

greater the number of stations, the greater the chance any explosion would be correctly identified.

The really significant thing is to get a test ban in effect and an inspection system in operation. Installation of an inspection system would be a political breakthrough of momentous proportions. It could be a landmark of the greatest historical importance in Free World-Communist relations, a turning point toward peace in our time. Opponents of a nuclear test ban often miss this vital political factor.

The arguments for continuing tests to develop defensive weapons against enemy intercontinental missiles or for small clean tactical weapons to limit the threat of all-out nuclear war may be justified within a purely military frame of reference. But such a frame of reference is much too narrow. A purely military frame of reference will sooner or later eventuate in a purely military result.

Our frame of reference must encompass broader considerations, in particular the acceptance of the fact that differences between the Communist bloc and the demo-

cratic West must be resolved through peaceful competitive coexistence. History teaches that the most antagonistic ideological opponents have an interest in survival, and sooner or later learn to reach a peaceful *modus vivendi*. This is why disarmament is primarily a political rather than a military problem. This is why an inspection breakthrough into the Soviet Union outweighs the military value of the development of new varieties of nuclear weapons.

Those who insist that a cutoff of nuclear weapons production be linked to a nuclear test suspension should be more perceptive of the political realities and view this whole problem of disarmament in more of a time perspective. A temporary inspected test termination would constitute a natural step toward a prohibition of nuclear arms production.

The President has often insisted that a cutoff in the production of nuclear material for weapons purposes is the heart of the nuclear weapons problem. Bulganin and Khrushchev have also asserted that the discontinuance of the manufacture of atomic and hydrogen weapons should be among the aims of disarmament. Since both Govern-

ments have individually proclaimed this as a goal of nuclear disarmament, I propose that this and perhaps other specific disarmament goals be jointly affirmed in principle by both Governments. The best time to do this would be at the time a test ban agreement is concluded for it would then refute any impression that the test ban was the only disarmament we wanted.

Both supporters and opponents of a temporary nuclear test suspension should realize that it would be only a beginning. It is only the first phase of our total disarmament blueprint. As a test ban comes closer to realization, we must stress our purpose of progressing to other phases of arms control; otherwise the momentum we desire as one of the main effects of the ban might be lost. By pressing inexorably onward to bring into operation a nuclear weapons test suspension and the rest of our disarmament blueprint, we shall bring closer the day when we can rid the world of its burdens of fear, hate, and want. The inauguration of a test ban now could start the wheels of international reconciliation turning and initiate a movement that will eventually bring genuine peace to the troubled peoples of the world.

SENATE

MONDAY, AUGUST 4, 1958

The Senate met at 10 o'clock a. m. The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Gracious God, Father Almighty, in reverence we stand before Thy greatness that we cannot comprehend, as our little lives are enfolded by a love that is broader than the measure of man's mind.

Yet, we are grateful that our eyes have seen beauty, our hearts have felt love, our minds have discovered truth, and our wills have been gripped by purposes that lift and ennoble and tie us to causes greater than our own brief span.

As this day their colleagues remember the qualities which endeared them to multitudes in the States which trusted and honored them, we thank Thee for the private lives and the public service of MATTHEW M. NEELY and W. KERR SCOTT, workmen who needed not to be ashamed, and who now rest from their labors.

Facing the tasks of a new week, give us a vision of the far-off years as they may be if redeemed by the Sons of God, so that we shall take heart and shall battle more valiantly, as with eager devotion we dedicate the Nation's strength to throw open to all mankind the gates of a new life.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 1, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced

that the President had approved and signed the following acts:

On July 31, 1958:

S. 3076. An act to amend section 12 of the act of May 29, 1884, relating to research on foot-and-mouth disease and other animal diseases; and

S. 3478. An act to insure the maintenance of an adequate supply of anti-hog-cholera serum and hog-cholera virus.

On August 1, 1958:

S. 1732. An act to readjust equitably the retirement benefits of certain individuals on the emergency officers' retired list, and for other purposes;

S. 1939. An act to amend the Federal Seed Act of August 9, 1939 (53 Stat. 1275), as amended;

S. 2447. An act to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, fungicides, and other pesticides, upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources following application of these materials and to provide basic data on the various chemical controls so that forests, croplands, wetlands, rangelands, and other lands can be sprayed with minimum losses of fish and wildlife;

S. 2617. An act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, as amended; and

S. 3677. An act 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.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare and

the Committee on the Judiciary may meet during the session of the Senate today. This request has been cleared with the minority leadership.

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

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to make a very brief announcement for the information of the Senate: At the conclusion of the morning hour, I shall submit a resolution to provide that the Senate proceed with memorials on the lives and characters of the late Senator SCOTT, of North Carolina, and the late Senator NEELY, of West Virginia, and that during that period legislative business be suspended.

I should also like to announce now, to the Senate, that I do not wish to ask Members to remain in the Chamber, for the sessions, for extremely long hours; however the sessions will begin earlier and will continue longer than has been the custom thus far during the session.

I suppose all Members realize that the Congress is now in the last days of the session. I am not willing to say that the session will continue 2 weeks, 3 weeks, or 4 weeks, because I do not think any 1 person has the power, under the rules of the Senate, to control the length of the session. But I wish to say to the Senate and to the country that I believe this body will not end its proceedings until it has finished its work.

Many constructive measures are yet to be acted upon. For instance, one of them is the education bill, the so-called

scholarship bill. It is in committee. The committee has been meeting mornings and afternoons, but has not yet been able to report a bill. The other morning, when, for the committee, I requested unanimous consent that it be allowed to continue its meeting, and thus meet during the session of the Senate, on a day when the Senate had a very routine session, objection was made from the minority side. At the same time, I understand that most of my friends on the minority side favor the enactment of a scholarship bill.

If it is necessary, I shall ask unanimous consent that the Senate adjourn from Tuesday to Thursday or from Wednesday to Friday in order that committees which need to hold hearings will be able to continue to hold them, in order to be able to report bills and other measures upon which the Senate wishes to act before the session concludes—not because I wish to be arbitrary, Mr. President, but because sometimes Senators are required to attend the sessions as well as to attend the committee meetings and I wish to be reasonable about the demands for time made upon Senators. At the same time, I wish to have the session be productive.

In addition to the education bill, I hope—in view of the House action—that the Senate will have an opportunity to vote on the social-security bill. Of course, we expect that bill to require hearings, as most bills do.

The Senate Finance Committee has been very dedicated and diligent in its work this year. It has had one of the heaviest volumes of business in its history. Already it has reported two tax bills, and it has on the calendar the small-business bill. It has in conference the very important reciprocal-trade bill, and the social-security bill has been referred to it.

