize such excess amounts for other purposes agreed to by the United States which are consistent with the foreign policy of the United States: *Provided further*, That such utilization of such excess amounts in all Special Accounts shall not exceed the equivalent of $4,000,000.'

*"Development Loan Fund*

"SEC. 203. Title II of the chapter designated by paragraph (2) of section 501 of this Act as chapter II of the Mutual Security Act of 1954, as amended, which relates to the Development Loan Fund, is amended as follows:

"(a) Amend section 202, which relates to general authority, as follows:

"(1) Strike out subsection (a) and substitute the following:

"'(a) To carry out the purposes of this title, there is hereby created as an agency of the United States of America, subject to the direction and supervision of the President, a body corporate to be known as the "Development Loan Fund" (hereinafter referred to in this title as the "Fund") which shall have succession in its corporate name. The Fund shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof. It may establish offices in such other place or places as it may deem necessary or appropriate.'

"(2) In subsection (b), strike out all preceding 'is hereby' in the first sentence and substitute 'The Fund'; strike out 'he' in the first sentence and substitute 'it'; strike out 'and (3)' in the first sentence and substitute '(3)'; insert before the period at the end of the first sentence ', and (4) the possible adverse effects upon the economy of the United States, with special reference to areas of substantial labor surplus, of the activity and the financing operation or transaction involved'; strike out 'from' in the second sentence and substitute 'by'; insert after the third sentence 'The provisions of section 955 of title 18 of the United States Code shall not apply to prevent any person, including any individual, partnership, corporation, or association, from acting for or participating with the Fund in any operation or transaction, or from acquiring any obligation issued in connection with any operation or transaction, engaged in by the Fund.'; and strike out the last two sentences and substitute the following new sentence: 'The President's semiannual reports to the Congress on operations under this Act, as provided for in section 534 of this Act, shall include detailed information on the implementation of this title.'

"(b) Amend section 204, which relates to fiscal provisions, as follows:

"(1) In subsection (b), substitute 'Fund' for 'President' in the first sentence and strike out 'against the Fund' in that sentence; change 'authorized' to 'made available' in the second sentence; and insert 'assets of the' before 'Fund' in the third sentence.

"(2) Strike out subsection (c) and substitute the following:

"'(c) The Fund shall be deemed to be a wholly owned Government corporation and shall accordingly be subject to the applicable provisions of the Government Corporation Control Act, as amended.'

"(c) Amend section 205, which relates to powers and authorities, as follows:

"(1) Insert 'management,' before 'powers' in the heading of the section.

"(2) Strike out subsections (a) and (b) and substitute the following new subsections:

"'(a) The management of the Fund shall be vested in a Board of Directors (hereinafter referred to in this title as the "Board") consisting of the Under Secretary of State for Economic Affairs, who shall be Chairman, the Director of the International Cooperation Administration, the Chairman of the Board of Directors of the Export-Import Bank, the Managing Director of the Fund, and the United States Executive Director on the International Bank for Reconstruction and Development. The Board shall carry out its functions subject to the foreign policy guidance of the Secretary of State. The Board shall act by a majority vote participated in by a quorum; and three members of the Board shall constitute a quorum. Subject to the foregoing sentence, vacancies in the membership of the Board shall not affect its power to act. The Board shall meet for organization purposes when and where called by the Chairman. The Board may, in addition to taking any other necessary or appropriate actions in connection with the management of the Fund, adopt, amend, and repeal bylaws governing the conduct of its business and the performance of the authorities, powers, and functions of the Fund and its officers and employees. The members of the Board shall receive no compensation for their services on the Board but may be paid actual travel expenses and per diem in lieu of subsistence under the Standardized Government Travel Regulations in connection with travel or absence from their homes or regular places of business for purposes of business of the Fund.

"'(b) There shall be a Managing Director of the Fund who shall be the chief executive officer of the Fund, who shall be appointed by the President of the United States by and with the advice and consent of the Senate, and whose compensation shall be at a rate of $20,000 a year. There shall also be a Deputy Managing Director of the Fund, whose compensation shall be at a rate not in excess of $19,000 a year, and three other officers of the Fund, whose titles shall be determined by the Board and whose compensation shall be at a rate not in excess of $18,000 per year. Appointment to the offices provided for in the preceding sentence shall be by the Board. The Managing Director, in his capacity as chief executive officer of the Fund, the Deputy Managing Director and the other officers of the Fund shall perform such functions as the Board may designate and shall be subject to the supervision and direction of the Board. During the absence or disability of the Managing Director or in the event of a vacancy in the office of Managing Director, the Deputy Managing Director shall act as Managing Director, or, if the Deputy Managing Director is also absent or disabled or the office of Deputy Managing Director is vacant, such other officer as the Board may designate shall act as Managing Director. The offices provided for in this subsection shall be in addition to positions otherwise authorized by law.'

"(3) In subsection (c):

"(i) Strike out all in the first sentence preceding ': enter into' and substitute 'The Fund, in addition to other powers and authorities vested in or delegated or assigned to the Fund or its officers or the Board, may';

"(ii) Strike out 'may be deemed' in the first clause of the first sentence and substitute 'it may deem';

"(iii) Strike out 'under this title' in the fourth clause of the first sentence and substitute 'of the Fund';

"(iv) Strike out 'the Manager of' in the fifth clause, both times it appears in the seventh clause, and in the last clause of the first sentence;

"(v) Insert after the seventh clause of the first sentence, following 'collection;', the following: 'adopt, alter and use a corporate seal which shall be judicially noticed; require bonds for the faithful performance of the duties of its officers, attorneys, agents and employees and pay the premiums thereon; sue and be sued in its corporate name (provided that no attachment, injunction, garnishment, or similar process, mesne or final, shall be issued against the Fund or any officer thereof, including the Board or any member thereof, in his official capacity or against property or funds owned or held by the Fund or any such officer in his official capacity); exercise, in the payment of debts out of bankrupt, insolvent or decedent's estates, the priority of the Government of the United States; purchase one passenger motor vehicle for use in the continental United States and replace such vehicle from time to time as necessary; use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government;';

"(vi) Strike out all following 'operation' in the last clause of the first sentence and substitute ', or in carrying out any function.'

"(vii) Insert the following new sentence after the first sentence of the subsection: 'Nothing herein shall be construed to exempt the Fund or its operations from the application of sections 507 (b) and 2679 of title 28, United States Code or of section 367 of the Revised Statutes (5 U. S. C. 316), or to authorize the Fund to borrow any funds from any source without the express legislative permission of the Congress.'

"(4) Insert the following new subsections:

"'(d) The Fund shall contribute, from the respective appropriation or fund used for payment of salaries, pay or compensation, to the civil service retirement and disability fund, a sum as provided by section 4 (a) of the Civil Service Retirement Act, as amended (5 U. S. C. 2254a), except that such sum shall be determined by applying to the total basic salaries (as defined in that Act) paid to the employees of the Fund covered by that Act, the per centum rate determined annually by the Civil Service Commission to be the excess of the total normal cost per centum rate of the civil service retirement system over the employee deduction rate specified in said section 4 (a). The Fund shall also contribute at least quarterly from such appropriation or fund, to the employees' compensation fund, the amount determined by the Secretary of Labor to be the full cost of benefits and other payments made from such fund on account of injuries and deaths of its employees which may hereafter occur. The Fund shall also pay into the Treasury as miscellaneous receipts that portion of the cost of administration of the respective funds attributable to its employees, as determined by the Civil Service Commission and the Secretary of Labor.

"'(e) The assets of the Development Loan Fund on the date of enactment of the Mutual Security Act of 1958 shall be transferred as of such date to the body corporate

created by section 202 (a) of this Act. In addition, records, personnel, and property of the International Cooperation Administration may, as agreed by the Managing Director and the Director of the International Cooperation Administration or as determined by the President, be transferred to the Fund. Obligations and liabilities incurred against, and rights established or acquired for the benefit of or with respect to, the Development Loan Fund during the period between August 14, 1957, and the date of enactment of the Mutual Security Act of 1958 are hereby transferred to, and accepted and assumed by, the body corporate created by section 202 (a) of this Act. A person serving as Manager of the Development Loan Fund as of the date of enactment of the Mutual Security Act of 1958 shall not, by reason of the enactment of that Act, require reappointment in order to serve in the office of Managing Director provided for in section 205 (b) of this Act.'

*"Technical cooperation*

"SEC. 204. Title III of the chapter designated by paragraph (2) of section 501 of this Act as chapter II of the Mutual Security Act of 1954, as amended, which relates to technical cooperation, is amended as follows:

"(a) In section 304, which relates to authorization, strike out '$151,900,000' and insert in lieu thereof '$150,000,000 for use beginning in the fiscal year 1959.'

"(b) Amend section 306, which relates to multilateral technical cooperation, as follows:

"(1) Insert 'and related program' after 'cooperation' in the heading of the section; insert 'and this Act' after 'title' in the first sentence; and insert 'and related' after 'cooperation' in the first sentence.

"(2) In subsection (a), which relates to contributions to the United Nations Expanded Program of Technical Assistance, strike out '$15,500,000 for the fiscal year 1958' and substitute '$20,000,000 for the fiscal year 1959'; insert 'and such related fund as may hereafter be established' after 'Assistance'; and in the proviso change 'to this program' to 'for such purpose' and after the word 'contributed' the first time it appears, strike the remainder of the subsection and insert 'for such purpose and for succeeding calendar years not to exceed 40 per centum of the total amount contributed for such purpose for each such year.'

"(3) In subsection (b), which relates to contributions to the technical cooperation program of the Organization of American States, strike out '1958' and substitute '1959'.

*"Special assistance and other programs*

"SEC. 205. Title IV of the chapter designated by paragraph (2) of section 501 of this Act as chapter II of the Mutual Security Act of 1954, as amended, which relates to special assistance and other programs, is further amended as follows:

"(a) In subsection (a) of section 400, which relates to special assistance, strike out '1958' and '$250,000,000' in the first sentence and insert in lieu thereof '1959' and '$202,500,000', respectively; and strike out all following 'stability' in the first sentence and all of the last sentence and insert a period.

"(b) In section 402, which relates to earmarking of funds, strike out '1958' in the first sentence and substitute '1959'.

"(c) Repeal sections 403 and 404, which relate, respectively, to special assistance in joint control areas and responsibilities in Germany, and substitute the following new section:

"'SEC. 403. Responsibilities in Germany: The President is hereby authorized to use during the fiscal year 1959 not to exceed $8,200,000 of the funds made available pursuant to section 400 (a) of this Act in order to meet the responsibilities or objectives of the United States in Germany, including West Berlin. In carrying out this section, the President may also use currency which has been or may be deposited in the GARIOA (Government and Relief in Occupied Areas) Special Account, including that part of the German currency now or hereafter deposited under the bilateral agreement of December 15, 1949, between the United States and the Federal Republic of Germany (or any supplementary or succeeding agreement) which, upon approval by the President, shall be deposited in the GARIOA Special Account under the terms of article V of that agreement. The President may use the funds available for the purposes of this section on such terms and conditions as he may specify, and without regard to any provision of law which he determines must be disregarded.'

"(d) Amend section 405, which relates to migrants, refugees, and escapees, as follows:

"(1) In subsection (c), strike out all following 'fiscal year' and substitute '1959 not to exceed $1,200,000 for contributions to the program of the United Nations High Commissioner for Refugees for assistance to refugees under his mandate.'

"(2) In subsection (d), strike out '1958' and '$5,500,000' and substitute '1959' and '$8,600,000', respectively.

"(e) In section 406, which relates to children's welfare, strike out '1958' and substitute '1959.'

"(f) In section 407, which relates to Palestine refugees in the Near East, amend the first sentence to read as follows: 'There is hereby authorized to be appropriated to the President for the fiscal year 1959 not to exceed $25,000,000 to be used to make contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East: *Provided,* That of the funds appropriated pursuant to this section fifteen per centum shall be available only for repatriation or resettlement of such refugees.'

"(g) In section 409 (c), which relates to ocean freight charges, strike out '1958' and '$2,200,000' and substitute '1959' and '$2,100,000', respectively.

"(h) In section 410, which relates to Control Act expenses, strike out '1958' in the first sentence and substitute '1959.'

"(i) Amend section 411, which relates to administrative and other expenses, as follows:

"(1) In subsection (b) strike out '1958' and '$32,750,000' and substitute '1958' and '$33,000,000,' respectively; and insert 'and title II of chapter II' immediately before the close of the first parentheses;

"(2) In subsection (c), insert 'functions of the Department under this Act or for' before 'normal.'

"(j) Amend section 413, which relates to encouragement of free enterprise and private participation, as follows:

"(1) In section 413 (b) (4), which relates to encouragement of free enterprise and private participation, strike out 'the agency primarily' and substitute 'an agency'; insert immediately before the semicolon at the end of subparagraph (E) the following proviso: ': *Provided,* That in the event the fee to be charged for a type of guaranty is reduced, fees to be paid under existing contracts for the same type of guaranty may be similarly reduced'; and insert after 'Director of the International Cooperation Administration' both times it appears in subparagraph (F) 'or such other officer as the President may designate.'

"(2) Insert the following new subsection:

"'(c) Under the direction of the President, the Departments of State and Commerce and such other agencies of the Government as the President shall deem appropriate, in cooperation to the fullest extent practicable with private enterprise concerned with international trade, foreign investment, and business operations in foreign countries, shall conduct a study of the ways and means in which the role of the private sector of the national economy can be more effectively utilized and protected in carrying out the purposes of this Act so as to promote the foreign policy of the United States, to stabilize and to expand its economy and to prevent adverse effects, with special reference to areas of substantial labor surplus. Such study shall include specific recommendations for such legislative and administrative action as may be necessary to expand the role of private enterprise in advancing the foreign policy objectives of the United States.'

"(k) At the end of section 414 (b), which relates to munitions control, add the following: 'Such regulations shall prohibit the return to the United States for sale in the United States (other than for the Armed Forces of the United States and its allies) of any military firearms or ammunition of United States manufacture furnished to foreign governments by the United States under this Act or any other foreign assistance program of the United States, whether or not advanced in value or improved in condition in a foreign country. This prohibition shall not extend to similar firearms that have been so substantially transformed as to become, in effect, articles of foreign manufacture.'

"(l) In section 419 (a), which relates to atoms for peace, strike out '1958' and '$7,000,000' in the second sentence and substitute '1959' and '$5,500,000,' respectfully.

"(m) In section 420, which relates to malaria eradication, insert after the word 'authorized' in the second sentence 'to use funds made available under this Act (other than chapter I and title II of chapter III', insert immediately before the period at the end of the second sentence the following proviso: ', *Provided,* That this section shall not affect the authority of the Development Loan Fund to make loans for such purpose, so long as such loans are made in accordance with the provisions of title II of chapter II', and strike out the last sentence.

"CHAPTER III—CONTINGENCY FUND

*"President's special authority and contingency fund*

"SEC. 301. The section of the Mutual Security Act of 1954, as amended, redesignated by paragraph (12) (B) of section 501 of this Act as section 451 of chapter III of the Mutual Security Act of 1954, as amended, which relates to the President's special authority, is amended as follows:

"(a) Insert 'and contingency fund' after 'authority' in the heading of this section.

"(b) Subsection (a) is amended as follows:

"(1) In the first sentence, insert 'for use' after 'made available'; strike out 'such use by section 400 (a) of this Act' and substitute 'use under this subsection by subsection (b) of this section'; strike out 'pursuant to authorizations contained in' and substitute 'for use under'; and

"(2) In the second and last sentence strike out 'section' both times it appears and substitute 'subsection.'

"(c) Redesignate subsection (b) as subsection (c), and insert the following new subsection (b):

"'(b) There is hereby authorized to be appropriated to the President for the fiscal year 1959 not to exceed $155,000,000 for assistance authorized by this Act, other than by title II of chapter II, in accordance with the provisions of this Act applicable to the furnishing of such assistance. $100,000,000 of the funds authorized to be appropriated pursuant to this subsection for any fiscal year may be used in such year in accordance with the provisions of subsection (a) of this section.'

"(d) In the last sentence of subsection (c), insert 'subsection (a) of' after 'under.'

"CHAPTER IV—GENERAL AND ADMINISTRATIVE PROVISIONS

*"General provisions*

"SEC. 401. The chapter designated by paragraph (16) of section 501 of this Act as chapter IV of the Mutual Security Act of 1954, as amended, which relates to general and administrative provisions, is further amended as follows:

"(a) Section 502, which relates to use of foreign currencies by committees of the Congress, is amended by striking out the proviso in subsection (b) and inserting the following: '*Provided,* That each member or employee of any such committee shall make, to the chairman of such committee in accordance with regulations prescribed by such committee, an itemized report showing the amounts and dollar equivalent values of each such foreign currency expended, together with the purposes of the expenditure, including lodging, meals, transportation, and other purposes. Within the first sixty days that Congress is in session in each calendar year, the chairman of each such committee shall consolidate the reports of each member and employee of the committee and forward said consolidated report, showing the total itemized expenditures of the committee and each subcommittee thereof during the preceding calendar year, to the Committee on House Administration of the House of Representatives (if the committee be a committee of the House of Representatives or a joint committee whose funds are disbursed by the Clerk of the House) or to the Committee on Appropriations of the Senate (if the committee be a Senate committee or a joint committee whose funds are disbursed by the Secretary of the Senate). Each such report submitted by each committee shall be published in the Congressional Record within ten legislative days after receipt by the Committee on House Administration of the House or the Committee on Appropriations of the Senate.'