I expect that one of the last measures to be considered by the Congress at this session will be the very important measure authorizing an increase in the public debt, because the Secretary of the Treasury informs me that the Congress simply must not end its session without giving consideration to that subject. It is in the national interest that some action be taken on his recommendations in that connection.

Of course, Mr. President, I could enumerate many other bills which various Senators believe to be must measures—such as the housing and farm bills.

The policy committee is meeting tomorrow to hear the distinguished chairman of the Judiciary Committee with regard to certain pieces of proposed legislation which his committee believes should be taken up.

The mutual-aid appropriation bill has not yet even been reported by the Appropriations Committee. That committee has one of the heaviest volumes of work at this stage of the year that it has ever had. For instance, this morning it is considering the military construction appropriation bill. The public-works appropriation bill is still in conference. The mutual-aid appropriation bill has not yet even been marked up. The Appropriations Committee also has to act on the supplemental appropriation bill.

Those are four important appropriation bills, one of which—the public-works appropriation bill—is still in conference, as are some other appropriation bills.

A few other bills which must be acted on during the remainder of the session must be reported by other committees.

Today, following the tributes, there will be a call of the calendar. Thereafter, the Senate will proceed to the consideration of some measures which may be controversial.

I want all Senators to know that it is possible that the Senate will consider any bill or other measure which is on the calendar. The Senate will act first, on as many of the noncontroversial measures as possible, in order to pass them and, if they require the holding of conferences, to send them to conference.

The Senate will be in session both early and late, provided consent is given for the committees to meet during the sessions of the Senate. If such consent is not given, then we shall simply have to have the Senate take a recess or adjourn from, let us say, Tuesday to Thursday, in order to permit the committees to sit on Wednesdays and Fridays.

Mr. DIRKSEN. Mr. President, I raise with the majority leader the question of committee meetings, because I believe the Judiciary Committee may request permission to meet today, during the session of the Senate. I have no objection, except I feel somewhat in dutybound to be in the Chamber when the memorial session is held and when the tributes are paid, for inasmuch as I served with both of our departed colleagues, I believe it is only proper to attend the memorial services, as a mark of reverence. If attendance at the memorial services conflicts with a committee meeting, I can only hope that the committee meeting will be postponed long enough to permit us to share in the inspiration of the memorials and still do our duty in connection with the work of the Senate on various measures.

Mr. JOHNSON of Texas. Mr. President, I wish to assure the Senator from Illinois that I would be the last person in the world ever to obstruct or prevent him from showing the merited degree of reverence; and it is for that reason that there will be submitted a resolution to suspend the legislative business while the Senate is conducting the memorial services for our two deceased colleagues. My reference was to committee meetings during the remainder of the week, and also last week, when objection was made to having the committees meet during the sessions of the Senate, even though on those days only routine business and speeches were scheduled for the Senate sessions.

I believe we shall be able to work out our schedule in such a way that all the committees which need to meet will be able to meet, and at the same time the Senate will be able to proceed with orderly consideration of the necessary measures.

EXECUTIVE COMMUNICATIONS

The PRESIDENT pro tempore laid before the Senate the following com-

munication and letters, which were referred as indicated:

AMENDMENT TO THE BUDGET—ATOMIC ENERGY COMMISSION, AND PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF THE INTERIOR (S. Doc. No. 113)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1959, involving an increase in the amount of \$25 million for the Atomic Energy Commission, and a proposed supplemental appropriation for the fiscal year 1959, in the amount of \$5 million, for the Department of the Interior (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

PLANS FOR WORKS OF IMPROVEMENT IN CONNECTICUT, MASSACHUSETTS, INDIANA, AND IOWA

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Furnace Brook-Middle River, Connecticut, and Massachusetts, Busseron watershed, Indiana, and Crooked Creek, Iowa (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT ON BORROWING AUTHORITY

A letter from the Deputy Director of Defense and Civilian Mobilization, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority, for the quarter ended March 31, 1958 (with an accompanying report); to the Committee on Banking and Currency.

AMENDMENT OF SECTION 13 OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 13 of the District of Columbia Redevelopment Act of 1945 (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON STATISTICAL REVIEW OF EAST-WEST TRADE

A letter from the Under Secretary of State for Economic Affairs, Washington, D. C., transmitting, pursuant to law, a report entitled "Statistical Review of East-West Trade 1956-57," for the period July 1-December 31, 1957 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON CERTAIN PROPERTY MADE AVAILABLE AND DISPOSED OF TO PUBLIC HEALTH AND EDUCATIONAL INSTITUTIONS

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal property made available for distribution and real property disposed of to Public Health and Educational Institutions, covering the period April 1 through June 30, 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON AUDIT OF ALASKA RAILROAD

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on audit of the Alaska Railroad, Department of the Interior, fiscal years 1956 and 1957 (with an accompanying report); to the Committee on Government Operations.

REPORT ON RED WILLOW DAM AND RESERVOIR AND ASSOCIATED WORKS, NEBRASKA

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on Red Willow Dam and Reservoir and associated works, Frenchman-Cambridge division, Missouri River Basin project, Nebraska (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON ANTIBIOTICS MANUFACTURE

A letter from the chairman, Federal Trade Commission, Washington, D. C., transmitting, for the information of the Senate, a report of that Commission entitled "Economic Report on Antibiotics Manufacture," dated June 1958 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT ON TORT CLAIMS PAID BY CENTRAL INTELLIGENCE AGENCY

A letter from the director, Central Intelligence Agency, Washington, D. C., reporting, pursuant to law, on tort claims paid by that Agency, for the fiscal year 1958; to the Committee on the Judiciary.

AMENDMENT OF ACT APPROVED MAY 25, 1926

A letter from the administrator, General Services Administration, Washington, D. C., transmitting a draft of proposed legislation to further amend the act approved May 25, 1926, as amended, and for other purposes (with an accompanying paper); to the Committee on Public Works.

ACQUISITION BY ADMINISTRATOR OF GENERAL SERVICES OF CERTAIN LAND AND IMPROVEMENTS THEREON

A letter from the acting chairman, National Capital Planning Commission, Washington, D. C., transmitting a draft of proposed legislation to authorize acquisition by the Administrator of General Services of certain land and improvements thereon located (1) within the area bounded by Constitution Avenue on the north, the Anacostia River on the east, Independence Avenue on the south, and Second Street SE. and NE., on the west, and (2) within the contiguous area bounded by C Street NE., on the north, 21st Street NE., on the east, Constitution Avenue on the south, and North Carolina Avenue on the west, all within the District of Columbia, and for other purposes (with an accompanying paper); to the Committee on Public Works.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several department and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITION

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the seventh annual convention of the Disabled American Veterans, Department of Hawaii, at Lihua, Kauai, T. H., favoring the enactment of legislation to grant statehood to Hawaii, which was ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 2597. A bill for the relief of Howard F. Knipp (Rept. No. 2093).

By Mr. CARROLL, from the Committee on the Judiciary, with amendments:

H. R. 13. An act to amend sections 323, 331, 334, 335, 336, 337, 363, and 376 of, and to add

a new section to, the Bankruptcy Act approved July 1, 1898, and acts amendatory thereof and supplemental thereto (Rept. No. 2094).

By Mr. O'MAHONEY, from the Committee on the Judiciary, without amendment:

H. R. 9989. An act to provide for the presentation of a medal to the Sons of Union Veterans of the Civil War (Rept. No. 2096).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with an amendment:

H. R. 11477. An act to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes.

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

H. R. 11668. An act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended (Rept. No. 2184).

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

H. R. 8943. An act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the Code (Rept. No. 2095).

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

S. 2494. A bill for the relief of Mohammed Ali Halim (Rept. No. 2106);

S. 3445. A bill for the relief of Teruko K. Jackson (Rept. No. 2146);

S. 3739. A bill for the relief of Hermine Elmon Papazian (Rept. No. 2107);

S. 3768. A bill for the relief of Hing Man Chau (Rept. No. 2108);

S. 3818. A bill for the relief of Vincenta Garcia y Puente (Rept. No. 2109);

H. R. 1293. An act for the relief of Giuseppe Stefano (Rept. No. 2122);

H. R. 1691. An act for the relief of Margherita Conca (Rept. No. 2123);

H. R. 2319. An act for the relief of Mrs. Louise Nanton (Rept. No. 2124);

H. R. 2759. An act for the relief of Josephine Shelby (Rept. No. 2125);

H. R. 3368. An act to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional

preemptory challenges in civil cases to multiple plaintiffs as well as multiple defendants (Rept. No. 2126);

H. R. 6353. An act for the relief of Mrs. Margaret Briest, nee Eggers (Rept. No. 2127);

H. R. 6667. An act for the relief of Maria Fierro Calogero (Rept. No. 2128);

H. R. 6788. An act to authorize the abbreviation of the record on the review or enforcement of orders of administrative agencies by the courts of appeals and the review or enforcement of such orders on the original papers and to make uniform the law relating to the record on review or enforcement of such orders, and for other purposes (Rept. No. 2129);

H. R. 7282. An act for the relief of Iwan Okopny (Rept. No. 2130);

H. R. 7306. An act to amend title 28 of the United States Code to provide that notice of an action with respect to real property pending before a United States district court must be recorded in certain instances in order to provide constructive notice of such action (Rept. No. 2131);

H. R. 7826. An act for the relief of Israel Baird Postkanzer (Rept. No. 2140);

H. R. 12903. An act for the relief of Wolfgang Stresemann (Rept. No. 2182);

H. R. 12944. An act for the relief of Mrs. Kunigunde Beldie (Rept. No. 2183);

H. R. 13378. An act to facilitate the naturalization of adopted children and spouses of certain United States citizens performing religious duties abroad (Rept. No. 2132);

H. R. 13451. An act to amend section 245 of the Immigration and Nationality Act, and for other purposes (Rept. No. 2133);

H. J. Res. 609. Joint resolution for the relief of certain aliens (Rept. No. 2098);

H. J. Res. 619. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 2099);

H. J. Res. 627. Joint resolution for the relief of certain aliens (Rept. No. 2179);

H. J. Res. 635. Joint resolution for the relief of certain aliens (Rept. No. 2180); and

H. J. Res. 660. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 2181).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 2057. A bill for the relief of Diana Elaine Greig (Rept. No. 2110);

S. 3221. A bill for the relief of Erika Margaretha Zintl Pearce (Rept. No. 2111);

S. 3509. A bill for the relief of Wong Wing Boa (Rept. No. 2112);

S. 3547. A bill for the relief of Andrejs Pablo Mierkalns (Rept. No. 2113);

S. 3640. A bill for the relief of Daniel (Nathaniel) Rosenzweig (Rept. No. 2114);

S. 3743. A bill for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano); (Rept. No. 2115);

S. 3826. A bill for the relief of Concettina Iannacchino (Rept. No. 2116);

H. R. 4804. An act for the relief of the Newington School District, New Hampshire (Rept. No. 2134);

H. R. 7260. An act to amend title 18, United States Code, section 3651, so as to permit confinement in jail-type institutions or treatment institutions for a period not exceeding 6 months in connection with the grant of probation on a 1-count indictment (Rept. No. 2135);

H. R. 7330. An act for the relief of Demetrius Daskalakis (Rept. No. 2136);

H. R. 7725. An act for the relief of Shizuko Sese Sheveland (Rept. No. 2137); and

H. J. Res. 636. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 2100).

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

S. 3004. A bill for the relief of Joanna Strutynska (Rept. No. 2117);

S. 3308. A bill for the relief of Itica Aronovici (Rept. No. 2118);

S. 3696. A bill for the relief of Panagiotis Kamboukos (Kazantzias) (Rept. No. 2119);

S. 3801. A bill for the relief of Klara Leitner (Rept. No. 2120);

S. 3921. A bill for the relief of Peter Tillner (Rept. No. 2121);

H. R. 3140. An act for the relief of Erika Gorenstein (Rept. No. 2138);

H. R. 3820. An act to amend section 490 of title 14, United States Code, relating to the settlement of claims of military and civilian personnel of the Coast Guard, and for other purposes (Rept. No. 2139);

H. J. Res. 595. Joint resolution for the relief of certain aliens (Rept. No. 2102);

H. J. Res. 620. Joint resolution for the relief of certain aliens (Rept. No. 2103);

H. J. Res. 628. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 2104);

H. J. Res. 634. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 2105); and

H. Con. Res. 321. Concurrent resolution approving the granting of the status of permanent residence to certain aliens (Rept. No. 2101).

By Mr. KEFAUVER, from the Committee on Armed Services, without amendment:

S. 4054. A bill to provide for the advancement of Captain Edward J. Steichen, United States Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list (Rept. No. 2141).