"(b) Section 509, which relates to shipping on United States vessels, is amended by adding the following new sentence at the end thereof: 'Sales of fresh fruit and the products thereof under this Act shall be exempt from the requirements of the cargo preference laws (Public Resolution 17, Seventy-third Congress, and section 901 (b) of the Merchant Marine Act, 1936, as amended).'

"(c) Section 510, which relates to purchase of commodities, is amended by striking out 'title II or' in the first sentence.

"(d) Add the following new sections immediately after section 515:

"'SEC. 516. Prohibition against debt retirement: None of the funds made available under this Act nor any of the counterpart funds generated as a result of assistance under this Act or any other Act shall be used to make payments on account of the principal or interest on any debt of any foreign government or on any loan made to such government by any other foreign government; nor shall any of these funds be expended for any purpose for which funds have been withdrawn by any recipient country to make payment on such debts: *Provided,* That to the extent that funds have been borrowed by any foreign government in order to make a deposit of counterpart and such deposit is in excess of the amount that would be required to be deposited pursuant to the formula prescribed by section 142 (b) of this Act, such counterpart may be used in such country for any agreed purpose consistent with the provisions of this Act.

"'SEC. 517. Completion of plans and cost estimates: After June 30, 1958, no agreement or grant which constitutes an obligation of the United States in excess of $100,000 under section 1311 of the Supplemental Appropriation Act, 1955, shall be made for any assistance authorized under title I or III (except section 306) of chapter II, or section 400 (a)—

"'(1) if such agreement or grant requires substantive technical or financial planning, until engineering, financial, and other plans necessary to carry out such assistance, and a reasonably firm estimate of the cost to the United States of providing such assistance, have been completed; and

"'(2) if such agreement or grant requires legislative action within the recipient country, unless such legislative action may reasonably be anticipated to be completed within one year from the date the agreement or grant is made.

This section shall not apply to any assistance furnished for the sole purpose of preparation of engineering, financial, and other plans."

"(e) Amend section 527, which relates to the employment of personnel, by adding the following new subsection, such amendment to take effect nine months after the date of enactment of this Act:

"'(e) Notwithstanding the provisions of title 10, United States Code, section 712, or any other law containing similar authority, officers and employees of the United States performing functions under this Act shall not accept from any foreign nation any compensation or other benefits. Arrangements may be made by the President with such nations for reimbursement to the United States or other sharing of the cost of performing such functions.'

"(f) Section 537, which relates to provisions on uses of funds, is amended as follows: in subsection (a) (1), strike out 'for the fiscal year 1958'; in subsection (c), strike out 'Not to exceed $18,000,000' and substitute 'Notwithstanding the provisions of section 406 (a) of Public Law 85-241, not to exceed $26,000,000', and add the following new clause before the period: ', and not to exceed $2,750,000 of funds made available for assistance in other countries under this Act may be used (in addition to funds available for such use under other authorities in this Act) for construction or acquisition of such facilities for such purposes elsewhere'; and add the following new subsection:

"'(f) During the annual presentation to the Congress of requests for authorizations and appropriations under this Act, a detailed explanation of the method by which the proposed programs for each country have been arrived at shall be submitted, including all significant factors considered in arriving at such proposed programs.'

"(g) Amend section 543 (d), which relates to saving provisions, by striking out 'Act of 1956 or the Mutual Security Act of 1957' and substituting 'Act of 1956, 1957, or 1958' in the first sentence and by inserting the following new sentence after the second sentence: 'Until June 30, 1958, funds used for the purposes of this Act shall be so used in accordance with the provisions of this Act as in effect prior to the date of enactment of the Mutual Security Act of 1958.'

"(h) Amend section 544, which relates to amendments to other laws, by striking out subsections (b) and (c) (which deletions shall not be deemed to affect amendments contained in such subsections to Acts other than the Mutual Security Act of 1954, as amended).

"(i) Amend section 545, which relates to definitions, as follows:

"(1) In subsection (j), insert 'the Development Loan Fund and' after 'refer to' and strike out 'title II.'

"(2) In subsection (k), insert 'the Board of Directors of the Development Loan Fund and' after 'refer to' and strike out 'title II.'

"CHAPTER V—REORGANIZATION OF MUTUAL SECURITY ACT OF 1954; AMENDMENTS; AND WESTERN HEMISPHERE COOPERATION

*"Reorganization of Mutual Security Act of 1954*

"SEC. 501. The Mutual Security Act of 1954, as amended, is further amended as follows:

"(1) Strike out the heading of title I and of chapter I of such title, and immediately before section 101, insert the following:

"'CHAPTER I—MILITARY ASSISTANCE'

"(2) Immediately above section 131, strike out the chapter heading and insert in lieu thereof the following:

"'CHAPTER II—ECONOMIC ASSISTANCE

*"'Title I—Defense support'*

"(3) In section 131 (a), strike out 'chapter 1 of this title' and insert in lieu thereof 'chapter I.'

"(4) In section 131 (d), immediately after 'title', insert 'or chapter I.'

"(5) Immediately above section 141, strike out the chapter heading.

"(6) In section 141, immediately after 'title' both times it appears insert 'or chapter I.'

"(7) (A) In section 142 (a), strike out 'chapter 1 of this title' each place it appears and insert 'chapter I.'

"(B) In such section 142 (a), strike out 'under this title' and 'purposes of this title' each place they appear and insert 'under chapter I or under this title', and 'purposes of chapter I or of this title,' respectively.

"(8) Section 142 (b) is amended by striking out 'chapter 3 of title I of this Act' and inserting in lieu thereof 'this title.'

"(9) Section 144 is amended by inserting immediately after 'under this title' the following: 'or chapter I.'

"(10) Section 202 (b) is amended by striking out '401 (a)' and inserting in lieu thereof '451 (a).'

"(11) Amend the heading of title IV to read as follows:

*"'Title IV—Special assistance and other programs.'*

"(12) (A) Immediately after section 420, insert the following new chapter heading:

"'CHAPTER III—CONTINGENCY FUND'

"(B) Section 401 is redesignated as section 451 of chapter III.

"(13) Section 405 (d) is amended by striking out '401' and inserting in lieu thereof '451.'

"(14) Section 410 is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(15) Section 411 (b) is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(16) Immediately above section 501, strike out the heading of title V and of chapter 1 of that title and insert the following:

"'CHAPTER IV—GENERAL AND ADMINISTRATIVE PROVISIONS'

"(17) Section 503 is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(18) (A) Section 504 (a) is amended by striking out 'titles II, III, and IV, and chapter 3 of title I,' and inserting in lieu thereof 'chapter II.'

"(B) Section 504 (c) is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(19) (A) The first sentence of section 510 is amended by striking out 'chapter 3 of title I' and inserting in lieu thereof 'title I of chapter II.'

"(B) The third sentence of section 510 is amended by striking out 'title II or chapter 3 of title I' and inserting in lieu thereof 'title I or II of chapter II.'

"(20) Section 511 (a) is amended by striking out 'title I' and inserting in lieu thereof 'chapter I or title I of chapter II.'

"(21) Section 511 (c) is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(22) Section 513 is amended by striking out '401' and inserting in lieu thereof '451.'

"(23) Immediately above section 521, strike out the chapter heading.

"(24) In section 521 (b), insert 'of chapter II' immediately after 'title III.'

"(25) In section 521 (c), strike out 'chapter 3 of title I' and insert in lieu thereof 'title I of chapter II.'

"(26) Sections 522 (c) and 522 (d) are each amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(27) Section 523 (c) (2) is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(28) Section 524 is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(29) The portion of section 537 (a) which precedes paragraph (1) is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(30) Immediately above section 541, strike out the chapter heading.

"(31) Section 545 (c) is amended by striking out 'chapter 1 of title I' and inserting in lieu thereof 'chapter I.'

"(32) Section 545 (h) is amended by striking out 'chapter 1 of title I' each place it appears and inserting in lieu thereof 'chapter I.'

"(33) Sections 545 (j) and 545 (k) are each amended by striking out 'chapter 3 of', and by inserting 'chapter II or under chapter III' immediately after 'title IV.'

"(34) Section 549 is amended by inserting 'of chapter II' immediately after 'title III.'

*"Amendments to other laws*

"SEC. 502. (a) The Defense Base Act, as amended (42 U. S. C. 1651), is further amended as follows:

"(1) In subsection (a) of the first section, insert the following new subparagraph after subparagraph (4):

"'(5) under a contract approved and financed by the United States or any executive department, independent establishment, or agency thereof (including any corporate instrumentality of the United States), or any subcontract or subordinate contract with respect to such contract, where such contract is to be performed outside the continental United States, under the Mutual Security Act of 1954, as amended (other than title II of chapter II thereof), and not otherwise within the coverage of this section, and every such contract shall contain provisions requiring that the contractor (and subcontractor or subordinate contractor with respect to such contract) (A) shall, before commencing performance of such contract, provide for securing to or on behalf of employees engaged in work under such contract the payment of compensation and other benefits under the provisions of this Act, and (B) shall maintain in full force and effect during the term of such contract, subcontract, or subordinate contract, or while employees are engaged in work performed thereunder, the said security for the payment of such compensation and benefits, but nothing in this paragraph shall be construed to apply to any employee of such contractor or subcontractor who is engaged exclusively in furnishing materials or supplies under his contract.'

"(2) In subsection (e) of such section, strike '(3) or (4)' in the last sentence and substitute therefor '(3), (4), or (5).'

"(3) In subsection (f) of such section, insert 'or in any work under subparagraph (5) subsection (a) of this section' between 'this section' and 'shall not apply.'

"(b) In the first section of the Act of June 28, 1935, as amended (49 Stat. 425), strike out '$30,000' and insert '$33,000,' and strike out '$15,000' the first time it appears and insert '$18,000.'

"(c) In section 101 of the Government Corporation Control Act, as amended (31 U. S. C. 846), insert 'Development Loan Fund;' before 'Institute of Inter-American Affairs.'

"(d) In section 2 of the Act of July 11, 1956 (70 Stat. 523), strike out all beginning with 'An' down through 'Conference and' and substitute 'There is authorized to be appropriated annually, for the annual contribution of the United States toward the maintenance of the North Atlantic Treaty Organization Parliamentary Conference, such sum as may be agreed upon by the United States Group and approved by such Conference, but in no event to exceed for any year an amount equal to 25 per centum of the total annual contributions made for that year by all members of the North Atlantic Treaty Organization toward the maintenance of such Conference, and.'

"(e) Section 5 of the Act of July 30, 1946 (22 U. S. C. 287q), is amended by the addition of the following sentences at the end thereof: 'The National Commission is further authorized to receive and accept services and gifts or bequests of money or materials to carry out any of the educational, scientific, or cultural purposes of the National Commission as set forth in this Act and in the constitution of the Organization. Any money so received shall be held by the Secretary of State and shall be subject to disbursement through the disbursement facilities of the Treasury Department as the terms of the gift or bequest may require and shall remain available for expenditure by grant or otherwise until expended: *Provided,* That no such gift or bequest may be accepted or disbursed if the terms thereof are inconsistent with the purposes of the National Commission as set forth in this Act and in the constitution of the Organization. In no event shall the National Commission accept gifts or bequests in excess of $200,000 in the aggregate in any one year. Gifts or bequests provided for herein shall, for the purposes of Federal income, estate, and gift taxes, be deemed to be a gift to or for the United States. The National Commission and Secretary of State shall submit to Congress annual reports of receipts and expenditures of funds and bequests received and disbursed pursuant to the provisions of this section.'

"(f) The portion of subsection (a) of section 2 of the joint resolution of June 30, 1948, as amended (22 U. S. C. 272a (a)), which precedes ', as apportioned' is amended to read as follows: '(a) such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization, but not to exceed 25 per centum of such expenses.'

"(g) Section 101 (a) of the War Hazards Compensation Act, as amended (42 U. S. C. 1701), is further amended by inserting the following new subparagraph after subparagraph (3): 'or (4) to any person who is an employee specified in section 1 (a) (5) of the Defense Base Act, as amended, if no compensation is payable with respect to such injury or death under such Act, or to any person engaged under a contract for his personal services outside the United States approved and financed by the United States under the Mutual Security Act of 1954, as amended (other than title II of chapter II thereof): *Provided,* That in cases where the United States is not a formal party to contracts approved and financed under the Mutual Security Act of 1954, as amended, the Secretary, upon the recommendation of the head of any department or agency of the United States, may, in the exercise of his discretion, waive the application of the provisions of this subparagraph with respect to any such contracts, subcontracts, or subordinate contracts, work location under such contracts, subcontracts, or subordinate contracts, or classification of employees.'

"(h) Section 571 (c) of the Foreign Service Act of 1946, as amended, is amended by deleting the words 'in the Department' wherever they appear therein and by adding at the end thereof the following new sentences: 'Any Foreign Service officer who resigned from the Service, or retired in accordance with section 636 of this Act on or after November 14, 1957, but prior to the enactment of this sentence, for the purpose of accepting an immediate appointment to such a position, shall be considered as having been assigned to such other position under authority of this section as amended. Appropriate adjustment at the election of the officer may be made with respect to special contributions deposited immediately prior to resignation or retirement by any such officer under title VIII of this Act on salaries in excess of $13,500.'

"(i) Section 1011 of the United States Information and Educational Exchange Act of 1948, as amended, is further amended by adding the following new subsection at the end thereof:

"'(h) (1) There is authorized to be appropriated annually an amount to restore in whole or in part any realized impairment to the capital used in carrying on the authority to make informational media guaranties, as provided in subsection (c), through the end of the last completed fiscal year.

"'(2) Such impairment shall consist of the amount by which the losses incurred and interest accrued on notes exceed the revenue earned and any previous appropriations made for the restoration of impairment. Losses shall include the dollar losses on foreign currencies sold, and the dollar cost of foreign currencies which (a) the Secretary of the Treasury, after consultation with the Director, has determined to be unavailable for, or in excess of, requirements of the United States, or (b) have been transferred to other accounts without reimbursement to the special account.

"'(3) Dollars appropriated pursuant to this section shall be applied to the payment of interest and in satisfaction of notes issued or assumed hereunder, and to the extent of such application to the principal of the notes, the Director is authorized to issue notes to the Secretary of the Treasury which will bear interest at a rate to be determined by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the guaranties. The currencies determined to be unavailable for, or in excess of, requirements of the United States as provided above shall be transferred to the Secretary of the Treasury to be held until disposed of, and any dollar proceeds realized from such disposition shall be deposited in miscellaneous receipts.'

"(j) The Act of May 26, 1949, as amended (5 U. S. C. 151a–151c), relating to the organization of the Department of State, is amended as follows:

"(1) In the first section, strike out 'three' and insert 'two.'

"(2) In section 2, designate the present language as '(a)' and add the following new subsection:

"'(b) There is hereby established in the Department of State the Office of Under Secretary of State for Economic Affairs, which shall be filled by appointment by the President, by and with the advice and consent of the Senate. The Under Secretary of State

for Economic Affairs shall receive compensation at the rate of $22,000 per year and shall perform such duties as may be prescribed by the Secretary of State. The President may initially fill the position of Under Secretary of State for Economic Affairs by appointing, without further advice and consent of the Senate, the officer who, on the date of the enactment of this subsection, held the position of Deputy Under Secretary of State for Economic Affairs. Any provision of law vesting authority in the "Deputy Under Secretary of State for Economic Affairs" or any other reference with respect thereto, is hereby amended to vest such authority in the Under Secretary of State for Economic Affairs.'

"(k) Section 712 (b) of title 10 of the United States Code is amended to read as follows, such amendment to take effect nine months after the date of enactment of this Act:

"'(b) Subject to the prior approval of the Secretary of the military department concerned, a member detailed under this section may accept any office from the country to which he is detailed. He is entitled to credit for all service while so detailed, as if serving with the armed forces of the United States. Arrangements may be made by the President, with countries to which such members are detailed to perform functions under this section, for reimbursement to the United States or other sharing of the cost of performing such functions.'

"(l) Section 104 of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, Eighty-third Congress; 7 U. S. C. 1704), as amended, is further amended by adding after paragraph (j) the following new paragraph:

"'(k) To collect, collate, translate, abstract, and disseminate scientific and technological information and to conduct and support scientific activities overseas including programs and projects of scientific cooperation between the United States and other countries such as coordinated research against diseases common to all of mankind or unique to individual regions of the globe."

"(m) The Act of June 14, 1948, as amended (22 U. S. C. 290) authorizing participation in the World Health Organization, is amended by adding the following new section 6:

"'SEC. 6. The Congress of the United States, recognizing that the diseases of mankind, because of their widespread prevalence, debilitating effects, and heavy toll in human life, constitute a major deterrent to the efforts of many peoples to develop their economic resources and productive capacities, and to improve their living conditions, declares it to be the policy of the United States to continue and strengthen mutual efforts among the nations for research against diseases such as heart disease and cancer. In furtherance of this policy, the Congress invites the World Health Organization to initiate studies looking toward the strengthening of research and related programs against these and other diseases common to mankind or unique to individual regions of the globe.'

"COOPERATION IN WESTERN HEMISPHERE

"SEC. 503. It is the sense of the Congress that, in view of the friendly relationships and mutual interests which exist between the United States and the other nations of the Western Hemisphere, the President should, pursuant to the provisions of the Mutual Security Act of 1954, as amended, and other applicable legislation, seek to strengthen cooperation in the Western Hemisphere to the maximum extent by encouraging joint programs of technical and economic development."

And the Senate agree to the same

THOMAS E. MORGAN,
A. S. J. CARNAHAN,
CLEMENT J. ZABLOCKI,
JOHN M. VORYS,
WALTER H. JUDD,
*Managers on the Part of the House.*

THEODORE FRANCIS GREEN,
J. W. FULBRIGHT,
JOHN J. SPARKMAN,
HUBERT H. HUMPHREY,
MIKE MANSFIELD,
ALEXANDER WILEY,
H. ALEXANDER SMITH,
BOURKE B. HICKENLOOPER,
WILLIAM F. KNOWLAND,
*Managers on the Part of the Senate.*

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12181) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for clarifying, clerical, and necessary conforming changes, the differences are noted below:

The committee of conference agreed upon an authorization of $3,031,400,000, a reduction of $266,500,000 from the executive branch authorization request.

The House bill authorized an appropriation of $2,958,900,000. The Senate amendment authorized an appropriation of $3,103,900,000 exclusive of the limitation of $2.4 billion on military assistance and defense support contained in section 13 of the amendment. When the ceiling in section 13 of the Senate amendment was applied, the difference between the 2 Houses was $110 million. On the basis of the individual authorizations and without regard to this ceiling, the difference between the 2 Houses was $145 million.

The amount authorized by the committee of conference for military assistance was $1,605 million and $810 million for defense support. The sum of these two authorizations equaled the sum as they passed the House, although military assistance was reduced $35 million and defense support was increased $35 million. The Senate also receded from section 13 of its amendment which placed an overall ceiling of $2.4 billion on the total authorization for military assistance and defense support and also authorized a Presidential transfer of not more than $235 million between these 2 items.

The committee of conference agreed to $202.5 million for special assistance, a reduction of $9.5 million from the Senate figure. The Senate approved amount for the contingency fund was reduced from $200 million to $155 million. The Senate accepted the House figure of $33 million for ICA administrative expenses. The net result of these adjustments was to divide equally the difference of $145 million between the two Houses. Thus the Senate figure was reduced by $72.5 million and the House figure increased by an identical amount.

*Mutual security program for fiscal year 1959*

[In thousands]

| | Administration authorization request | House amounts | Senate amendment | Difference between House and Senate | Committee of conference |
|---|---|---|---|---|---|
| Sec. 103 (a). Military assistance | $1,800,000 | [1] $1,640,000 | $1,600,000 | −$40,000 | $1,605,000 |
| Sec. 131 (b). Defense support | 835,000 | 775,000 | 835,000 | +60,000 | 810,000 |
| Sec. 203. Development Loan Fund | | | | | |
| Sec. 304. Bilateral technical cooperation | 142,000 | 150,000 | 150,000 | | 150,000 |
| Sec. 306 (a). United Nations technical assistance programs | 20,000 | 20,000 | 20,000 | | 20,000 |
| Sec. 306 (b). OAS technical cooperation | 1,500 | 1,500 | 1,500 | | 1,500 |
| Sec. 400 (a). Special assistance | 212,000 | 185,000 | 212,000 | +27,000 | 202,500 |
| Sec. 451 (b).[2] Contingency fund | 200,000 | 100,000 | 200,000 | +100,000 | 155,000 |
| Sec. 405 (a). Intergovernmental Committee for European Migration | | | | | |
| Sec. 405 (c). U. N. High Commissioner for Refugees | 1,200 | 1,200 | 1,200 | | 1,200 |
| Sec. 405 (d). Escapees | 8,600 | 8,600 | 8,600 | | 8,600 |
| Sec. 406. U. N. Children's Fund | 11,000 | 11,000 | 11,000 | | 11,000 |
| Sec. 407. Palestine refugees | 25,000 | 25,000 | 25,000 | | 25,000 |
| Sec. 408. NATO civilian expenses | | | | | |
| Sec. 409 (c). Ocean freight | 2,100 | 2,100 | 2,100 | | 2,100 |
| Sec. 410. Control Act expenses | 1,000 | 1,000 | 1,000 | | 1,000 |
| Sec. 411 (b). ICA administrative expenses | 33,000 | 33,000 | 31,000 | −2,000 | 33,000 |
| Sec. 411 (c). State administrative expenses | | | | | |
| Sec. 419 (a). Atoms for Peace | 5,500 | 5,500 | 5,500 | | 5,500 |
| Total | 3,297,900 | 2,958,900 | 3,103,900 | +145,000 | 3,031,400 |

[1] Although the Senate amendment included $1.6 billion for military assistance and $835 million for defense support, a total of $2,435 million, section 13 of the amendment limited the total authorization of these 2 items to $2.4 billion. This section also authorized the Presidential transfer of $235 million between military assistance and defense support in order to allow the President to apportion the reduction set by the ceiling.

[2] Formerly sec. 401 (b).

REORGANIZATION OF THE ACT (SEC. 501)

The House bill changed the title headings of the Mutual Security Act in order to place military assistance in a separate chapter and defense support under the economic chapter. These changes were intended to make clear that defense support although necessary for military needs was nevertheless economic assistance. Special assistance and the contingency fund were put into a new chapter because it was believed that each could include both military and economic assistance. The Senate amendment contained no similar provision.

The committee of conference accepted the House reorganization of the Mutual Security Act with an amendment. The amended version removes special assistance from the same chapter as the contingency fund and puts the former into the chapter headed "Economic Assistance." This latter change conforms to the executive branch definition that special assistance is now regarded as economic assistance necessary to achieve political, economic, or other objectives in countries where no assistance is provided in support of significant military forces, or in situations where the assistance cannot be appropriately rendered as technical assistance or from the Development Loan Fund. The contingency fund, unlike special assist-

ance, may be used for both military and nonmilitary assistance.

AID TO INDIA

The Senate amendment added subsection (d) to section 2 of the Mutual Security Act, stating the sense of the Congress that it is in the interest of the United States to join with other nations in providing support to assist India to complete its current program for economic development.

The House bill contained no provision on this subject.

It was the view of the House conferees that since the concepts embodied in the India amendment were expressed in various sections of the Mutual Security Act it was unnecessary to make specific reference to a particular country in relation to policies already expressed in law in general terms.

MILITARY ASSISTANCE TO LATIN AMERICA (SEC. 103)

The Senate version contained an amendment to section 105 (b) (4) requiring the President to review findings made under that section annually and to make a determination each year as to whether military assistance is necessary. Furthermore, it laid down the policy that internal security requirements should not normally be the basis for military assistance in Latin America.

The House bill contained no similar amendment.

Under the existing section 105 (b) (4) military assistance may be furnished to Latin American nations only in accordance with defense plans found by the President to require those nations to participate in missions important to the defense of the hemisphere.

Since the amendment is in conformity with existing section 105 (b) (4) and reflects the policy expressed in that section, the managers on the part of the House agreed to the retention of the Senate language. In their opinion the amendment does not represent a change in policy except with respect to requiring an annual review by the President. Recent events tend to indicate the necessity for a restatement of the United States policy that military assistance to Latin America shall be furnished for internal security requirements only under extraordinary circumstances.

USE OF SURPLUS COUNTERPART FUNDS (SEC. 202)

The Senate version added two provisos to section 142 (b) (iii). The first proviso permitted a recipient nation to utilize those counterpart funds which are excess to United States requirements and exceed the requirements for purposes for which new funds authorized by the Mutual Security Act would be available for other purposes. Such uses would have to be agreed to by the United States and be consistent with United States foreign policy. The second proviso required that any proposed utilization of such excess amounts should be reported to the 4 appropriate congressional committees, and that such utilization should not be effective until 60 days after such reporting.

The House bill contained no provision on this subject.

The Senate amendment was proposed specifically to make it possible for the Austrian Government to make a loan to the Austrian Hilfsfond for use in compensating former Austrian nationals who were persecuted under the Nazi regime and are now residing outside Austria. The executive branch had previously determined that such use of Austrian counterpart was not permitted. Present law authorizes the use of counterpart (aside from that counterpart earmarked for United States requirements) only to carry out purposes for which new funds authorized by the Mutual Security Act would themselves be available. Since compensation to victims of Nazi persecution was not a purpose for which new funds authorized by the Mutual Security Act would be available, additional legislation was regarded necessary to permit the use of Austrian counterpart for this purpose.

The managers on the part of the House recognized the desirability of the proposed use of excess counterpart funds for this purpose. They regarded the granting of such broad authority over the use of excess counterpart as contained in the Senate amendment to be undesirable. They therefore accepted compromise language limiting the utilization of excess counterpart to the equivalent of $4 million, the amount estimated to be expended in carrying out the program for Austria. Proposals for further utilization of excess counterpart will require approval by the Congress.

ASSISTANCE TO YUGOSLAVIA

The House bill contained an amendment to section 143 with reference to assistance to Yugoslavia prohibiting the furnishing of any assistance to Yugoslavia after 90 days unless the President had determined that (1) there has been no change in the fundamental policies on which aid to Yugoslavia is based; (2) Yugoslavia is not participating in policies or programs for the Communist conquest of the world; and (3) it is in the interest of national security to continue aid. The President would have been required to keep Congress continually informed of determinations under this section and of assistance to Yugoslavia. The Senate version contained no amendment to section 143.

Section 143 of the present law is substantially similar to the House provision. Section 143 requires the President to assure himself continually that (1) Yugoslavia continues to maintain its independence; (2) Yugoslavia is not participating in policies or programs for the Communist conquest of the world; and (3) the furnishing of assistance is in the national security interest. Under this provision the President must keep the Congress informed of assistance to Yugoslavia.

The committee of conference decided that, in view of recent developments in Yugoslavia, it was undesirable to make any change in this section at this time.

STATE DEPARTMENT ORGANIZATION (SEC. 502 (J))

The Senate amendment provided for the creation of an Under Secretary of State for Economic Affairs in the Department of State and for the abolition of the Deputy Under Secretary of State for Economic Affairs.

The House bill contained no similar provision.

The committee of conference accepted the Senate language.

Although the activities of ICA are under the authority of the Department of State, the Director of ICA presently outranks the Deputy Under Secretary of State for Economic Affairs. The effect of the Senate provision is to upgrade the position of the principal economic officer in the Department of State so that he will be senior to the Director of ICA. The new position will give further emphasis to congressional insistence that the mutual security program is an integral part of United States foreign policy and, as such, is under the immediate direction of the Department of State.

The Senate language also provides that the present Deputy Under Secretary of State for Economic Affairs, Hon. C. Douglas Dillon, may be appointed to the new office without further advice and consent of the Senate.

The Under Secretary of State will continue to serve as principal assistant to the Secretary of State for all aspects of the conduct of United States foreign relations. The Under Secretary of State for Economic Affairs is scheduled to receive a salary of $22,000 per annum, while that of the Under Secretary of State is fixed at $22,500. This difference in salary is intended to indicate clearly the subordinate position of the Under Secretary of State for Economic Affairs.

The Senate amendment also includes language that has the effect of changing the composition of the Board of Directors of the Development Loan Fund so that the new officer will replace the Deputy Under Secretary of State for Economic Affairs—a position that is abolished by the Senate amendment.

CONTRIBUTION TO UNITED NATIONS TECHNICAL ASSISTANCE PROGRAMS (SEC. 204 (B))

The House bill amended the proviso of section 306 (a) so as to provide that for the calendar year 1959 and thereafter the United States contribution to United Nations technical assistance and related programs may be as much as but not to exceed 40 percent of the total amount contributed for that purpose in any given year.

The Senate amendment contained no provision on this subject, and left unchanged the present scale of United States contributions, which provides for 38 percent in fiscal year 1959 and 33⅓ percent in fiscal year 1960 and thereafter.

The committee of conference accepted the House language except for certain revisions intended to clarify the meaning of the House bill.

The managers on the part of the House were in agreement with the Senate conferees that it is desirable that other nations increase their contributions to the multilateral technical cooperation and related programs and that the United States should in due course reduce its percentage contribution.

CONTINUATION OF INTERNATIONAL DEVELOPMENT ADVISORY BOARD (IDAB)

The House bill contained a provision repealing section 308, relating to the International Development Advisory Board, but the Senate version did not repeal that section. The International Development Advisory Board, which by statute is composed of 13 members, has the duty of advising the President and the Director of the International Cooperation Administration on policy matters relating to technical cooperation, the Development Loan Fund, and the encouragement of private enterprise under the mutual security program.

The committee of conference agreed to the retention of section 308 providing authority for the continuation of the Board. Although there have been no Board members since last September, the executive branch made a strong plea that the Board is necessary. The primary reasons for the delay in the reactivation of the IDAB were: (1) the resignation of the then Director of ICA last fall and the appointment of a new Director, and (2) the desire to await action of the Congress on certain proposals which would influence substantially the functions of the Board, particularly if the Development Loan Fund were incorporated.

The managers on the part of the House are firmly of the opinion that representatives of science should be included on the Board. It would also appear to be appropriate for the International Development Advisory Board to utilize advisory groups representing business, labor, agriculture, public health, science, and education.

PALESTINE REFUGEES (SEC. 205 (F))

The House bill authorized an appropriation of $25 million for fiscal year 1959 for the United States contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East. The Senate amendment authorized an identical sum, but included a proviso that $5 million of the funds appropriated for this purpose shall be used only for repatriation or resettlement of such refugees.

If the entire $25 million were appropriated, the $5 million earmarked for repatriation or resettlement would be 20 percent. Should the appropriation be less, however, the $5 million would constitute a larger percentage of the available money. The conferees substituted a figure of 15 percent of the appropriated amount in lieu of the flat sum of $5 million for repatriation or resettlement.

The committee of conference agreed with the philosophy contained in the Senate proviso; namely, that the governments of the Near East take more vigorous steps to effect a solution of the refugee problem. It was recognized, however, that the critical situation in that area only makes more difficult the relocation of the refugees. Relief and rehabilitation are not only a continuing demand but are prerequisites to the success of any repatriation or resettlement program. The committee of conference is not satisfied that officials of the governments in the Middle East and officials of the United States Government have exhausted their ingenuity or fully utilized their opportunities to begin a reasonable settlement of this troublesome problem.

OFFSHORE PROCUREMENT, PROTECTION OF THE UNITED STATES ECONOMY, AND STUDY OF THE ROLE OF PRIVATE ENTERPRISE (SEC. 205 (J) (2))

The House bill contained a provision entitled "Protection of the United States Economy," which would have required an annual review of operations under the program by a committee composed of the Secretaries of State, Treasury, Commerce, Labor, and Agriculture. The purpose of the study would have been to determine whether such operations had adversely affected the economy of the United States, with special reference to areas of substantial labor surplus. Recommendations were called for.

The Senate amendment contained a section amending section 510 of the act, which would have prohibited offshore procurement of commodities except that up to 50 percent of the funds appropriated might be used for procurement overseas if the President determined that the procurement did not result in adverse effects upon the economy of the United States, with special reference to any areas of labor surplus, outweighing the economic advantages to, and the national interests of, the United States of less costly procurement abroad.

The Senate version also contained a provision for a review by the Departments of State and Commerce, and other agencies of the Government, of the ways and means by which the role of the private sector of the economy could be more effectively utilized in the foreign policy efforts of the United States. Private enterprise would have been called upon to cooperate in the study. Recommendations would have been required from the reviewing group.

Some members of the committee of conference were strongly opposed to changes in the provisions before them. The following considerations influenced the judgment of the majority of the conferees: (1) The matters covered by the above provisions are closely interrelated; (2) over 50 percent of ICA financed procurement already takes place in the United States; and (3) the various reviews called for would be overlapping. Therefore a majority of the Senate and House members of the committee of conference agreed to eliminate the above three provisions and to substitute a new provision calling for a study, under the direction of the President, by certain Government agencies of the relation of the program to American private enterprise and the American economy, to make recommendations to prevent any possible adverse effects, with special reference to areas of substantial labor surplus, and to further the role of American private enterprise in promoting our foreign policy. The committee of conference emphasizes that the new provision envisages a study of the possible adverse effects upon the United States economy arising from operations under the mutual security program. It is contemplated that this study will be financed from the regular appropriations available to each agency participating.

MUNITIONS CONTROL (SEC. 206 (K))

The House bill contained a provision prohibiting the return to the United States, other than for the Armed Forces of the United States and its allies, of military arms or ammunition furnished to foreign governments by the United States under any foreign assistance programs of the United States.