By Mr. SALTONSTALL, from the Committee on Armed Services, without amendment:

H. R. 13374. An act to provide for the retention of deferment or exemption upon change of membership in a reserve

ponent, Army National Guard or Air National Guard (Rept. No. 2142).

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

H. R. 5237. An act to authorize the Secretary of the Navy to furnish supplies and services to foreign vessels and aircraft, and for other purposes (Rept. No. 2143).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 4196. A bill to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract terms by reference in short-form documents (Rept. No. 2144).

By Mr. PASTORE, from the Committee on Interstate and Foreign Commerce, without amendment:

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920 (Rept. No. 2145).

By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, with an amendment:

S. Res. 334. Resolution to study matters pertaining to tobacco marketing practices (Rept. No. 2163); referred to Committee on Rules and Administration.

By Mr. TALMADGE, from the Committee on Agriculture and Forestry, without amendment:

H. R. 12224. An act to amend the Agricultural Adjustment Act of 1938, as amended, with respect to acreage allotments for peanuts (Rept. No. 2161); and

H. R. 12840. An act to amend the Agricultural Adjustment Act of 1938 (Rept. No. 2162).

By Mr. HUMPHREY, from the Committee on Agriculture and Forestry, with amendments:

H. R. 12126. An act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes (Rept. No. 2186).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. Res. 225. Resolution amending Senate Resolution 78, 85th Congress, authorizing a study of critical and strategic raw materials and resources of the Eastern Hemisphere (Rept. No. 2175).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7149. An act to provide for the periodic transfer to the Hawaiian home-development fund of certain excess funds in the Hawaiian home administration account (Rept. No. 2150);

H. R. 7564. An act to provide that the Legislature of the Territory of Hawaii shall meet annually, and for other purposes (Rept. No. 2156);

H. R. 8476. An act to amend the Hawaiian Homes Commission Act, 1920, to extend the period of tax exemption of original lessees from 5 to 7 years (Rept. No. 2159);

H. R. 8482. An act to authorize the Commissioner of Public Lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for public highway purposes (Rept. No. 2153);

H. R. 8673. An act to amend section 69 of the Hawaiian Organic Act (Rept. No. 2160);

H. R. 9232. An act to amend Public Law 481, 84th Congress (70 Stat. 104) (Rept. No. 2154);

H. R. 9410. An act to authorize and direct the transfer and conveyance of certain property in the Virgin Islands to the government of the Virgin Islands (Rept. No. 2157);

H. R. 9461. An act to amend the joint resolution of the Legislature of the Territory of Hawaii, as amended by the Act of August 23, 1954, to permit the granting of patents in fee simple to certain occupiers of public lands (Rept. No. 2151);

H. R. 9500. An act to permit certain sales and exchanges of public lands of the Territory of Hawaii to certain persons who suffered a substantial loss of real property by reason of the tidal wave of March 9, 1957 (Rept. No. 2152);

H. R. 9501. An act to approve joint resolution 28, enacted by the Legislature of the Territory of Hawaii in the regular session of 1957, relating to the conditions and terms of right of purchase leases (Rept. No. 2158);

H. R. 9502. An act to amend section 73 (1) of the Hawaiian Organic Act, as amended (Rept. No. 2178);

H. R. 9543. An act to amend the Hawaiian Organic Act relating to the transfer of the title of ceded land by the President (Rept. No. 2149);

H. R. 11954. An act to amend the Hawaiian Organic Act and Public Laws 640 and 643 of the Eighty-third Congress, as amended, relating to general obligation bonds of the Territory of Hawaii (Rept. No. 2155); and

H. R. 12569. An act to amend section 31 of the Organic Act of Guam, and for other purposes (Rept. No. 2176).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with an amendment:

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended (Rept. No. 2147); and

H. R. 11123. An act providing for the extension of certain authorized functions of the Secretary of the Interior to areas other than the United States, its Territories and possessions (Rept. No. 2148).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 8478. An act to amend section 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian homelands (Rept. No. 2177).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, with an amendment:

S. 4053. A bill to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes (Rept. No. 2171).

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

S. 3564. A bill to accord coverage under the Civil Service Retirement Act to certain temporary rural carriers (Rept. No. 2172); and

H. R. 2747. An act for the relief of John H. Parker (Rept. No. 2174).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, with amendments:

S. 4096. A bill to amend section 4201 of title 18, United States Code, with respect to the annual rate of compensation of members of the Board of Parole (Rept. No. 2173).

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

H. R. 7004. An act to amend the Tariff Act of 1930 with respect to the dutiable status of handles, wholly or in chief value of wood, imported to be used in the manufacture of paint rollers (Rept. No. 2164); and

H. R. 9919. An act to amend the Tariff Act of 1930 to extend the privilege of substitution for the purpose of obtaining drawback upon reexportation to all classes of merchandise, and for other purposes (Rept. No. 2165).

By Mr. BYRD, from the Committee on Finance, with amendments:

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an aid and attendance allowance of \$200 per month shall be paid to certain paraplegic veterans during periods in which they are not hos-

pitalized at Government expense (Rept. No. 2166);

H. R. 5411. An act to amend title II of the Social Security Act to provide that a widow or former wife divorced who loses mother's insurance benefits by remarriage may again become entitled if her husband dies within 1 year of such remarriage (Rept. No. 2167);

H. R. 7570. An act to amend section 403 of the Social Security Amendments of 1954 to provide social-security coverage for certain employees of tax-exempt organizations which erroneously but in good faith failed to file the required waiver certificate in time to provide such coverage (Rept. No. 2168);

H. R. 8599. An act to amend title II of the Social Security Act so as to provide that the exception from wages made by section 209 (1) of such act is not applicable to payments to employees of a State or a political subdivision thereof for employment covered under voluntary agreements pursuant to section 218 of such act (Rept. No. 2169); and

H. R. 11382. An act to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act, and for other purposes (Rept. No. 2170).

By Mr. HUMPHREY, from the Committee on Government Operations, with amendments:

S. Res. 347. Resolution authorizing a study of worldwide health activities; referred to Committee on Rules and Administration.

By Mr. McCLELLAN, from the Committee on Government Operations, with amendments:

H. R. 11133. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost of persons selected for appointment to certain positions in the continental United States and Alaska, and for other purposes (Rept. No. 2185).

OPPOSING SUSPENSION OF DEPORTATION OF JAMES CHIN LEE (S. REPT. NO. 2097)

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 353) opposing the suspension of deportation of James Chin Lee, and submitted a report thereon; which resolution was placed on the calendar, as follows:

Resolved, That the Senate does not favor the suspension of deportation in the case of the alien hereinafter named in which case the Attorney General has suspended deportation pursuant to section 244 (a) (1) of the Immigration and Nationality Act (8 U. S. C. 1254 (a) (1)):

A-7123426, Lee, James Chin.