The Senate version limited the items prohibited for import to military firearms, rather than arms or ammunition, manufactured in the United States and furnished to foreign governments under any foreign aid program. The Senate version further stipulated that it was to apply only to items imported for sale and regardless of whether the arms in question had been advanced in value in a foreign country. It also provided that the prohibition should not extend to firearms which had been so substantially altered as to become in effect articles of foreign manufacture.

The committee of conference adopted a compromise which prohibits the return to the United States for sale in the United States of any military firearms or ammunition of United States manufacture and furnished to foreign governments by the United States under the Mutual Security Act or any other foreign assistance program of the United States. The prohibition is not to apply to military firearms or ammunition imported into the United States for the Armed Forces of the United States or its allies, and shall not apply to firearms that have been so substantially altered as to become in effect articles of foreign manufacture. The foreign aid programs of the United States covered under this provision would include, among others, the lend-lease program, the Greek-Turkish assistance program, the mutual defense assistance program, and the mutual security program. The phrase "military firearms" was accepted because, if the words "military arms" had been used, there was a possibility that such items as armored vehicles, spare parts for armored vehicles, and other similar items might have been included in the prohibition.

MALARIA ERADICATION (SEC. 205 (M))

The committee of conference accepted the House language, as rephrased, to make clear that the Development Loan Fund may, in accordance with the provisions of title II of chapter II, furnish assistance designed to aid the efforts of other peoples to eradicate malaria.

CONGRESSIONAL TRAVEL ACCOUNTING (SEC. 401 (A))

The House bill amended section 502 (b) to provide that local currency used by any congressional committee be charged against any amounts made available to such committee from the appropriate contingent funds, and that the use of such currency be subject to all the reporting and other requirements which apply to the expenditure of amounts made available from such contingent fund.

The Senate amendment amended section 502 (b) to require that each member or employee of any congressional committee make to the chairman of his committee an itemized listing of expenditures of foreign currency and that each committee submit a consolidated report showing the total itemized expenditures of the committee and of each member or employee thereof during the preceding calendar year to the House Administration Committee or the Senate Appropriations Committee. This report was required to be published in the CONGRESSIONAL RECORD.

The information available to the managers on the part of the House indicated that the provision contained in the House bill would require substantial modification and reorganization of the accounting procedures of the House of Representatives which would not be necessary in order to attain the objectives of an itemized accounting of foreign travel expenditures by individuals and of a public reporting of such expenditures. The House conferees, therefore, accepted the simpler language of the Senate amendment, since it appeared to attain the desired objectives. The committee of conference agreed, however, to eliminate from the Senate provision the requirement that the total itemized expenditures of each committee member or employee should be reported and published in the CONGRESSIONAL RECORD. Instead, language was accepted requiring that each member or employee of any congressional committee must report to the chairman of his committee an itemized listing of expenditures of foreign currency. The total itemized expenditures of each committee and subcommittee during each calendar year is to be reported to the Committee on House Administration or the Committee on Appropriations of the Senate and published in the CONGRESSIONAL RECORD. The provision takes effect on the date of enactment of the bill.

The committee of conference believes that foreign travel by Members of Congress should be encouraged and recognizes that the use of foreign currency funds derived from operations under the mutual security and agriculture trade development and assistance programs for this purpose in most instances makes such travel possible without cost to the United States taxpayer. Certain foreign currencies made available under these programs will not be usable in the foreseeable future by the United States for any other purpose.

The committee of conference was in agreement that congressional travel expenses should be fully accounted for and controlled and that the entire matter should be subject to further study not only by the Committees on Foreign Relations and Foreign Affairs, but by other interested committees of the Senate and the House. Such further study should include consideration of the accounting and control of congressional travel expenditures under authority other than that contained in the Mutual Security Act.

COMPLETION OF PLANS AND COST ESTIMATES (SEC. 401 (D))

The House bill added a new section 517 which prohibited the obligation of defense support, bilateral technical cooperation, and special assistance funds for projects requiring substantive technical or financial planning until necessary engineering, financial, and other plans had been completed and a reasonably firm estimate obtained of the cost to the United States of providing such assistance, and until a determination had been made that any necessary legislative action by the recipient country might reasonably be anticipated to be completed within 1 year. The new section also provided that funds obligated for assistance subject to the conditions of the section could only be used for the purpose for which originally obligated and would otherwise revert to the Treasury.

The committee of conference accepted the House provision with two modifications. The first limits the application of this section to obligations in excess of $100,000. The second eliminates the requirement that funds obligated under the conditions established by this section could be used only for their original purpose and, if not used, would revert to the Treasury. With this modification, such funds could be reused for other purposes as authorized by the Mutual Security Act.

In accepting these modifications, the managers on the part of the House recognized that the application of the provisions of this section to small transactions might seriously impede the operation of the program. They also were impressed with the contention that the language contained in the House bill would prevent the deobligation and reuse of funds where unforeseen changes in the political or the international situation might make abandonment of a project for which funds had been obligated desirable.

ACCEPTANCE OF BENEFITS FROM FOREIGN NATIONS AND DUAL COMPENSATION IN LATIN AMERICA (SEC. 401 (E) AND SEC. 502 (K))

The Senate amendment contained two provisions relating to the detail of personnel to foreign governments. The first amendment prohibited any person performing functions under the Mutual Security Act from accepting any compensation or other benefits from a foreign nation. It further provided that cost-sharing arrangements could be made by the President with the nations to which personnel are detailed. The second provision amended section 712 of title 10 of the United States Code so that persons detailed under that section could not accept offices, compensation, or emoluments from the foreign government concerned. The House bill contained no similar provisions.

Under section 712 of title 10 of the United States Code the President is presently authorized to detail members of the armed services to certain Latin American Republics and to any other nation during time of war. Under that section, subject to the prior approval of the Secretary of the military department concerned, an officer so detailed may receive compensation or emoluments and may accept any office from the foreign government.

The House receded and accepted the Senate provision prohibiting any person who performs functions under the Mutual Security Act from receiving any compensation from any foreign government. The House receded with an amendment to the second provision, amending section 712 of title 10 of the United States Code. The House agreed to the Senate prohibition against a military officer detailed under the provisions of title 10, United States Code, section 712, accepting compensation or emoluments but with a compromise permitting such officers to continue to be authorized, subject to the prior approval of the Secretary of the department concerned, to accept offices from the foreign government to which detailed.

The committee of conference agreed that it is in the best interest of the United States to prohibit any employee or officer performing functions under the Mutual Security Act or any military officer detailed under title 10, United States Code, section 712, from receiving compensation directly from a foreign government. To allow such individuals to receive compensation raises the possibility of a conflict of interest or even of divided loyalties. The committee of conference, however, considered it unnecessary to prohibit an officer detailed under title 10, United States Code, section 712, from accepting an office from a foreign government. There may be instances where it is in the interest of the United States for a United States officer to accept an office from a foreign government. On such occasions, however, he would be paid by the United States. For example, there have been instances where a United States officer has been designated as commandant of a foreign military academy with a simulated rank in the foreign army. There may be other situations where a United States officer could serve in a dual capacity.

Provision is made for cost-sharing arrangements with the foreign government under the Mutual Security Act and title 10, United States Code, section 712. In order to facilitate such arrangements, the prohibition is not to be effective for 9 months following enactment of this act.

COMPUTATION OF LEVELS OF AID (SEC. 401 (F))

The House bill contained a provision to require the President to submit a report to the Congress before January 10 each year, detailing defense support and special assistance to be furnished for the next fiscal year. The provision also required that such reports contain a clear and detailed explanation of the method used in reaching the proposed levels of aid for each country, and a listing of all significant factors considered in determining each level of aid, the reason for the inclusion of each factor and the monetary value assigned to each, together with an explanation of the manner in which these factors are reconciled to yield a specific dollar figure which constitutes each level of aid.

The Senate amendment contained no provision on this subject.

The committee of conference adopted a compromise which eliminates the January 10 date and the requirement that a monetary value be assigned to each factor considered in determining the level of aid to a country. The substitute language requires that during the annual presentation to the Congress of requests for authorizations and appropriations under the Mutual Security Act, a detailed explanation of the method by which the proposed programs for each country have been arrived at shall be submitted. The substitute requires that the significant factors considered in determining levels of aid be included in the detailed explanations submitted to the Congress.

MILITARY MATERIEL PRICING FORMULA

Although the Senate receded with respect to its amendment to section 545 (h) of the Mutual Security Act, relating to the valuation of equipment under the military assistance program, the House conferees agreed that the committees of the House and Senate should request a report from the executive branch prior to January 1, 1959, concerning the implementation of section 545 (h). Prior to 1956, non-excess-stock items were sold by the military services to the military assistance program at a cost representing the replacement value of a similar but more modern item. In that year section 545 (h) was amended to provide that such sales should be at the same price obtaining for similar transactions between the United States military services or, if there are no such transactions, then at the gross cost for the item concerned, reduced to take into consideration age and condition.

The executive branch has been slow in implementing this provision. All directives have not as yet been issued. One reason for this, of course, is that appropriations were requested in prior years on the basis of anticipated receipts, and an immediate reduction in receipts from the military assistance program would have substantially reduced the funds available to the military services.

The report from the executive branch should give a detailed accounting of operations under the 1956 pricing formula and should contain a comparison of prices charged under the prior formula with those charged under the existing formula.

PROHIBITION AGAINST UNJUSTIFIED PUBLIC WORKS

The House bill contained a provision that prohibited the use of mutual security funds for any flood control, river and harbor or water development project in a foreign country that did not meet the benefit-cost standards and economic feasibility requirements established for similar projects in the United States. The Senate amendment contained no provision on this subject.

The House receded from its position. The committee of conference endorsed the principles contained in the House language but recognized the difficulties involved in their mandatory application to projects carried out in the less developed countries.

INTERNATIONAL LABOR ORGANIZATION (ILO) CONTRIBUTION (SEC. 502 (F))

Section 2 (a) of the joint resolution of June 30, 1948, as amended, authorizes payment by the United States of its share of the expenses of the International Labor Organization (a specialized agency of the United Nations) as apportioned by the Organization in accordance with its constitution. The United States contribution has been limited to $1,750,000 per annum, although the apportionment as determined by the ILO for the United States in recent years has been 25 percent of the ILO budget. As a consequence, the United States is in arrears in its payments. The House bill amended existing law so as to authorize an annual contribution of not to exceed 25 percent. The Senate bill contained a similar amendment but also a limitation of $2 million per annum. The conferees were informed that the budget already approved for calendar year 1959 by the ILO governing body amounts to approximately $8.4 million. Therefore, the United States assessment as apportioned under the ILO constitution would be approximately $2.1 million, and the $2 million ceiling would cause the United States to continue to be in arrears. Under these circumstances and since the ceiling on our contribution to the World Health Organization is also expressed as a percentage, the committee of conference accepted the House version.

FOREIGN SERVICE ACT AMENDMENT (SEC. 502 (H))

The Senate amendment included an amendment to the Foreign Service Act of 1946, as amended. The House bill contained no such provision. The committee of conference accepted the amendment included in the Senate version.

Section 571 (c) of the Foreign Service Act permits a Foreign Service officer to accept a position in the Department of State to which he is appointed by the President and is confirmed by the Senate without any loss of his Foreign Service status. Under this section, for example, a Foreign Service officer may be appointed an Assistant Secretary of State. The act makes no provision for a Foreign Service officer to accept a position elsewhere in the Government unless he resigns or retires from the Foreign Service.

The newly appointed Director of the United States Information Agency, Hon. George V. Allen, a Foreign Service officer with nearly 30 years' experience, had to retire from the Foreign Service to accept his new post. The Senate amendment broadens the single exception in the Foreign Service Act to permit a Foreign Service officer to retain his status within the Foreign Service when he is appointed by the President to any position requiring Senate confirmation. The Senate amendment also contains language that makes the change retroactive in order that Mr. Allen may be considered as if he had not retired from the Foreign Service to accept the position of Director of USIA.

INFORMATIONAL MEDIA GUARANTY (SEC. 502 (I))

The Senate amendment contained language that amended section 1011 of the United States Information and Educational Exchange Act of 1948. The House bill did not contain such a provision, although the House Committee on Foreign Affairs had held hearings on this subject and was contemplating action on it this session. The House conferees therefore receded and concurred in the Senate amendment.

The Senate amendment makes possible the continued financing of the Informational

Media Guaranty (IMG) program through replenishment of its capital fund. The capital fund which consists of an authority to borrow from the Treasury up to $28 million is nearly depleted.

The purpose of the program is to encourage the sale of American books, periodicals, films and other informational material in countries where dollars are lacking by guaranteeing to the American distributor the convertibility of local currency sales proceeds into dollars. The program is undertaken only after conclusion of an agreement with the participating country. At the present time the program operates in 11 countries.

Under the program the American exporter sells informational materials to a foreign importer for foreign currency which is exchanged for dollars by the United States Information Agency (USIA), the administrator of the program. Most of the foreign currencies thus acquired are sold by the Treasury Department to other Government agencies for appropriated dollars. These dollars, in turn, are credited to the IMG revolving fund and become available to back the issuance of additional guaranty contracts. The additional dollar funds required to operate the program, over and above the dollars obtained from the sale of these foreign currencies, are borrowed from the Treasury Department against notes assumed by the Director of the United States Information Agency, pursuant to the authority of the Mutual Security Act of 1956.

The Senate amendment authorizes appropriations to restore USIA's borrowing authority for purposes of the IMG program to the extent that it has been impaired by program operations. Impairment to the capital fund arises from three causes: (1) Some foreign currencies acquired under the program must be sold at a lower rate of exchange than the rate at which they were purchased from American exporters; (2) in some countries local currency has accumulated in amounts in excess of United States Government needs so that they cannot in the reasonably immediate future be sold to United States Government agencies for dollars; and (3) in a few countries the United States has been obliged to agree to conditions which place certain restrictions on the types of United States Government activities which can be financed with these currencies.

Since the beginning of the program in 1948 through June 1957, $13 million of the $28 million capital fund has been used to convert local currencies into dollars. An additional $9.6 million is committed to back outstanding guaranties, leaving $5.4 million available for new contracts as of July 1, 1957. This authority is insufficient to finance the program through fiscal year 1959 unless the capital fund is replenished by appropriation.

The executive branch estimates that IMG contracts will be issued for about $13 million for each of the next 2 fiscal years. To finance the issuance of some $26 million in guaranties the capital fund will require replenishment of approximately $8 million. It is important that the program be financed beyond a 1-year period in order that United States exporters can make their plans.

The amount of the appropriation request is limited to the amount necessary to restore the realized impairment to the capital fund. Impairment is defined to include the amount of realized exchange losses plus the dollar cost of unsalable foreign currencies. The appropriated funds will be turned over to the Secretary of the Treasury to retire outstanding indebtedness, thus permitting USIA to make IMG borrowings in an equivalent amount within the present ceiling after payment of interest charges due.

Through the annual replenishment of the IMG capital fund by appropriation, Congress will retain control over the extent of the program. At the same time the revolving feature will provide assurance of continuity to American exporters participating in the program.

The IMG program is an important adjunct to the work of USIA. It makes available in countries that lack dollars a great variety of informational materials privately produced in the United States. The small loss suffered by the Government is more than compensated for by the greater circulation of important materials in countries that otherwise would not have access to them.

USE OF PUBLIC LAW 480 CURRENCY FOR SCIENCE (SEC. 502 (L))

The Senate amendment amended section 104 of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480), by adding a provision authorizing the use of Public Law 480 currencies for scientific activities. Under the provision, Public Law 480 currencies could be used to collect, collate, translate, abstract, and disseminate scientific and technological information. They could also be used to conduct and support scientific activities overseas, including programs of scientific cooperation between the United States and other countries. Such cooperative projects and programs would include coordinated research against disease. The House bill contained no similar provision.

The managers on the part of the House receded and accepted the Senate provision.

Recent events have demonstrated the need for increased emphasis on scientific activities. There is an urgent need for translations and abstracts of scientific articles and books, both in the United States and abroad. This section will help meet that need. Furthermore, this provision will result in the United States, through cooperative activities, securing the benefits of increased scientific activity and research abroad. It will help in eliminating diseases common to all mankind and those which are common to particular regions.

The provision does not in itself make funds available to any agency of the United States. It authorizes the use of Public Law 480 currencies for the purposes stated but leaves to the President the question as to which executive agency will administer the program.

WORLD HEALTH ORGANIZATION RESEARCH (SEC. 502 (M))

The Senate amendment amended the act of June 14, 1948, as amended, concerning United States participation in the World Health Organization, by adding a new section 6, declaring it to be the policy of the United States to continue and to strengthen mutual efforts among nations for research against diseases, such as heart disease and cancer, and inviting the World Health Organization to initiate studies for the strengthening of research and related programs against such diseases.

The House bill did not contain a provision on this subject.

The managers on the part of the House accepted the Senate amendment. There did not appear to be any basis for disagreement with the objectives of this provision. It involves only matters of direction and of emphasis of existing operations, and it does not call for any additional expense.

The committee of conference recognized the advantages to be derived if in these and other health programs the Executive by appropriate regulation take fullest advantage of the psychological value of the American origin of effective medicines.