PRINTING OF ADDITIONAL COPIES OF REPORT ENTITLED "GOVERNMENT PROGRAMS IN INTERNATIONAL EDUCATION"

Mr. HUMPHREY, from the Committee on Government Operations, reported an original resolution (S. Res. 354), which was referred to the Committee on Rules and Administration, as follows:

Resolved, That a report, entitled "Government Programs in International Education," prepared in the Legislative Reference Service, Library of Congress, at the request of the Senate Committee on Government Operations, be printed as a Senate document, and that 4,000 additional copies be printed for the use of the Senate Committee on Government Operations.

ADDITIONAL PROFESSIONAL STAFF MEMBER FOR COMMITTEE ON GOVERNMENT OPERATIONS (S. REPT. NO. 2187)

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 355) authorizing the Committee on Government Operations to employ one additional professional staff member, and submitted a report thereon; which resolution was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Government Operations is authorized to employ one additional professional staff member to be paid from the contingent fund of the Senate at a rate of compensation to be fixed by the chairman in accordance with section 202 (e), as amended, of the Legislative Reorganization Act of 1946.

SEC. 2. Such additional professional staff member shall be a person, experienced in Congressional editorial and printing work whose major responsibility shall be the preparation of the annual chart and report on the Organization of Federal Executive Departments and Agencies, but who shall be available for the performance of other committee duties.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. O'MAHONEY, from the Committee on the Judiciary:

I. Jack Martin, of Maryland, to be associate judge of the United States Court of Customs and Patent Appeals, vice William P. Cole, Jr.

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Thirty-seven postmasters nominations.

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

George J. Reed, of Minnesota, to be a member of the Board of Parole;

Robert H. Schnacke, of California, to be United States attorney for the northern district of California, vice Lloyd H. Burke; and

Edward John Pettibon, of Louisiana, to be United States marshal for the eastern district of Louisiana.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. JACKSON. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nomination of Vice Adm. Robert P. Briscoe, to be placed on the retired list with the rank of admiral; the nomination of Vice Adm. Charles R. Brown, who will become commander in chief, Allied Forces, southern Europe, with the rank of admiral, and the nomination of Rear Adm. Clarence E. Ekstrom, to serve as commander of the 6th Fleet in the rank of vice admiral.

In addition, I report favorably the nominations of 30 Navy captains, to the temporary grade of rear admiral.

I ask that these nominations be placed on the Executive Calendar.

The PRESIDENT pro tempore. The nominations will be placed on the Exec-

utive Calendar, as requested by the Senator from Washington.

The nominations are as follows:

Adm. Robert P. Briscoe, United States Navy, to be placed on the retired list with the rank of admiral;

Vice Adm. Charles R. Brown, United States Navy, for commands and other duties determined by the President, in the rank of admiral while so serving;

Rear Adm. Clarence E. Ekstrom, United States Navy, for commands and other duties determined by the President, in the grade of vice admiral while so serving; and

Frederick V. H. Hilles, and sundry other captains of the line of the Navy for temporary promotion to the grade of rear admiral.

BILLS INTRODUCED

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

By Mr. CASE of South Dakota:

S. 4227. A bill to authorize the Secretary of the Army to provide for bank erosion control along the Missouri River below Gavins Point Dam, between Yankton, S. Dak., and Ponca, Nebr.; to the Committee on Public Works.

By Mr. MAGNUSON (for himself, Mr. HUMPHREY, Mr. JACKSON, Mr. MORSE, and Mrs. SMITH of Maine):

S. 4228. A bill to incorporate the Sea Cadet Corps of America, and for other purposes; to the Committee on the Judiciary.

RESOLUTIONS

The following resolutions were submitted or reported, and agreed to, or placed on the calendar, as indicated:

Mr. JOHNSON of Texas submitted a resolution (S. Res. 352) providing for memorial addresses on the late Senators MATTHEW M. NEELY, of West Virginia, and W. KERR SCOTT, of North Carolina, which was considered and agreed to.

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

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 353) opposing the suspension of deportation of James Chin Lee, which was placed on the calendar.

(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

Mr. HUMPHREY, from the Committee on Government Operations, reported an original resolution (S. Res. 354) to print additional copies of the report entitled "Government Programs in International Education," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 355) authorizing the Committee on Government Operations to employ one additional professional staff member, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full where it appears under the heading "Reports of Committees.")

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, TO CORRECT UNINTENDED BENEFITS AND HARDSHIPS—AMENDMENTS

Mr. BUSH. Mr. President, I submit an amendment I intended to propose to House bill 8381, the Excise Tax Technical Changes Act of 1958, and ask that it be ordered to lie on the table, and be printed.

I ask unanimous consent that a statement in explanation of the amendment be printed at this point in the RECORD.

The PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table; and, without objection, the statement will be printed in the RECORD.

The statement presented by Mr. BUSH is as follows:

STATEMENT BY SENATOR BUSH

I have submitted today a proposed amendment to House bill 8381, the Excise Tax Technical Changes Act of 1958, which would amend section 1321 of the code by extending until January 1, 1959, the replacement period for LIFO inventories which were liquidated involuntarily during the period of shortages resulting from the Korean war crisis, subject to the limitation that a taxpayer electing to replace inventories under the code as so amended would be entitled to the refund only of normal and surtax. The impact of present law on taxpayers who failed to replace inventories because of shortages in certain commodities such as copper and nickel or for other reasons is to encourage such taxpayers to liquidate further high cost portions of their inventories at the very time when they should be increasing inventories to help move the economy out of the current recession.

In the last Congress, the Senate added an amendment to a House bill extending the replacement period, but the House failed to act on the amended bill before adjournment. Some taxpayers, relying upon an announcement by the Secretary of the Treasury that the latter would recommend to Congress an extension of the replacement period, did not replace inventories by the end of 1955 as required by present law. (See S. Rept. No. 2438, 84th Cong., pp. 4 and 5.)

The proposed amendment would apply to replacement not previously subject to an election under section 1321 and would extend from January 1, 1956, to January 1, 1959, the time for replacement of involuntary liquidations which occurred between 1950 and 1954. In order to prevent any unintended windfalls and adjustments to taxable income made as a result of this amendment could not exceed the adjustment which would have been made in the normal tax and surtax liability of the affected taxpayer in the year of involuntary liquidation.

The amendment would also have the effect of making available the LIFO replacement provisions to certain taxpayers who were effectively prevented from making use of them because of the inter-relationship between section 1321 and certain provisions of the 1939 code. For example, it would have limited application to taxpayers affected by H. R. 6999, 84th Congress and H. R. 8628, 85th Congress which were unanimously

passed by the House but not passed by the Senate.

Mr. PROXMIRE submitted an amendment, intended to be proposed by him to House bill 8381, *supra*, which was ordered to lie on the table and be printed.

Mr. SPARKMAN submitted an amendment, intended to be proposed by him, to House bill 8381, *supra*, which was ordered to lie on the table, and to be printed.

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

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

By Mr. KNOWLAND:

Address delivered by him before California Republican State central committee at Sacramento, Calif., August 3, 1958.

By Mr. HILL:

Address delivered by Senator SPARKMAN to the student conference on international affairs, at the Alabama Polytechnic Institute, on March 28, 1958, on the role of America in the Middle East.

OLD PEOPLE FACE DESPERATE HEALTH CARE NEEDS

Mr. PROXMIRE. Mr. President, the cruellest and hardest to meet of all the costs that confront our elderly people today are the costs of medical care and hospitalization.

Illness—the handmaiden of old age—piles heavy hospital, doctor's, and drug bills onto millions of our older citizens. But when social-security benefits will not even pay for three meals a day, they are forced to neglect their own health needs.

Mr. President, hospital care should be included in social security. It is a disgrace to America to permit our retired old people to suffer such neglect and misery as the lack of adequate health care makes inevitable.

I was disappointed that the House did not see fit to include a provision for hospital benefits in the bill which it passed last week. I am glad, however, that the House committee has asked for a study and report, to be ready early next year, so that prompt action can be taken to provide hospital benefits early in the next session.

Mr. President, in every day's session since mid-July I have spoken on the floor about the urgent necessity for action before adjournment to raise social-security benefits. The House social-security bill will do this. It is imperative, Mr. President, that the Senate act promptly before adjournment on the social-security bill.

Higher monthly social-security checks, Mr. President, will enable our elder citizens to provide somewhat more adequately for their health care needs—their medical and hospital bills—than they can do under the present piteously low benefits.

Our elder citizens are victims of a cruel combination of circumstances in respect to their health care needs.

In the first place, people over 65 have much greater needs for medical and hospital care than younger people. Their hospital bills, on the average, run three times as high as for younger people.

In the second place, most old people of retirement age have no health insurance to help them. Most of the insurance companies will not sell health insurance protection to people over 65—even if they are able to afford it. Frequently old people who have carried health insurance for years have their protection cut off when they reach retirement age.

Mr. President, I have received many, many heartbreaking letters from people in Wisconsin telling of their tragic misery for want of sufficient income to provide necessary medical and hospital attention.

I have here a pathetic letter from an elderly lady of 74, who is crippled. Her monthly social-security check is only \$46.10.

Imagine trying to exist on only \$46 a month—even with the best of health. But this poor old woman is crippled and unable to work. She cannot stretch \$46 a month far enough even to keep warm in the winter months, much less to secure the medicines and doctor's care she needs.

Mr. President, I want every Member of Congress to know this tragic story. I ask unanimous consent, Mr. President, to have this letter printed in the *RECORD*.

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

HON. WILLIAM PROXMIRE,

United States Senator from Wisconsin.

SIR: I agree with you 100 percent that there should be an increase in social security, because I am 74 years old. I receive \$46.10 a month. I am a cripple. My brother and I live together. We have one-half acre of land. He is 62 years old, and no work to be gotten at that age. We go 50-50 in everything. The winter months are the worst. The fuel oil and light bills are high. I have no insurance. When I am sick I have to use patent medicine. Last winter half of my social-security check was gone when I got it, that is the way it was all winter, the way it is now. A person has to be so crippled up that you are almost dead before you get any help. I have earned 19 quarters in social security. And now all a person needs is 6 quarters. I think the age limit of both men and women should be lowered 2 or 3 years. I know of several men and women that have passed away a month or so before they were to receive their social security. They had been paying in on their social security for sometime both in Polk and St. Croix. I was born and raised in Wisconsin.

FREEDOM OF INFORMATION BILL

Mr. BIBLE. Mr. President, I wish to commend the Senate for its action Thursday in passing H. R. 2767, which, if signed by the President, will go a long way in curbing the ever-growing practice of executive agencies of Government in withholding information that rightfully belongs to the public.

As was pointed out during a discussion of the legislation, many Government of-

ficials relied upon the so-called house-keeping statute as justification for dropping the curtain of secrecy on matters that were in the public interest. The bill we approved Thursday simply added another paragraph to the existing statute, declaring that "this section does not authorize withholding of information from the public or limiting the availability of records to the public."

Mr. President, although it is almost a truism to assert that our great communications media constitute one of our Nation's greatest safeguards, there has been an alarming tendency in recent years on the part of some Government officials to establish themselves as censors with unbridled authority to spoon-feed the public. It is hoped that enactment of this legislation might change this type of thinking and thus facilitate an uninterrupted flow of information, available to the press, radio, and television.

I believe that the Nation's press, Mr. President, is to be commended for its spirited fight in behalf of this forward-looking legislation. I also wish to compliment the distinguished senior Senator from Missouri [Mr. HENNINGSEN] for the time and effort he has spent in behalf of this bill, as well as the able Representative from California [Mr. MOSS] for the untiring fight he has waged in behalf of its passage.

It is my earnest hope that the President will see fit to sign this measure, thus assuring a steady flow of news that cannot be blocked by the whims of executive fiat.

RESULTS OF VICE PRESIDENT NIXON'S VISIT TO LATIN AMERICA

Mr. HOBLITZELL. Mr. President, I ask unanimous consent to have printed in the *RECORD* a world poll by Elmo C. Wilson on the results of Vice President Nixon's visit to Latin America appearing in the New York Herald Tribune, Sunday, July 27, 1958.

This poll indicates that the Vice President's visit has greatly improved the ties of our Nation with the Latin American countries. I have just returned from attending the Inter-Parliamentary Union conference in Rio, and wish to concur with the results of this poll. Mr. Nixon's visit has unquestionably cleared the atmosphere and made the people of Latin American nations and our Nation aware of their mutual interest and the necessity of working together.

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

WORLD POLL—MOST LATIN AMERICANS FEEL NIXON VISIT IMPROVED TIES

(By Elmo C. Wilson)

In all Latin American capitals recently surveyed, the number of people who regarded the Vice President's visit as a plus for relations between their country and the United States was greater than the number who saw harmful effects from the visit.