JOINT ASSISTANCE PROGRAMS IN WESTERN HEMISPHERE (SEC. 503)

The Senate amendment contained a provision expressing the sense of Congress that the President should, pursuant to the provisions of the Mutual Security Act and other applicable legislation, seek to strengthen cooperation in the Western Hemisphere to the maximum extent by encouraging joint programs of technical and economic development. The House bill contained no language on this subject.

The committee of conference accepted the Senate language as indicative of continued congressional encouragement to the executive branch to explore every means available in carrying out the objectives expressed in the Senate language.

THOMAS E. MORGAN,
A. S. J. CARNAHAN,
CLEMENT J. ZABLOCKI,
JOHN M. VORYS,
WALTER H. JUDD,
*Managers on the Part of the House.*

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TALLE (at the request of Mr. ARENDS), for an indefinite period, on account of accidental injury.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MOULDER, for 10 minutes, today, and to revise and extend his remarks.

Mr. REUSS, for 10 minutes, today, and to revise and extend his remarks.

Mrs. KNUTSON, for 10 minutes, today.

Mr. PORTER, for 15 minutes, on tomorrow.

Mr. CURTIS of Missouri (at the request of Mr. ARENDS), for 1 hour Tuesday, June 24.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HILLINGS (at the request of Mr. ARENDS) in two instances and to include extraneous matter.

Mr. VAN ZANDT (at the request of Mr. JOHANSEN) in two instances and to include extraneous matter.

Mr. KEATING.

Mr. PORTER.

Mr. CELLER (at the request of Mr. ASPINALL) in two instances and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. ASPINALL) and to include extraneous matter.

Mr. HOLIFIELD and to include extraneous matter.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3335. An act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia; to the Committee on Public Works.

S. 3680. An act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Wash., in 1961, and for other purposes; to the Committee on Foreign Affairs.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2224. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property.

## ADJOURNMENT

Mr. ASPINALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 24, 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:

2049. A communication from the President of the United States, transmitting a proposed indefinite appropriation and draft of proposed provisions pertaining to increased pay costs for the fiscal year 1958 (H. Doc. No. 409); to the Committee on Appropriations and ordered to be printed.

2050. A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1959 involving an increase in the amount of $11,370 for the legislative branch (H. Doc. No. 410); to the Committee on Appropriations and ordered to be printed.

2051. A letter from the chairman, House Committee on Agriculture, relative to executive communicaiton No. 2042, dated June 18, 1958, relating to plans for works of improvement pertaining to Antelope Creek, Nebr., Bear, Fall, and Coon Creeks, Okla., and Auds Creek, Tex., pursuant to section 2 of the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Appropriations.

2052. A letter from the Attorney General, transmitting a report on an overobligation of the allotments under the appropriation "Salaries and expenses, Bureau of Prisons" for the first and second quarters of the fiscal year 1958, by the Budget Officer, Bureau of Prisons, pursuant to subsection (i) (2) of section 665, title 31, United States Code; to the Committee on Appropriations.

2053. A letter from the Chairman, Federal Home Loan Bank Board, transmitting the annual report of the Federal Home Loan Bank Board for the year ending December 31, 1957, pursuant to the Federal Home Loan Bank Act, as amended; to the Committee on Banking and Currency.

2054. A letter from the Deputy Manager, Development Loan Fund, relative to the establishment of a loan of not to exceed Fund to the Government of the Kingdom $12 million from the Development Loan of Greece has been authorized, pursuant to title II of the Mutual Security Act of 1954, as amended; to the Committee on Foreign Affairs.

2055. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Bureau of Engraving and Printing, Treasury Department, for the fiscal years ended June 30, 1955, 1956, and 1957, pursuant to the act of August 4, 1950 (31 U. S. C. 181d); to the Committee on Government Operations.

2056. A letter from the Secretary of the Interior, relative to an application for a loan to the Bountiful Water Subconservancy District in the vicinity of Bountiful, Utah, pursuant to Public Law 984, 84th Congress, as amended by Public Law 85-47; to the Committee on Interior and Insular Affairs.

2057. A letter from the Assistant Secretary of the Interior, transmitting copies of an order canceling certain charges existing as debts due the United States by individual Indians and tribes of Indians, pursuant to the act of July 1, 1932 (47 Stat. 564); to the Committee on Interior and Insular Affairs.

2058. A letter from the Administrative Assistant, Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to provide for the disposition of surplus personal property to the Territorial government of Alaska until December 31, 1959;" to the Committee on Interior and Insular Affairs.

2059. A letter from the Chairman, Federal Power Commission, transmitting a copy of each of the newly issued publications as follows: Electric Power Requirements and Supply of the United States, by Regions, Present and Future to 1980; and Hydroelectric Plant Construction Cost and Annual Production Expenses, 1953-56; to the Committee on Interstate and Foreign Commerce.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 19, 1958, the following bill was reported on June 20, 1958:

Mr. NORRELL: Committee on Appropriations. H. R. 13066. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1959, and for other purposes; without amendment (Rept. No. 1940). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of June 19, 1958, the following conference report was filed on June 20, 1958:

Mr. MORGAN: Committee of conference, H. R. 12181. A bill to amend further the Mutual Security Act of 1954, as amended, and for other purposes (Rept. No. 1941). Ordered to be printed.

[*Submitted June 23, 1958*]

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. HALEY: Committee on Interior and Insular Affairs. S. 692. An act to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes; with amendment (Rept. No. 1942). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 1366. An act to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," as amended; without amendment (Rept. No. 1943). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. H. R. 10423. A bill to grant the status of public lands to certain reef lands and vesting authority in the commissioner of public lands of the Territory of Hawaii in respect of reef lands having the status of public lands; with amendment (Rept. No. 1944). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H. R. 12850. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of switchblade knives, and for other purposes; without amendment (Rept. No. 1945). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. House Joint Resolution 424. Joint resolution to improve the administration of justice by authorizing the establishment of institutes and joint councils on sentencing for the development of objectives, standards, procedures, and policies to be followed in the sentencing of persons convicted of offenses against the United States; with amendment (Rept. No. 1946). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAVIS of Georgia: Committee of conference. H. R. 6306. A bill to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes" (Rept. No. 1947). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of June 19, 1958, the following bill was introduced on June 20, 1958:

By Mr. NORRELL:

H. R. 13066. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1959, and for other purposes.

[*Introduced and referred June 23, 1958*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. SULLIVAN:

H. R. 13067. A bill to provide for the establishment of a food-stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States; to the Committee on Agriculture.

H. R. 13068. A bill to provide for the operation of a food-stamp plan for the distribution of surplus food commodities to needy persons in the United States; to the Committee on Agriculture.

By Mr. ASPINALL:

H. R. 13069. A bill to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines; to the Committee on Interior and Insular Affairs.

By Mr. BARTLETT:

H. R. 13070. A bill to provide for the disposition of surplus personal property to the Territorial government of Alaska until December 31, 1959; to the Committee on Interior and Insular Affairs.

By Mr. CRETELLA:

H. R. 13071. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. HERLONG:

H. R. 13072. A bill to amend title IX of the Social Security Act, as amended, to provide for exemption of unemployment benefits from all legal process for the collection of any tax of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. KEATING:

H. R. 13073. A bill to amend section 3486 of title 18, United States Code, so as to permit the compelling of testimony in certain

additional cases or proceedings before any grand jury or court of the United States; to the Committee on the Judiciary.

By Mr. METCALF:

H. R. 13074. A bill to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 13075. A bill to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines; to the Committee on Interior and Insular Affairs.

By Mr. OSTERTAG:

H. R. 13076. A bill to provide for the free entry of certain chapel bells imported for the use of the Abelard Reynolds School No. 42, Rochester, N. Y.; to the Committee on Ways and Means.

By Mrs. PFOST:

H. R. 13077. A bill to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H. R. 13078. A bill to establish the Youth Conservation Organization to assist in the conservation and development of natural resources, provide employment and training for unemployed youthful citizens, and for other purposes; to the Committee on Education and Labor.

By Mr. ZELENKO:

H. R. 13079. A bill to prohibit the use of Government property by any organization practicing segregation on the basis of race, creed, or color; to the Committee on Public Works.

By Mr. SILER:

H. J. Res. 631. Joint resolution to amend the joint resolution of May 8, 1914, to designate the second Sunday in May of each year as Memorial and Mother's Day, and for other purposes; to the Committee on the Judiciary.

By Mr. WALTER:

H. Res. 599. Resolution authorizing further funds for the operation of the Committee on Un-American Activities during the calendar year 1958; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H. R. 13080. A bill for the relief of Milo G. and Patricia Wingard; to the Committee on the Judiciary.

By Mr. POLK:

H. R. 13081. A bill for the relief of the estate of Charles H. Biederman; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII.

689. Mr. SCHENCK presented a petition of the City Commission of the City of Dayton, Ohio, expressing concern over the condition of the railroad industry and declaring itself in favor of presently proposed and future legislation which will assist in the rapid recovery of the railroads, which was referred to the Committee on Interstate and Foreign Commerce.

# EXTENSIONS OF REMARKS

## Results of 1958 Questionnaire

EXTENSION OF REMARKS

OF

### HON. PATRICK J. HILLINGS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. HILLINGS. Mr. Speaker, I have just received the results of my final questionnaire which I sent to the Democrat and Republican voters who reside in the 25th Congressional District of California, in order to obtain their views on some of the important issues facing our country. This is my last questionnaire because I am retiring from the House of Representatives at the end of this year.

My annual questionnaire has been exceedingly helpful to me during my 8 years' service in the Congress and I believe it has given my constituents an opportunity to participate directly in the governmental process. As long as the elected representatives of the people are willing to seek the advice and suggestions of those they represent, there will be no danger of dictatorship in the United States.

I believe the response to my poll letter this year was greater than ever before. I am gratified at the many thousands of replies I have received, and I regret that the volume is so great that it will be impossible for me to answer each questionnaire individually.

The following is the compilation of the answers:

1. Should the United States continue nuclear tests? Yes, 81 percent. No, 16 percent. No opinion, 3 percent.

2. Should President Eisenhower meet at a summit conference with Russia's Khrushchev in the near future? Yes, 49 percent. No, 41 percent. No opinion, 10 percent.

3. Should a single Federal agency be established to control the Nation's diminishing airspace? Yes, 84 percent. No, 10 percent. No opinion, 6 percent.

4. Should Congress pass laws requiring labor unions to make public reports on welfare and pension funds? Yes, 96 percent. No, 2 percent. No opinion, 2 percent.

5. Should Congress cut taxes as an antirecessian measure even though it might cause more inflation? Yes, 25 percent. No, 71 percent. No opinion, 4 percent.

6. Should the Federal Government finance the bulk of our Nation's educational program rather than the States even though it might result in greater Federal control? Yes, 11 percent. No, 84 percent. No opinion, 5 percent.

7. Should we reduce farm subsidies in an effort to obtain more funds to finance our defense program? Yes, 59 percent. No, 29 percent. No opinion, 12 percent.

## During Necessary Reorganization of the Department of Defense Congress Must Retain Its Right To Review Administrative Decisions

EXTENSION OF REMARKS

OF

### HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. VAN ZANDT. Mr. Speaker, on June 11 during the debate on the floor of the House of Representatives on H. R. 12541, a bill to reorganize the Department of Defense, the following statement indicates my position on the legislation:

The committee resumed its sitting.

Mr. VAN ZANDT. Mr. Chairman, in discussing the legislation before us, it is only fair to state that it was the consensus of the House Armed Services Committee when the bill was reported it represented a reasonable compromise in those areas where there was much controversy.

The bill not only received the unanimous approval of the House Armed Services Committee, but likewise a qualified endorsement by President Eisenhower. Since the bill was reported with such a qualified endorsement, three areas of conflicting opinion have developed, as far as the President is concerned. It is my earnest hope that the difference of opinion concerning the language in the committee bill may be resolved through agreeable amendments before the bill reaches final consideration by the House.

Mr. Chairman, this bill was perfected after weeks of hearings and after a lot of give-and-take by both sides. It does not represent snap judgment, but a bill that was drafted with utmost care by a committee of this House composed of Members of Congress who are dedicated to the purpose of maintaining a strong and solvent America.

It is not my intention to discuss the details of the bill or the issues in conflict, but to simply project my thinking into the future and in so doing analyze the problem confronting our Nation as we move from the conventional method of prosecuting wars into the more modern methods of the nuclear age.

In other words, we are in a period of transition. As a result, we have some who think we should maintain two types of defense: First, a conventional type of fight-limited wars; and, second, the more modern methods to fight a nuclear war. In addition, you hear of the possibility of firepower displacing manpower and of the necessity of a complete merger of our Armed Forces. There are many other fields of national defense under discussion, including the cost factor.

Mr. Chairman, serving as I do on both the House Armed Services Committee and the Congressional Joint Committee on Atomic Energy, I can see in the distance a type of national defense completely different from what we have today and for the next several years.

While some may disagree with my views, I can see future wars being fought from continent to continent with guided missiles carrying nuclear warheads. This means that the type of our present-day military machine will be obsolete to the extent that we will have little use for conventional methods of warfare. Even some of our modern methods of waging war now employed by our military forces will be outmoded.

As we pass through this transition era, Congress will be called upon to make momentous decisions affecting military manpower and equipment, together with roles and the mission of our Armed Forces.

Mr. Chairman, Congress will be called upon to face realities and to make bold and courageous decisions in the field of national defense. Most of these decisions will be whether to agree or disagree with the recommendations of those charged with the responsibility of administering our national defense policy. This places a grave responsibility on the shoulders of Congress.

It has been said many times that without a strong economy the military might of our Armed Forces is imperiled. Therefore, as we face decisions in the field of national defense we must protect our economy by getting the most for our Armed Forces out of every dollar spent for national security.

With this thought in mind, at the present time based on a $72 billion budget, 62 cents out of every dollar spent by our Government is for national security, which includes foreign aid, atomic energy, and our Armed Forces. This leaves only 38 cents out of every Government dollar for nonmilitary activities of the Government. Breaking this figure down, we find 7 cents for veterans' benefits, 11 cents for interest on the national debt, and 20 cents for other nonmilitary functions of Government. Therefore, from this breakdown it is apparent that we cannot spend much more for the military expenditures of Government if the nonmilitary functions of Government are to be financed.

Let us see what is happening in the cost of military equipment, including weapons, planes, missiles, etc.

In World War II a B-29 cost $600,000, a B-36 $4 million, and the present B-52 nearly $8 million. In the period 1960 to 1965 the B-70 will replace the B-52 at a cost of nearly $16 million each.

To replace the present SAC B-47 force with a B-58 force including replacement of the KC-97 tankers with KC-135 tankers, the total cost for aircraft and spares will run from $20 billion to $25 billion.

A World War II fighter aircraft cost $93,000, the present F-100 $750,000, while the F-106 now coming into being will cost four times as much or $3 million.

I am sure we have all heard of the X-15 aircraft now being developed at Edwards Air Force Base in California. Three of these aircraft are estimated to cost $120 million and to eliminate technical difficulties and to further develop the X-15 to perfection the final cost for one plane alone may reach $100 million.

Let us talk about the Navy. A World War II carrier cost $55 million, the Korean war carrier $204 million, and the present nuclear-powered carrier $314 million.

Submarines in World War II cost $4.7 million each, in the Korean war $22 million, while the present nuclear-powered *Nautilus* type cost $48.9 million. The *Polaris*-type submarine now under development will cost $92 million.

The World War II cruiser ranged in cost from $36 million to $58 million apiece. To convert these cruisers to guided missiles, the cost of conversion will amount to $90 million each.

Let us talk about the Army for a moment. The .30-caliber machinegun, known as standard equipment, cost $445 during World War II, while its replacement, the M-60, costs $1,700. The World War II 90-millimeter antiaircraft battery, including sight and installation, cost about $7.2 million. To replace it with a Nike battery, the cost was $17 million. To keep these batteries modern with Nike-Hercules missiles, the cost will be three times greater.

Mr. Chairman, the comparison I have given of the cost of World War II and present, modern-day equipment is only a drop in the bucket when you look at the cost of the following items:

First. The Continental Defense Command, now in existence for 4½ years, costs $13 billion, with a $2½ billion annual operating cost. Keep in mind it is going to cost billions more to keep it modern.

Second. The testing and evaluating of new weapon systems from the period 1956-59 will cost $20 billion. or $20 million for each working day.

Third. One squadron of ICBM's will cost $1 billion, while an anti-ICBM system will cost $13 billion. These figures will give some idea of the cost of only one type of missile. We should remember that other types of missiles will also cost billions of dollars.

Since I have been speaking about missiles, and since they represent the modern method of warfare, let me reveal what has been happening to the dollar spent for national defense.

In 1953, just 2 cents of the defense dollar was spent on missiles; in 1957, 15 cents; in 1959, an estimated 24 cents will be spent; and in 1960, an estimated 35 cents. From these figures it is evident that the more modern method of prosecuting a war is requiring more of the defense dollar. Given another 10 or 15 years, there will be little left of the defense dollar to pay the cost of conducting conventional warfare.

Mr. Chairman, I have been talking mostly about equipment. Let us talk about personnel. The direct military personnel cost per man in 1950 amounted to nearly $3,000; but in 1958, including the recent pay increases, the cost per man is $13,500.