NIXON SEEN EFFECTIVE

Despite the overt and organized actions against him, the Vice President's role as an

ambassador of good will seems to have been effective in most of the countries he visited. "The purpose of Mr. Nixon's trip was to serve as an ambassador of good will. In terms of creating a more favorable impression of the United States in this country, do you think his trip did more good than harm, or more harm than good?"

[In percent]

	More good than harm	More harm than good	Made no difference	No opinion, no answer
Bogotá, Colombia.....	72	9	11	8
Lima, Peru.....	72	15	7	6
Montevideo, Uruguay.....	63	20	11	6
Mexico City, Mexico.....	56	27	4	13
Caracas, Venezuela.....	47	36	11	6
Buenos Aires, Argentina.....	39	28	21	12

Surprisingly, since it was in Lima that the first eruptions of violence against him took place, the Peruvians range very high on the score of feeling that the trip was successful in creating a favorable impression of the United States. Many of the citizens of the Peruvian capital seem to have been impressed by his fortitude and his willingness to speak up to the hostile university students there.

VENEZUELA DUBIOUS

The Colombians also tended to be impressed by Mr. Nixon's ambassadorial achievements; while the strongest doubts in this regard came from the Venezuelans.

On this issue there were no important differences among the various age groups, although there were slight evidences that in some of the capital cities the higher income groups were more convinced of his effectiveness than were the poorer elements.

The following figures for Caracas and Montevideo are illustrative of this:

[In percent]

	More good than harm	More harm than good	Made no difference	No opinion, no answer
Among Venezuelans with—				
Higher incomes.....	54	20	11	5
Lower incomes.....	33	48	11	8
Among Uruguayans with—				
Higher incomes.....	71	15	10	4
Lower incomes.....	54	25	13	8

"The purpose of Mr. Nixon's trip was to serve as an ambassador of good will. In terms of creating a more favorable impression of the United States in this country, do you think his trip did more good than harm, or more harm than good?"

THE SECOND QUESTION

In five of the South American capitals visited by Mr. Nixon, and in Mexico City, which was not on his itinerary, World Poll interviewers asked cross sections of the population the same question. An Elmo Roper poll also asked a similar question of a representative sample of the United States population.

Of the countries visited by Mr. Nixon, the Colombians were least likely to believe their citizens shared the views of the rioters in the other capitals. And, indeed, there were no visible demonstrations against him in Bogotá.

Asked in Latin America:

"While Mr. Nixon, who is Vice President of the United States, was on a recent visit to South America, there were some violent demonstrations against him in Caracas and Lima. With regard to this country, do you think that those demonstrations reflect also the sentiment of most of the citizens of our country, of a sizable group, or of only a small number?"

Asked in the United States:

"On Vice President Nixon's recent trip to South America, do you think the demonstrations against him reflected the sentiments of most of the people there, of a sizable group, or of only a small number?"

[In percent]

	Most of the citizens	A sizable group	Only a small group	No one	No opinion, no answer
Mexico City, Mexico.....	4	17	39	29	11
Bogotá, Colombia.....	5	21	64	-----	10
Montevideo, Uruguay.....	11	25	57	-----	7
Buenos Aires, Argentina.....	11	30	48	-----	11
Lima, Peru.....	14	18	64	-----	4
Caracas, Venezuela.....	17	22	54	-----	7
United States.....	6	23	58	-----	13

Because the ringleaders of the demonstrations against Nixon appeared to have been drawn from university student groups, it is interesting to compare the attitudes of the various age groups in the six cities on this question:

While Mr. Nixon, who is Vice President of the United States, was on a recent visit to South America, there were some violent demonstrations against him in Caracas and Lima. With regard to this country, do you think that those demonstrations reflect also the sentiments of most of the citizens of our country, of a sizable group, or of only a small number?

[In percent]

	Most of the citizens	A sizable group	Only a small group	No one	No opinion, no answer
Among Mexicans—					
18 to 34 years.....	4	18	42	23	13
35 years and older.....	5	16	36	34	9
Among Colombians—					
18 to 34 years.....	5	30	54	-----	11
35 years and older.....	6	14	71	-----	9
Among Uruguayans—					
18 to 34 years.....	13	32	48	-----	7
35 years and older.....	10	20	63	-----	7
Among Argentines—					
18 to 34 years.....	12	25	49	-----	14
35 years and older.....	11	33	46	-----	10
Among Peruvians—					
18 to 34 years.....	14	18	63	-----	5
35 years and older.....	14	19	65	-----	2
Among Venezuelans—					
18 to 34 years.....	19	24	51	-----	6
35 years and older.....	15	19	57	-----	9

The younger Uruguayans, together with the Venezuelans under 35, were most willing to believe that most or at least a sizable group of their compatriots shared the feelings of the demonstrators.

ETHICS AND MORALITY IN GOVERNMENT

Mr. NEUBERGER. Mr. President, several days ago in the Senate a bill dealing with ethics and morality in Government was introduced by the distinguished junior Senator from New Jersey [Mr. CASE]. The bill of the Senator from New Jersey follows somewhat along the form of legislation which has been sponsored earlier in the Senate by myself and, as a cosponsor, the distinguished junior Senator from Pennsylvania [Mr. CLARK].

There is a column appearing in the Oregon Daily Journal of today, August 4, 1958, by the very able and well-informed syndicated columnist, Roscoe

Drummond, in which Mr. Drummond discusses in detail the proposal of the Senator from New Jersey for placing members in the executive branch of Government and members in the legislative branch of Government under the same conflict-of-interest statute.

I think Roscoe Drummond has written a most thoughtful column in his characteristically fair and impartial fashion. I ask unanimous consent that the column of Roscoe Drummond from the Oregon Daily Journal of Portland of August 4, 1958, be printed in the body of the Record.

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

SENATOR CASE'S PLAN TO CURB AGENCY CONTRACTS, GIFTS

(By Roscoe Drummond)

WASHINGTON.—It is beginning to come at last and none too soon: Strong bipartisan initiative is being taken in the Senate to lock the barn door before public trust in the Government is stolen by the gift givers, gift receivers, and influence dispensers.

In the wake of similar proposals from the other side of the aisle by Senators RICHARD NEUBERGER, PAUL DOUGLAS, and JOSEPH CLARK, Republican Senator CLIFFORD P. CASE, of New Jersey, is putting forward an eminently practical and realistic measure which goes to the heart of the needed reforms.

It applies equally to executive and legislative officials.

It erects a substantial barrier against the purchasers of influence.