Mr. Chairman, as I conclude it may be well to state that the British recognized some years ago that they could not afford to maintain both the conventional and the more modern method of prosecuting a war. Therefore, to live within their economic capabilities and to have at their disposal a modern military machine, their decision was in favor of the missile or the more modern method of warfare.

These figures I have quoted are startling because they reveal the grave problem this Nation is faced with in maintaining an adequate and modern national defense without impairing our economic stability.

As I have said, some are urging that a complete merger of our Armed Forces in the distant future is imperative. I do not dispute this contention; but I do say that, to meet the present-day as well as future decision in a bold and courageous manner, we need legislation of the type we now have before us. If this bill is enacted into law, those who administer our national-defense program will have greater flexibility and more authority to make the necessary decisions. Meanwhile, Congress will have retained its right to review such decisions and by so doing will provide an appropriate checkrein on national-defense policy during this transition era.

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## Congress Versus the States

EXTENSION OF REMARKS

OF

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I insert a letter to the editor of the New York Times, which was published in the Sunday Times, June 22, 1958. The letter follows:

CONGRESS VERSUS THE STATES

To the EDITOR OF THE NEW YORK TIMES:

Within the next few weeks the House of Representatives will have before it a bill which can have only the most mischievous effects in significant areas of American life. That bill is H. R. 3.

Like many other bills which have come before the Congress during the past few years, H. R. 3 is an expression of discontent with the liberal position which the Supreme Court has recently taken in safeguarding the rights of the individual.

However, unlike other bills which have sought to reverse legislatively the Supreme Court on specific issues, H. R. 3 goes far beyond the problem of State sedition statutes, and by shotgun legislation affects broad questions of interstate commerce, criminal law, labor relations, etc.

H. R. 3 provides that "No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and a State law so that the two cannot be reconciled or consistently stand together."

APPLICATION OF DOCTRINE

As a logical and necessary application of the supremacy clause, the courts have developed over a long period of years the doctrine of preemption which says no more than that when Congress legislates in a given field there may be an intention to preclude State action. Proponents of H. R. 3 argue that the Supreme Court, in applying this doctrine, has distorted the purpose of Congress and in the process has all but destroyed the right of States to exercise their concurrent powers.

Quite to the contrary, the Court has, in fact, gone far in upholding State action, especially in questions involving public health, safety, and order, and as recently as May 26 of this year the Supreme Court refused to apply the preemption doctrine in two labor disputes subject to the Taft-Hartley Act.

Nor is Congress now powerless to reverse legislatively many of the decisions with which it disagrees. By legislation addressed to a specific problem, Congress can simply and effectively protect the rights of the States without, at the same time, generating the legal chaos inevitable under H. R. 3. Under these circumstances it is impossible for me to envisage any need whatever for that bill.

Furthermore, the bill will not have the effect which its proponents most desire, i. e., the removal of responsibility from the courts for deciding whether an act of Congress preempts the field. H. R. 3 itself provides that an inference of a legislative purpose to preempt may be drawn when there is a direct and positive conflict between State and Federal law. Since interpreting laws is the business of the courts, even under H. R. 3, the judiciary will still have the ultimate responsibility. In view of the litigation which H. R. 3 will inevitably breed, the courts actually will have a far larger number of such cases to decide than they do now.

Not only is there no need for H. R. 3, but its enactment is totally undesirable.

LEGISLATIVE EFFECT

First, the legislative effect which H. R. 3 will have is unknown. In hearings before the House Judiciary Committee the author of the bill, the author of the amended bill, and the Deputy Attorney General of the United States could not reach agreement as to the bill's meaning or effect. Like an iceberg, its significance is mostly hidden from view.

Secondly, since the bill would be retrospective as well as prospective, it would place in doubt legal relationships and responsibilities which have come to be accepted and understood over a period of years. Thus railroads would no longer know whether they were

obliged to conform to Federal or State safety appliance acts. Unions frequently would be unable to predict whether their rights and obligations were governed by State labor relations law or by the Taft-Hartley Act. Industries engaged in transportation, interstate commerce, agriculture, power, and natural gas, as well as many others, would be similarly affected.

Third, since the function of preemption depends upon the interrelationships of State and Federal law, a responsible decision on the question requires knowledge of State law. To consider each bill with a view to possible preemption requires knowledge of the law of each of the 48 States on almost every subject. Even then the decision can only be made on the basis of existing State law. Yet the Federal law is equally affected by subsequent State law.

Finally, H. R. 3 would have the ironic effect of diminishing rather than increasing States rights. Faced with the dilemma of having either to preclude all State action in a given area or to remain silent and thus accept all State action, present and future, Congress would resort to pro forma and preemption.

Certainly a complex, 20th-century economy should not be subjected to the chaos inherent in H. R. 3. It is a horse-and-buggy formula applied to an atomic age.

EMANUEL CELLER.

WASHINGTON, *June 16, 1958.*

## A Handout for the Voice of Wall Street

EXTENSION OF REMARKS

OF

### HON. CHARLES O. PORTER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. PORTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an editorial which appeared in the Wall Street Journal for May 27, 1958; following that is my letter to that newspaper and an answering editorial, both of which appeared on June 19:

[From the Wall Street Journal of May 27, 1958]

INDELIBLE RED INK

Though too little and too late, Congress' approval of the bill raising all classes of postal rates is at least an attempt to grapple with some unpleasant facts.

That it is belated is plain; it represents the first change in the cost of a regular letter stamp in 25 years—a striking tribute to the political terror wielded by that tiny scrap of gummed paper. And certainly it is too little to eliminate the postal deficit, or even reduce it greatly. Congress would have done better to boost regular letter stamps to the 5 cents the administration asked, instead of to 4 cents.

As it is, the increases will bring in some $550 million in additional revenue a year when they are all in effect. However, postal pay raises are also part of the bill, and it would seem that altogether they are worth $350 million or more. It looks as though the Government thus stands to net some $200 million in increased revenue—against a postal deficit now around $700 million.

But if the bill is no solution, it is better than nothing. It does make a gesture toward recognizing a principle Congress has carefully ignored for a generation, that if a business service is to be provided to the people, the people have got to pay for it one way or another. And that when Government provides the service, red ink is not only inevitable but probably indelible.

[From the Wall Street Journal of June 19, 1958]

MAIL RATES

EDITOR, THE WALL STREET JOURNAL:

In your footnote answering the comments of Messrs. Maginnis and Koning on the subject of postal rates (June 4), you would have your readers believe that the new rates will put the Journal on a pay-as-you-go basis. Your original editorial argued that each postal patron should pay the full cost of handling his mail.

While it is true that the rates on second-class mail matter will be increased an average of 5 percent (30 percent on the editorial portion and 60 percent on advertising content), the Wall Street Journal will continue to enjoy a substantial subsidy.

Instead of paying 1 cent for the handling and delivery of each 4-ounce issue, the Journal eventually (3½ years from now) will be paying 1.45 cents per copy.

Since the Journal will continue to receive the same speedy handling as first-class mail, your readers will readily observe the speciousness of the percentage figures used in your footnote. A 4-ounce first-class letter will be charged 16 cents after June 31, 1958, or 11 times the Journal's subsidized rate.

As if that were not inequity enough, your editorial writer brazenly suggested that first-class letters be charged 5 cents per ounce.

CHARLES O. PORTER,
*House Post Office and Civil Service Committee, House of Representatives.*

WASHINGTON, D. C.

POSTAL RATES

We publish this morning a letter which suggests that there is still some misunderstanding about the effect of the last postal rate bill and also about our view on postal rates.

The letter has to do with the relative rate between first-class letters and periodicals which go second-class. Representative PORTER, of the House Post Office Committee, speaks, for example, of a "substantial subsidy" allegedly "enjoyed" by publications.

Setting relative rates for different types of mail is a complicated business involving uncertain cost accounting. But there are a few things we think our readers ought to be aware of in discussing the subject.

If you drop a letter for Philadelphia into a New York mailbox, someone from the post office has to come and pick it up. The letter must then be sorted in the New York post office, carried to the train, resorted in the main Philadelphia post office or on the train en route, and then sorted at least once more (sometimes twice) before the Philadelphia mailman starts out on his route with it.

When a Wall Street Journal, or like publication, is to be mailed to Philadelphia, it is sorted at its own expense by the publishing company in New York. The Philadelphia mail is not only separated from, say, the Cleveland mail and put in separately marked bags; the papers for Philadelphia are also sorted by zone numbers.

These presorted bags are then delivered by the company directly to the train. There is no cost to the post office for pickup; none for handling in the New York post office. There is no sorting on the train and the Philadelphia post office is relieved of the expensive sorting operation it must perform with first-class letters. None of this expense is borne by the post office.

This, we think, is one of the reasons why Mr. PORTER's committee in Congress concluded that the handling of second-class mail matter is not as costly as the handling of individually mailed letters, and why Congress made the rates different.

There are, of course, other reasons for differentials. You pay no more to send a letter from New York to Philadelphia than from New York to San Francisco. Yet plainly the cost of this service is not the same. Our public policy is to bring New York and San Francisco citizens as close together as possible.

Long ago it was also decided that it was wise public policy to see that people obtain information as cheaply as possible. That is why Representative PORTER's official mail is wholly "free." That is also why, originally, newspaper subscribers were given a lower rate per ounce than charged on regular letters. It is well to note here that this policy is not designed for the benefit of Mr. PORTER but for his constituents, not for publishers but for readers of newspapers.

Be that as it may, the last postal bill increased newspaper rates, as Mr. PORTER notes, by an average of 45 percent. This is much higher than the percentage increase in first-class mail.

Naturally, we are not disinterested in that increase; a great many of our subscribers receive their papers by mail and the mail cost is figured in their subscriptions. Yet we supported that bill and made no objections to the increase on periodicals.

Setting the rates between the various types of mail involves questions of both reasonable cost accounting and of sound public policy. These are matters for Congress to decide on a fair basis. Our own belief is that the goal should be to make the whole revenue of the postal service sufficient to pay the whole cost of that service.

## A Needed Tool To Fight Organized Crime

EXTENSION OF REMARKS

OF

### HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. KEATING. Mr. Speaker, I have today introduced an immunity bill to spur the current Justice Department drive against organized crime. This measure would extend the immunity procedure, now available only where the national security is involved, to all cases involving felonies under Federal laws. Federal judges would be authorized to grant the immunity from prosecution to witnesses before grand juries or courts.

Enactment of this bill can strike a vital blow against those highstepping racketeers who are bilking our country of millions of dollars every year. It is evident that no State by itself can handle these crooks who have established interstate and international operations with all the efficiency and skill of a big business. The Federal Government is now stepping in to bring the ringleaders to book. But the success of their campaign will depend in large measure on the nature and extent of the weapons available to them.

This bill would add a much-needed weapon to their arsenal against crime. It would enable a United States attorney, with the prior approval of the Attorney General, to apply to a Federal court to compel a witness to testify. In return for his testimony, the witness

would be granted immunity from prosecution in connection with any transaction as to which he had testified. This would be a fair bargain for all concerned. The small-time crook could clear his conscience and his valuable testimony could be employed to bring bigtime racketeers to book.

This approach is not new. The same procedure is now available in national security cases. My bill would simply extend it to all court cases or grand-jury proceedings involving serious crimes against the United States.

All too often the little guy in these operations will not talk because he might incriminate himself. But his offenses are usually minor compared to those of the higher ups. With this bill in effect, Federal grand juries, through the testimony of these underlings, could put the finger on the one-hundred-or-so top-level gangsters who are pulling the strings of organized crime. They are the major targets of the current Justice Department drive.

Organized crime is operating all over the United States on such a grand scale that day after day it defies the forces of law and order. Congress would be remiss not to put every reasonable weapon into the hands of our law-enforcement agencies. This immunity procedure is one way we can aid the prosecutor without impairing the rights of the individual. They need this device. We should give it to them right now.

If Congress will put laws such as this on the books and if the proper authorities will avail themselves of them fairly and efficiently, the days of the organized crime syndicate can be numbered.

The text of the bill follows:

Bill to amend section 3486 of title 18, United States Code, so as to permit the compelling of testimony in certain additional cases or proceedings before any grand jury or court of the United States

*Be it enacted, etc.*, That subsection (c) of section 3486 of title 18, United States Code, is amended—

(1) by inserting "(1)" immediately after "court of the United States involving"; and

(2) by inserting immediately after "conspiracies involving any of the foregoing," the following: "or (2) any other offense classified as a felony within the meaning of section 1 (1) of this title."

## Aviation for Air Safety

EXTENSION OF REMARKS
OF
### HON. PATRICK J. HILLINGS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Monday, June 23, 1958*

Mr. HILLINGS. Mr. Speaker, the establishment of a single Federal aviation agency for the control of all air traffic in the continental United States is of the utmost urgency, and I, for one, urge Congress to move as rapidly as possible in this very serious matter.

I am convinced that only through the establishment of such an agency can we promote greater air safety by reducing the possibility of midair collisions through a single control agency.

The urgency of this problem is intensified by the fact that within a year most of the Nation's scheduled airlines will be operating faster and larger aircraft in the transcontinental service.

The advent of the jet age in commercial aviation will only serve to complicate the problem of promoting maximum air safety and providing full utilization of our shrinking airspace by commercial, military, business, and private planes.

I have long been an advocate of a single Federal agency as the only practical step to end terror in the skies resulting from helter-skelter control of our air traffic.

Of course, this proposed agency should have the experienced Civil Aeronautics Administration as its nucleus, and it should be kept free of military domination while recognizing the military airspace requirements for national defense in establishing airways and use of those airways.

This agency must exercise absolute control and authority over all air traffic in the United States. In times of emergency, of course, the military will have control of these airways.

And with the tremendous growth of aviation in the United States, and the vast number of problems automatically accompanying this growth, I am convinced—and I am so recommending to the Congress—that a permanent joint committee of the House and Senate on aviation and air safety be created to give guidance to the proposed agency and to police it.

This proposal is no reflection on the fine work being done by the already overworked Commerce Committees of the House and Senate.

But it is my conviction that the importance of aviation to our national economy and national defense warrants a separate Congressional committee to exercise full legislative responsibility in this field.

And Congress should never abdicate its duty, responsibility and authority to the executive in this important phase of our national economy and national defense.

A simple check of the recent record of aviation emphasizes why a Federal Aviation Agency and a Joint Congressional Committee on Air Safety are so necessary.

The record, boiled down, is this.

First. Three near misses every day on commercial air routes.

Second. Two hundred and forty-eight previous deaths in collisions in less than 2 years; and

Third. Four previous military-civilian plane collisions fatal to 160 persons.

Let us not forget the crowded air space situation will get worse before it gets better unless Congress acts with the utmost speed in creating a Federal Aviation Agency and a joint committee of Congress to deal with the complicated problems of aviation as it moves into the commercial jet age.

Promoting greater air safety in this great industry is imperative.

## Benefits Under the Social Security Act Are Inadequate and Reveal the Plight of Our Aging Population

EXTENSION OF REMARKS
OF
### HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
*Monday, June 23, 1958*

Mr. VAN ZANDT. Mr. Speaker, in my appearance June 19, 1958, before the House Ways and Means Committee during hearings on over 400 bills amending the Social Security Act, stress was placed on the importance of liberalizing the existing law and increasing benefits. My statement follows:

STATEMENT BY JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH CONGRESSIONAL DISTRICT OF PENNSYLVANIA, BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS, JUNE 19, 1958, URGING AMENDMENTS TO THE SOCIAL SECURITY ACT

Mr. Chairman, the opportunity to appear before this committee in support of amendments to the Social Security Act is greatly appreciated. In view of your statement, Mr. Chairman, that the Committee on Ways and Means has an extremely heavy schedule and only a very limited time to devote to these hearings, I am complying to the request to confine my testimony to key points which I which to emphasize, with permission to file full and detailed statements in the record, if deemed necessary.

To begin with, I should like to call attention to my bill, H. R. 967, reintroduced in the 85th Congress, January 3, 1957, and providing that the retirement age under the Social Security Act shall be 60 years.

This legislative proposal was introduced by me in previous Congresses and I have found widespread support for it throughout the Nation, because many older workers would gladly voluntarily retire at age 60 if given the opportunity to do so. When you consider that a survey conducted by the Social Security Administration in 1951 disclosed that over 80 percent of those receiving social security benefits had been forced to retire or had retired for reasons of health, it is evident that the impact of voluntary retirement at age 60 would not have the devastating effect that critics claim it would have on our reservoir of skilled manpower.

Another bill I have pending before this committee is H. R. 970 to amend existing law for the purpose of prohibiting the various States from requiring recipients of public assistance benefits to transfer to the State title or control of property or a lien or other encumbrance for the purpose of recovering the amount of the benefits paid or provided.

This bill was introduced because of the bitter resentment that exists in my Congressional District over the action of the State of Pennsylvania in requiring a lien on the home of those who in their declining years have no means of financial assistance and who own nothing but the clothes on their backs and the roof over their heads which they acquired through years of toil during their productive years.

In addition to this older group there are those who have lost their eligibility to unemployment insurance benefits under the Railroad Unemployment Insurance Act because they have exhausted their rights. As a result, they are forced to apply for Public Assistance benefits, and if approved, such benefits become a lien on their homes.

Mr. Chairman, I think we should keep in mind these unemployed railroaders have not had their unemployment insurance benefit

period extended by Congress. Since many of them are of middle age with their homes only half paid for, the requirement of a lien has a demoralizing effect on them.

Mr. Chairman, this requirement of a lien by the various States should be prohibited by an amendment to existing law such as is provided for in my bill H. R. 970.

Among the 400 bills you are considering there are many that will increase benefits under the Social Security Act. Since it is common knowledge that the average monthly benefit check representing earned benefits under the Social Security Act, is a mere pittance when measured by the cost of living which is increasing monthly, I hope that this committee will find it possible to approve legislation granting an across-the-board increase in social security benefits of at least 10 percent.

Let me call your attention to the following chart showing the consumer price index governing the cost of living and the purchasing power of the dollar from the period 1939 to 1957:

| Year | Consumer Price Index (1939—100) | Purchasing power of the dollar (1939—$1) |
|---|---|---|
| 1939 | 100.0 | $1.00 |
| 1940 | 100.8 | .99 |
| 1941 | 105.9 | .94 |
| 1942 | 117.3 | .85 |
| 1943 | 124.6 | .80 |
| 1944 | 126.6 | .79 |
| 1945 | 129.5 | .77 |
| 1946 | 140.4 | .71 |
| 1947 | 160.8 | .62 |
| 1948 | 173.1 | .58 |
| 1949 | 171.4 | .58 |
| 1950 | 173.1 | .58 |
| 1951 | 186.9 | .54 |
| 1952 | 191.1 | .52 |
| 1953 | 192.6 | .52 |
| 1954 | 193.3 | .52 |
| 1955 | 192.8 | .52 |
| 1956 | 195.6 | .51 |
| 1957 | 202.4 | .49 |

As the chart shows, from 1939 to 1957, the cost of living constantly increased each year until 1957 when it was 102.4 percent over 1939. At the same time, the purchasing power of the dollar decreased from 100 cents in 1939 to 49 cents in 1957. In other words, the cost of living doubled while the value of the dollar was cut in half.

Mr. Chairman, this increased cost of living when coupled with a 49-cent dollar is working real hardship on thousands of beneficiaries of the Social Security Act who must live on a fixed monthly income as represented by their monthly retirement check.

Mr. Chairman, the following chart reveals factual information as to the average age and average monthly payment received by beneficiaries of the Social Security Act:

*Old-age and survivors insurance monthly benefits in force—1957*

| | Average age | Average payment |
|---|---|---|
| Retired worker: | | |
| Male | 72.9 | $70 |
| Female | 70.9 | 52 |
| Spouses | 70.9 | 34 |
| Widows and widowers | 72.1 | 51 |
| Parents | 76.4 | 52 |
| Young mothers | 43.1 | 49 |
| Children | 12.0 | 39 |

Mr. Chairman, the figures contained in these charts definitely prove the immediate need for an across-the-board increase to recipients of earned social security benefits or to their survivors.

In concluding my remarks, I hope that something can be done in providing an increase in public assistance benefits.

Mr. Chairman, it is recalled that early this spring when President Eisenhower's Federal Council on Aging met here in Washington it declared that the welfare of older citizens is everybody's responsibility. I agree with this declaration, and I sincerely urge that this Committee do something for those who are trying to exist on public assistance benefits.

What they receive today is grossly inadequate for their daily needs. The majority of these deserving elderly citizens never had the opportunity to be covered by the Social Security Act during their productive years.

It is my opinion that in simple justice to them Congress should recognize their plight and take positive action by improving the Federal-State program governing public assistance policies and benefits.

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## Why the Federal Government Built the Alaska Railroad

EXTENSION OF REMARKS

OF

### HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. HOLIFIELD. Mr. Speaker, while statehood was being debated in the House, an opponent attempted to minimize the shocking discrimination Alaska has suffered in transportation rates. Alaska has suffered such discrimination both from the railroads of the United States and from the maritime carriers, resulting in the highest cost of living under our flag. An opponent of statehood during debate said:

> I have here a figure showing that the taxpayers of the country invested in the Alaska railway a net amount of $130 million. Is there any other State or Territory or area of this country that has the benefit of a railroad in which the investment is made solely by the people of this country?

This was an implication seeking to show Alaska received some generous benefits from Uncle Sam which no other Territory or State received. The facts are quite otherwise.

My reply is in two parts.

The first part of my reply deals with the total difference between Alaska in the matter of Federal railroad policy and performance and any other State or Territory or area in this country.

The people of this country—through their Federal Government—gave away millions of acres of land to American railroads in the older Territories and States, to help those railroads span the continent. Those tens of millions of acres proved to be many, many times the value of the $130 million spent on the Alaska Railroad. Those tremendous land grants were worth many, many times that amount.

In 1850 the Federal Government gave the Illinois Central Railroad 2,600,000 acres in alternating sections between Chicago and Mobile. Think of it. Two million, six-hundred thousand acres to just one railroad.

The Union Pacific Railroad fared even better—much better. It was granted 12 million acres of land.

I will not break down how much was given to each railroad. A total of 158,293,000 acres of land were given altogether by the people of this country to the railroads.

In terms of expenditures it would have cost a lot less for Uncle Sam to have built the railroads and sold the land at auction to the highest bidder after the increment brought about by the railroad construction and the resulting influx of population.

The people of this country paid the cost of constructing those railroads in every State or Territory through which those railroads passed.

Let me now turn to the second part of my reply which embodies the reason why the Federal Government finally did build the Alaska Railroad.

After the gold rush of the late 1890's led to the rediscovery of Alaska by the American people there was an immediate demand—as well as a great need—for transportation to the interior. There was urgent need of transportation from the southern coast of Alaska, which could be reached by steamship, to the valley of the Yukon, some 400 miles to the north, where the discovery of gold appeared to usher in an era of great development for Alaska.

There were no highways in Alaska and would be none for years to come. Besides, the heavy machinery needed for mining required rail transportation.

A number of financial groups went to work. The route from Seward, at the head of Resurrection Bay, to Fairbanks, 470 miles inland, was surveyed. Other investors and builders surveyed the somewhat shorter route from Valdez on Prince William Sound to Fairbanks. Capital was forthcoming and construction was begun.

The route from Seward, though somewhat longer, appeared more promising because it passed directly through the great Matanuska and Suntrana coal fields.

These Alaska railroad undertakings, not only did the Federal Government not subsidize with land grants, but it promptly imposed a tax of $100 annually for each mile of completed track, payable even before the whole railroad was completed. But it did far worse than that.

One essential for the successful construction and operation of these Alaska railroads was the opportunity to utilize Alaska's abundant and easily accessible coal. Coal was needed as fuel for the railroads, for their motive power as they moved inland—this being long before the age of diesel fuel. Coal was needed also for the mining in the interior and would furnish freight northbound. Coal was also needed as a back haul to the coast. The United States Navy had tested the Alaska coal, had found it suitable for its use and was prepared to buy it.

But Alaska coal was not available to the Alaska railroads. Nature had made it available. But man prevented its use. Vast deposits of coal along the railroads' rights-of-way, near the surface, and easily mineable, were there. But Congress and the Federal bureaucracy impeded the mining of that coal.

If anyone doubts this let him read the annual reports on Alaska issued by the United States Geological Survey of the

Department of the Interior. Year after year these reports, written by a great geologist intimately familiar with Alaska, for many years the director of the Geological Survey, Dr. Alfred H. Brooks, pointed out that the coal was there, abundant, of good quality, and that the development of Alaska was halted and other mining prevented because of the unavailability of that coal.

Why was that coal unavailable? It was unavailable because the bureaucrats in the General Land Office could not make up their minds what kind of legislation to recommend to Congress. Alaska's coal was unavailable because a false conservationism, guided some of those bureaucrats, fearful that coal would be mined too fast, or by too few people, prevented any of it from being used.

By 1906 the Interior Department of that day had persuaded the President to withdraw all Alaska's coal lands from entry pending decision as to how they should be disposed of. Loud protests came from Alaskans—unrepresented up to that time in the National Capital by even a voteless Delegate. There were protests from a succession of Governors for the next 8 years—federally appointed Governors, too. All in vain. What coal was used in Alaska throughout the first decade and a half of this century had to be imported from British Columbia. It was poorer coal than Alaska's coal. It cost far more than Alaska's coal would have cost. So indignant were Alaskans that in 1911 they staged a "Cordova Coal Party"—an Alaskan version of the Boston Tea Party—and dumped British Columbia coal overboard when it arrived at the port of Cordova, the ocean terminus of the Copper River and Northwestern Railway. Still no action from the distant rulership that had prevented Alaska's coal from being mined.

So one by one these various railroad projects designed to connect the coast with the interior, projects so hopefully begun, folded up. One of them, the Alaska Central Railroad, suspended its construction and operation and went into a receivership. The Alaska Northern Railway, which had pushed 72 miles inland over incredible physical obstacles, was the next to give up the ghost. Vast sums had been lost in these enterprises.

By the end of the century's first decade it was clear to all that bureaucratic obstruction in Washington had made and would make it impossible for private enterprise to build the needed railway from the Pacific coast to the interior.

The only available alternative was to have the Federal Government build it. The bill to authorize the construction of a railroad was signed by President Wilson on March 12, 1914. Thereupon Congress at long last enacted legislation permitting the leasing of Alaska's coal lands, which was signed by President Wilson on October 20, 1914, 6 months after he had signed the railroad bill.

Bureaucracy in Washington killed railroad construction by private enterprise in Alaska. That is why we have a Government railroad in Alaska. That railroad has, in the last 18 years, since the beginning of World War II, become an indispensable adjunct to defense, and is therefore properly a Federal enterprise.

But that is by no means the end of the story.

"The evil that men do lives after them," as the Great Bard said. By the time that coal lands were finally released toward the end of 1914 a new fuel—petroleum—had been developed on the west coast, and its importation into Alaska had begun. The Navy, too, had begun to convert from coal to oil. Alaska had lost its coal market both within and outside of Alaska. Moreover, the coal-leasing legislation which Congress had finally enacted in 1914 on the advice of the General Land Office bureaucrats was restrictive. It gave little incentive to coal mining in Alaska. There was virtually no coal mining by private enterprise for the rest of the second decade of this century and for some years thereafter. What coal mining there was was by the Federal Government for its railroad. A quarter of a century of Alaskan development had been lost. While coal mining has picked up somewhat since that time in Alaska, it has never fully recovered from the throttling given it during the crucial years when private capital was willing, ready, and able to invest in and develop railroad transportation and mining and the enthusiasm for these enterprises was at its height.

Finally, the pertinence of that bit of history which should clarify why the Federal Government built and operates a railroad in Alaska is that similar bureaucratic obstruction has hindered and delayed Alaska's development ever since.

The story is too long to tell here in all its depressing details.

Bureaucracy delayed the utilization of Alaska's vast forest resources until 4 years ago, when Alaska's first pulp mill was established. For the previous 40 years Alaska's virgin timber stands were dying on the stump, falling over, rotting, a tragic waste, and a violation of the fundamental conservation principles never intended by Gifford Pinchot when he persuaded President Theodore Roosevelt to set aside the 20 million acres of the Tongass and Chugach National Forests in Alaska.

Such bureaucratic obstruction continues to this day. It has delayed oil development in Alaska for nearly a year, to the detriment of Alaska's economy and of both the Federal and Territorial treasuries.

I have here an editorial from the Anchorage Daily Times, the newspaper of largest circulation in Alaska entitled "Another Year Lost for Lack of Leases," which, under unanimous consent, I introduce into the RECORD at the close of my remarks. The editorial was dated March 27, 1958, that is nearly 3 months ago. It tells how the delay in issuing the leases filed on Alaska's oil lands has caused the loss to Alaska and the Nation for 1 year of the benefits of what the newspaper hails as "the greatest discovery since the Klondike."

Even more recently—in another issue of the same newspaper 2 months later, on May 22, I find in a column entitled "All Around Alaska," written by Bob Kederick, this item:

> It's reported reliably that Standard Oil Company of California is going for more than $100,000 a month to keep exploration crews idle in Alaska while the Department of Interior makes up its mind whether to permit seismic work on the Kenai Peninsula.

Thus does history repeat itself—in Alaska. What was done to Alaska's coal 50 years ago, is being done to Alaska's oil today.

And yet, opponents of Alaska statehood talk of giveaway of Alaska's natural resources when Alaskan statehood, and the freeing of Alaska from Federal bureaucratic red tape, obstruction and confusion, would enable Alaskans to develop those great resources for the benefit of the entire American people.

ANOTHER YEAR LOST FOR LACK OF LEASES

[From Anchorage Daily Times of March 27, 1958]

Last January the Interior Department announced plans for issuing leases on part of the Kenai Moose Range so that oil explorations could be continued and expanded.

Now it is the tail end of March, 2 months later, and leases have not been issued. Explorations have been abandoned for lack of leases. The Territory has lost, at least temporarily, the benefits that would accrue from the greatest discovery since the Klondike gold stampede.

Because the leases have not been issued the oil companies have moved into new areas where the oil is still a matter of speculation. They have had to abandon the discovery area where they know a reservoir exists and could be tapped commercially.

In short the oil companies have had to abandon investments running into several millions of dollars. They are being compelled to start all over in their search for oil in Alaska.

This is mighty strange treatment for a development which is so vital to all of Alaska and is of such strategic importance to the military system in the Territory.

Last January the announcement from Washington said leases would be issued for about 1,525 square miles of land in the northern portion of the Kenai Peninsula. Oil operations would be allowed under regulations that would provide the maximum protection for fish and wildlife.

Local representatives of the Bureau of Land Management said they would be ready to issue the leases as quickly as they received instructions from Washington. They could not act upon the press releases which came from the Interior Department outlining the plan.

However the land officials in Alaska are still awaiting those instructions. They have never come.

This delay has caused the loss of another year in oil developments. The companies interested in the northern portion of the Kenai Peninsula had indicated they would have as many as 10 oil-drilling rigs operating during the summer of 1958. For lack of leases, however, the exploratory work is proceeding under slow bell with only one rig on the entire peninsula.

Meanwhile, the oil that has been discovered is not being produced. The discovered well was found to have a capability of producing 900 barrels a day. If it were operating at that capacity its production would be worth $1 million a year, of which $45,000 would go into the Territorial treasury under the Federal tax provisions.

Oil men indicated that, if explorations were allowed to proceed without delay and if the oil is found where it is believed to be, that Alaska would have 200 producing wells

within 2 years. These wells, with productions averaging the same as the first well, would yield $9 million annually for the Territory.

These benefits for the Territory would be paralleled by those accruing to the military. Alaska oil production would eliminate the need for a 2,400-mile supply line on the open seas from California. Oil transportation costs for the military would be reduced substantially. The defenses of the north would be strengthened.

A strange silence has fallen over the oil enterprise. Company officials say they cannot find out what causes the delay. Government officials likewise profess ignorance.

The only conclusion Alaskans can draw is that they have once more run up against the frustrations that mark most efforts to develop Alaska. Manmade barriers and bureaucracy are more difficult to overcome than natural barriers to development.

It would seem that someone in authority could take the trouble to find out what is causing the delay. The cause should be removed, or at least explained.

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## Practical Steps To Liberalize Social Security

EXTENSION OF REMARKS

OF

### HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of my statement which I presented to the House Ways and Means Committee on June 19, 1958, urging that the Social Security Act be amended so as to increase benefits and reduce the retirement age. My statement follows:

STATEMENT BY CONGRESSMAN VICTOR L. ANFUSO, HOUSE WAYS AND MEANS COMMITTEE, JUNE 19, 1958, ON SOCIAL SECURITY LEGISLATION

Mr. Chairman and members of the committee, I want to commend this distinguished committee for undertaking the present hearings on social-security legislation. This is a very timely and forthright step in the right direction. I trust that from these hearings and your deliberations there will come forth long-needed changes and improvements in the Social Security Act for the benefit of our elderly citizens.

In this connection, I want to thank the committee for giving me the opportunity to appear before you today and to discuss my bill, H. R. 12568. This bill seeks to amend title II of the Social Security Act by increasing benefits and reducing the retirement age.

Only a few days ago the President's economic adviser, Gabriel Hauge, stated in a television interview that an upswing in the current economic recession may begin next autumn. I do hope he will prove to be right in his prediction, but other economists believe an upturn may not come before the spring of 1959. At any rate, all of us are aware by now that the recession has struck much deeper and is lasting much longer than we anticipated.

Many steps have been suggested in recent months, but I should like to see action taken through the social-security system. This is a path to prosperity which will strike deep roots and be of more lasting value to all concerned. It is logical. It is less costly. It will be most effective. Remember that our social-security system was established more than two decades ago as one of the major steps in combating the greatest depression in our history. It has proved to be an important factor in getting the Nation out of the economic mire of the thirties, and it can do so now, too.

The way to do it is to liberalize the benefits under the Social Security Act and to make them available to more of our senior citizens. It will repay the extra cost in two ways: By providing greater purchasing power to those who are retired, and by making more jobs available for younger workers. Let me explain it in greater detail.

Under the Full Employment Act of 1946, the Federal Government assumed the responsibility of stimulating useful employment opportunities and to promote the retirement of older workers from the labor force and providing them with a decent standard of living. Let us now proceed to do so. Let us encourage as many of our older citizens as possible to retire, but let us provide them with an adequate standard of living in their retirement. In so doing, we shall help them maintain their purchasing power, while their retirement will open up jobs for younger people who are now unemployed.

I, therefore, propose that the monthly payments under the Social Security Act be increased to allow for the rise in the cost of living since World War II.

As you well know, there has been no change in the social-security benefits since 1954, but even at that time the increases were relatively little compared to the needs of the average retired person. Many of them have no savings and must rely for their subsistence entirely on the monthly social-security checks. They have been victimized by the sharp rise in prices in recent years and are actually undergoing severe mental and physical anguish to keep their heads above the water at a time when the cost of living is at an alltime high.

Our Nation cannot afford to let those who are forced by advanced age to retire from the labor force to pay a heavy toll in reduced living standards in their declining years. Higher costs of food have shrunk the dollars which they receive each month. In the past many of them were able to supplement their meager income with some outside earnings, but now these opportunities have greatly diminished since unemployment has markedly increased.

My bill, H. R. 12568, proposes 2 major steps:

First, reduce the retirement age for both men and women to 62 years, but with full social-security benefits.

Second, increase the monthly payments in the following manner:

1. Minimum payments are to be increased from $30 to $50 per month.

2. Maximum payments are to be increased from the present $108.50 to $150.

3. Those falling in between to receive an across-the-board increase of 40 percent.

By reducing the retirement age to 62, it is estimated that an additional 4 million people in the 62 to 65 age group would become eligible to social-security benefits. In November 1957, the number of those receiving old-age and survivors insurance benefits was 11 million people. In encouraging the 4 million in the 62–65 age group to retire we must not only think of the 15 million who will be eligible to draw social-security checks, but we must also remember that 4 million jobs will become available for those now in the labor force who are unemployed.

There is another very important factor that should not be overlooked. At the present time there are approximately 1.8 million persons over the age of 65 who are still working. They are eligible to retire right now, but why are they not doing so? While there may be some who do not prefer to be idle, the overwhelming majority of these people continue to work because they cannot afford to retire. That is an expression which we hear very often, people saying they cannot afford to retire on the meager income of social security because of the high cost of living. But if we were to increase the monthly payments by about 40 percent, as suggested in my bill, I dare say that at least 1½ million of the 1.8 over 65 still working would grab at this opportunity. Thus, additional hundreds of thousands of jobs would be made available to the unemployed and the younger workers coming into the labor force each month.

By this time, I am sure the members of this committee must be thinking of the cost involved in realizing these proposals. After consulting with various experts, I have reached a rough estimate of $5 billion per year if we were to add another 4 million retired people under social security and a 40-percent increase in monthly benefits for all, namely, 15 million retired people.

How could we finance the additional cost? The level premium cost of my proposals is about 7 percent of payroll. Thus, it would require an increase in the payroll tax for both employer and employee alike of 3½ percent each. They are now paying 2¼ percent of wages each, so that by adoption of my proposals for a lower retirement age and a 40-percent increase in benefits they would be required to pay about 5¾ percent of wages to cover the cost.

May I assure you that I am the first to admit that it is a bit high. Let us recall, however, that when social security was first introduced it was considered by many as a drastic step because of the payments involved. Yet, what do we find today? Today the whole Nation, with very few exceptions, realizes the tremendous value of this system and would not discard it. The people of this country do not regard it in the nature of a dole or getting something for nothing. Rather, it is being considered as providing security to our older citizens after they have completed a lifetime of useful service, and at the same time it is a boon to the economy of the country which is able to maintain these people in dignity.

What is needed today—and I trust that the committee will undertake this task in its current hearings—is an overhaul of the social-security system to bring it into step with the times and the needs of the people, to make its benefits fully available to the elderly people so that they may enjoy the fruits of their labor. I am only limiting myself to title II, others will discuss other sections of the act.

It should also be noted that in instituting these newly proposed social-security benefits, considerable sums could be saved in unemployment compensation and relief expenditures, since many of those now drawing unemployment insurance or relief checks would be able to retire. Such figures are, of course, impossible to ascertain but they would be quite substantial.

I believe that we must take cognizance of the problems of our aging population, and the sooner it is done the better it will be for them and for the whole Nation. If we continue to ignore this situation, if we do not provide them with a decent standard of living, we will be committing a grave injustice to millions of our people who have every right to expect better treatment and greater economic security at a time when they can no longer be economically productive. We must approach their problems from a more realistic, as well as a more humane, point of view.

In conclusion, enactment of my proposals would achieve the following:

1. Make possible for an additional four million people between 62 and 65 to retire on social security.

2. Encourage an additional 1.8 million persons over 65 to retire on increased benefits.

3. Provide employment for several million younger persons and decrease unemployment by taking many older workers out of the labor force.

4. Increase social-security payments by approximately 40 percent, thus giving the retirees more purchasing power and a more adequate standard of living.

5. Save many hundreds of millions, if not billions, of dollars annually which are now being expended on unemployment compensation and on relief assistance.

6. Provide a boon to the economy which would be of lasting value and of benefit to all Americans in due time.

These are reasonable and practicable steps. They will help eliminate major deficiencies in our social-security system and enable our older citizens to look forward with greater confidence to economic security in their old age. Let us help our elderly citizens and at the same time roll back the recession. The path to our Nation's prosperity and the solution to the unemployment problem lies through social security.

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## Text of Congressman Celler's Remarks on His Weekly Broadcast Over Radio Station WINS, Sunday, June 22, 1958

EXTENSION OF REMARKS

OF

### HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 23, 1958*

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following text of my remarks over radio station WINS, Sunday, June 22, 1958:

SOVIET SAVAGERY

Another bar to the summit meeting, a meeting that Russia has purported to want, but seemingly has never wanted, may be the news now coming out of Moscow, that former Premier Imre Nagy and former Defense Minister Maleter—the men who led the anti-Soviet revolution in Hungary in 1956—have been executed, along with two of their supporters. Blood is once again on the hands of the Soviet leaders—Khrushchev and his gang—and while it is not yet clear why the announcement of these executions came from Moscow and not from Budapest—it is manifest that Premier Khrushchev has thrown away his mask of the temperate and benign anti-Stalinist and more and more assumes the role of his former master, whom he so freely denounced when he took over the reins. We were led to believe, when Khrushchev became all powerful, that the blood purge was over. But apparently it is not.

At the time of the uprising in Hungary, Nagy escaped to the Yugoslav Embassy in Budapest after his government had been overthrown with the assistance of Soviet troops and tanks. He took refuge in the Yugoslav Embassy and left it after he accepted the promise of safe conduct negotiated by the Yugoslav Embassy, only to learn that the Soviets had no intention of honoring their word. He was immediately arrested. General Maleter met a similar fate. He was tricked by the Soviets and never returned from the Red Army headquarters where he had gone to negotiate for the withdrawal of Soviet troops.

The whole sordid episode must be laid at the bar of Khrushchev and his bloodthirsty crew. It may be the forerunner of more dire events to follow in the continuing struggle for power within the Soviet Union, but it can hardly serve to repair the already tense relations that exist between Yugoslavia and the Soviet Union. The entire world has been shocked at the revelation of this bloodshed. Repercussions have already been felt in Italy and France, where it has served to weaken the role of the Communist Parties in those countries. This, despite the fact, that Khrushchev may have intended the announcement to be a warning to all would-be deviationists and a threat to those countries held in bondage, who may try to emulate Tito.

Khrushchev's latest angry demand that the Western powers commit themselves definitely to serious intentions to meet him at a summit conference and his accusations that the Western powers are dragging out the negotiations so as to be able to blame him for a failure, coupled with the revelation of the executions at this time, raise many questions about why Moscow has dropped her latest role of courting world opinion. But one question would seem to be answered and that is that these events would strongly indicate that the Soviet Union never really wanted any summit meeting.

The brutal and terroristic methods used by the Soviet Union are difficult to contemplate. It is likewise difficult to contemplate any kind of a summit meeting with these political murderers. President Eisenhower and Secretary Dulles would do well to indict Khrushchev and those responsible for this latest blood purge and indicate that we do not wish to meet them at the summit or anywhere else.

BLACKMAIL IN EAST GERMANY

We recently read with dismay that the East German Communist government has been holding nine American Army men. They had been "captured" about 2 weeks ago. There was no real capture in the strict sense of that word. They had been in a helicopter and were forced off their course and compelled to land beyond the border in East Germany. The American authorities, dealing through Soviet Russia, demanded their return to their American base in West Germany. The United States, not having recognized East Germany diplomatically, has always been dealing with East Germany through the interposition of Soviet Russia. Now the Communist regime in East Germany has rebuffed the American demand for the release of these men unless the United States agrees to negotiate with it—East Germany—on a government-to-government basis. One sees Khrushchev's diabolical cunning in this maneuver.

The East German Communist regime calls itself the government of the German Democratic Republic. It is not a government, it is not German, it is not democratic, it is not a republic. East Germany is simply a conclave of Soviet Russia holding the East German population in subjugation by a group of Soviet agents who rule by bayonets and tanks and not by ballot or persuasion. The chief of this East German organization is Walter Ulbricht, who is not even a German. He is a Soviet citizen and stooge—a Soviet Army colonel.

Small wonder therefore, that we, and most other nations, have refused to recognize East Germany as a government. We properly look upon it as a Soviet Zone under Soviet occupation, with complete responsibility for its actions residing in Moscow. It is just unfortunate that because of a thunderstorm and turbulent weather, these nine Americans had to put down their helicopter in East Germany. To all intents and purposes, they have been kidnaped. Now Moscow and its East German sycophants are attempting to blackmail the United States into some form of diplomatic recognition. They are using these nine unfortunate Americans as hostages. Soviet Russia is most anxious to have the United States recognize East Germany diplomatically. This would involve the recognition and existence of two German States. Of course, this would prevent eventual German reunification. It would also prevent discussion of German reunification as pledged at Potsdam, if and when there is a summit meeting. Doubtlessly, the reunification of Germany is one of the most important items that could be discussed on the agenda of any summit meeting. Continued German partition makes for unrest in Europe and encourages violence and war. The fact that Moscow places these obstacles in the way of the release of these Americans is indeed one of the bars to a summit meeting.

Moscow is showing its teeth. It does not mean to play fair. It welched on the Potsdam agreement for the union of the two Germanys. The administration should make crystal clear to the East Germans that it will not recognize the East Germans and that it demands the return forthwith of these American Army men, failing which, the United States will take the matter before the United Nations Security Council and/or Assembly for whatever punitive action that body seeks to impose. Certainly persistence in holding against their will these nine Americans warrants punitive action against East Germany.

MUSIC AND THE SOVIET UNION

Ten years ago, Joseph Stalin denounced Soviet composers, including some of world renown—Dmitri Shostakovich, Aram Khatchaturian and Sergei Prokofieff. At the time, Stalin said: "Their works smell strongly of the spirit of the modern bourgeois music of Europe and America." Strange to relate, most of these composers professionally apologized. Now we are told that their works have been restored to official favor. Their works no longer offend the Communist doctrine. They have now been officially exonerated. In the case of Prokofieff, the exoneration is posthumous. The central committee of the Soviet Communist Party has now deprecated the Stalinist charges against these composers and attributed the cause to the Stalinist "cult of personality."

But at the time we never heard a peep out of Mr. Khrushchev or any other Communist leader. They bowed down submissively to the dictates of Stalin. By their silence, they were just as guilty as Stalin, whose action was most repulsive. Imagine endeavoring to accuse composers of not hewing to a party line with their music. As if music could be political. You can no more have politics in a musical composition than you can grow hair on Khrushchev's bald pate. Music is one of the soft and kind aspects of civilization. You cannot be mean or despicable in music, nor can you musically reflect political opinion. There can be, for example, no Democratic music, no Republican music, no Communist music. Thus, when Stalin offered his ridiculous challenge to these fine composers, the world laughed at him.

Music can be pleasing or harmonious. It can be strident or cacophonous. It may be half or three-quarter time. It may be a reflection of the mores and temperaments of peoples. In that sense, music can be different and diversified. Ravel's Spanish fandangos are different than Chopin's Polish mazurkas, but music cannot ever be, as the Communists under Stalin said, bourgeois or middle class. Music can be quiet or lively, or slow and sad. It can never be an expression of economic principles. Music can arouse the emotions. It can reflect feelings and passions. It can never express abstract principles. The music of Verdi, in his great opera Otello, can signify jealousy, just as Puccini's music, in his opera, La Tosca can be made to mirror revenge or Massenet's famous Manon can typify intensity of love and suffering because of love. Music can be marital as in Romberg's Stout Hearted Men or nostalgic as in Stephen Foster's My Old Kentucky Home. But music can never be

polemic or forensic or argumentative as in politics. Music can no more spell out the Einstein Theory of Relativity or the Darwin Origin of Species, than it can reflect Communist ideology.

All this shows to what extremes communism can bring a people. Montaigne said, "the fantasies of music are governed by art." I say, they can never be governed by politics.

FREEDOM TO TRAVEL

The Supreme Court has just issued a most momentous decision, indicating that there is uttermost freedom to travel, that everyone has the constitutional right to travel, and that the State Department cannot arbitrarily limit that right by denying a passport save for reasons that would be laid down by Congress and those reasons must be certain and definite. Congress has not done this in the case of political beliefs.

The Court held that the Secretary of State had no statutory power to deny a passport for refusal to answer questions on alleged Communist "beliefs or associations." The Secretary of State did not have the right to refuse a passport if one refused to answer a question as to whether he was a Republican or a Democrat—in the absence of some standard of instructions laid down by Congress. In other words, the Court refused to give the Secretary of State an "unbridled discretion to grant or withhold a passport for any substantive reason he may choose," such as, mere suspicion that the applicant is or was or might be a Communist sympathizer.

The Court held that the Secretary of State was not dealing with citizens who had been accused of any crime nor found guilty of a crime. The applicants were being denied their freedom of movement, their freedom to travel, solely because of their refusal to be subjected to inquiry into their beliefs and associations. There had been no proven charges of any danger to our security if they were to travel abroad.

Espionage or sabotage or any criminal activity would, of course, be a different matter. The Secretary of State has a right to deny a passport on these definite grounds. The Government has a right to protect itself and its security. But that protection does not run against mere radicals or political cranks or crackpots or unorthodox believers. I have always maintained that the political means test laid down by the State Department in recent years for issuing passports has not been helpful to the security of the country nor to the good name of the United States. If Congress now sees fit to enact a statute that would specify the Secretary of State's authority for refusal to grant a passport, that would be proper as far as I am concerned, provided reasonable and fair standards are set and due process is observed. Very likely Congress will do this, and then the Secretary of State will be unable to act arbitrarily. He would be compelled to follow reasonable restraints laid down by Congress.

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# SENATE

TUESDAY, JUNE 24, 1958

The Senate met at 11 o'clock a. m.

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

O Thou who art from everlasting to everlasting, let the light of Thine eternity now fall upon our sinful ways.

May the floodlight of Thy judgment fall not only upon a world in the turmoil of selfish strife, but also upon our own hearts, with all their deceit and pretense.

Save us from demanding of others a higher standard of conduct than we demand of ourselves.

May the sympathy we show to others who are in want and woe be commensurate with the pity we would expend on ourselves if we were in their misery and need. So may we love our neighbor as ourself.

We ask it in the name of the One who came, not to be ministered unto, but to minister. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 23, 1958, was dispensed with.

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
*Washington, D. C., June 24, 1958.*

*To the Senate:*

Being temporarily absent from the Senate, I appoint Hon. RALPH W. YARBOROUGH, a Senator from the State of Texas, to perform the duties of the Chair during my absence.

CARL HAYDEN,
*President pro tempore.*

Mr. YARBOROUGH thereupon took the chair as Acting President pro tempore.

## COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees or subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Post Office Matters of the Committee on Post Office and Civil Service.

The Committee on Agriculture and Forestry.

The Fiscal Affairs Subcommittee of the Committee on the District of Columbia.

## LIMITATION OF DEBATE DURING MORNING HOUR

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

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

## EXECUTIVE SESSION

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

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

## EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

Maj. Gen. Gerald E. Galloway, United States Army, to be a member of the Mississippi River Commission; and

Col. John S. Harnett, Corps of Engineers, to be a member of the California Debris Commission.

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

## UNITED STATES ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of United States attorneys.

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

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

## UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry nominations of United States marshals.

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

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

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

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

## LEGISLATIVE SESSION

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

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

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments:

S. 3203. A bill to amend the act of August 15, 1953 (ch. 509, 67 Stat. 592; Public Law 284, Eighty-third Congress, first session), to revest title to the minerals in the Indian tribes, to require that oil and gas and other mineral leases of lands in the Riverton reclamation project within the Wind River Indian Reservation shall be issued on the basis of competitive bidding only, and for other purposes (Rept. No. 1746).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with an amendment:

S. 4002. A bill to authorize the Gray Reef Dam and Reservoir as a part of the Glendo