By requiring disclosure it makes it less attractive to give purposeful favors to Federal officials and less easy to accept them.

It does not go so far—like making the acceptance of any gift of any kind illegal—as to be unworkable but goes far enough to lay a significant restraint upon the unethical both inside and outside the Government.

It helps remove the regulatory agencies from secret influences.

That's not bad; it's good.

Senator CASE's measure follows the pattern Senator NEUBERGER laid out a few weeks ago and seems to me the most workable method of reform yet proposed. Here concretely is what it would do:

1. All executive and legislative officials and candidates for Federal office, receiving more than \$12,500 a year, must file an annual report of income from all sources, including gifts, entertainment and travel. These reports would be open to the press and public.

2. All communications from anybody, written or oral, with respect to cases pending before a Federal agency must be made part of the public record.

3. Senate and House committees must publish annually in the CONGRESSIONAL RECORD itemized expense accounts for all travel, subsistence, and accommodations used by their members and staff.

4. A Commission on Legislative Standards would study further improvements in these laws.

This, I think, is more than a good beginning. It will, if Congress approves, reach very near to the end of the matter since it does about as much as legislation can do.

It goes to the core of the two major abuses which were brought clearly into the open by the Harris committee.

One abuse is promiscuous gift giving and gift receiving.

The other abuse is the surreptitious approaches to Government agencies.

Senator CASE turns to the most powerful and workable sanction—the sanction of disclosure.

He does not attempt to determine by law what gifts are proper and what are improper. He doesn't attempt to legislate honesty because law can do none of these things. He would simply provide that the income, including gifts, of all Congressmen and higher bracket executive officials, must be reported.

It is unrealistic to say that a Federal official, whether a Sherman Adams or a Senator KEFAUVER, should never get in touch with a Federal agency. It is impossible to draw the line between "routine" contact and "influence" contact. Therefore, Senator CASE says, make every contact on any pending case "part of the public record." I am sure the press will do the rest. It will be a considerable deterrent.

If you would like to see such legislation passed at the next session of Congress, you can do something about it. You can demand that the Congressional candidates in your District and the senatorial candidates in your State commit themselves on this proposal before the election. You can write them; you can stand up at their rallies and ask them.

SENATOR WILLIAMS OF DELAWARE

Mr. MARTIN of Pennsylvania. Mr. President, in America we all admire courage. No man in this great legislative body has more courage and commonsense than our distinguished colleague from Delaware, JOHN J. WILLIAMS.

Many times he has stood on this floor, fighting for things which he believed to be good for the Nation as a whole. He is an outstanding legislator and Delaware is fortunate to have him as one of its representatives.

This morning the Philadelphia Inquirer published an editorial entitled "Unpopular? Not With Us," commending Senator WILLIAMS as a "one man army when it comes to guarding the taxpayers' funds."

I ask unanimous consent that this editorial be printed in the RECORD at this point as a part of my remarks.

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

UNPOPULAR? NOT WITH US

Chances are that a good many Congressmen are wishing today that the voters of Delaware had not sent JOHN J. WILLIAMS to represent them in the Senate. If that's the case, it's not the first time Senator WILLIAMS has managed to irritate some of his colleagues—and we can be sure the Senator couldn't care less.

For WILLIAMS was up to his old tricks. A cute plan to give Congressmen a little something the rest of us don't enjoy was all set to slide through, when the alert Senator spotted it, and knocked the plan out for this session at least.

It had to do with pensions for Congressmen and their employees. They already enjoy a better pension arrangement than other Government workers and most employees in private industry, to say nothing of those on social security. But the Congressmen had hatched a scheme to hike their own benefits still further, until Senator WILLIAMS went into action.

The Congressmen shouldn't have been surprised. WILLIAMS, a one-man army when it comes to guarding the taxpayers' funds, has been at it for years. He led investigators to skulduggery in the Internal Revenue Service during the Truman administration. He's

been a foe of junkets and needless handouts. He may be a bother to other Congressmen. But not to taxpayers.

UNITED STATES CONGRESSMAN FROM ASIA—ARTICLE IN SATURDAY EVENING POST

Mr. MANSFIELD. Mr. President, the Saturday Evening Post has published in its issue of August 2, 1958, an article entitled "United States Congressman From Asia." The article refers to our distinguished colleague, Representative DALIP SINGH SAUND, of California.

Judge SAUND in his service in the Congress of the United States has already made his mark as a legislator at home and as an extraordinary goodwill ambassador abroad. In his person, he typifies the American dream come true, because he is what he is today not because he was born in this country, not because he had things handed to him, but because he came up the hard way.

Everything Judge SAUND has achieved he had to work and fight for. He was determined, yet understanding and tolerant. Many difficulties have been his in his lifetime, but, as he met each one, they turned out to be steps to his success.

America can indeed be proud of this American, just as I know he is proud of his country. May his example furnish a guideline to others so that out of the multiplicity of our origins will ever emerge a great and more understanding Nation.

Mr. President, I ask unanimous consent that the Saturday Evening Post article be printed at this point in my remarks.

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

UNITED STATES CONGRESSMAN FROM ASIA

(By Milton MacKaye)

One of the most colorful personalities in the 85th Congress is a stocky, swarthy, bushy-haired Californian whose very presence in Washington is a practical demonstration of the workability of the American dream. Not too many years ago his neighbors in the Imperial Valley—if called to sit in sober judgment—would have had to vote DALIP SINGH SAUND the politician most unlikely to succeed. His career handicaps seemed insurmountable.

First of all, SAUND was not a citizen and, under then existing law, could not become one. A farmer by profession with a living to make for his family, he was forbidden by the same law to own or lease property. Although a graduate of two great universities, he was a member of an unpopular—and sometimes despised—minority group; a later political opponent was to describe him, perhaps ungenerously but fairly accurately, as an immigrant Hindu.

DALIP SAUND was, indeed, born near the city of Amritsar, India, 58 years ago, and today is the only Member of Congress of Asian origin. He came to this country as a student in 1920 and did not return to his native land until 37 years later. Last autumn, accompanied by his American-born wife and one of his two daughters, he made a 6,000-mile tour of Asia that was not only a personal triumph but a solid contribution to improved relations between East and West.

SAUND, a realist by necessity, painted no pretty pictures for the multitudes who crowded schools and public squares to hear

him speak. He did not deny that prejudice and discrimination against Japanese, Chinese, and East Indians had existed in California when he chose to make his life there; the Alien Exclusion Act effectively barred them from any real participation in public affairs. As a matter of fact, SAUND helped write the law which, passed in 1946, permitted East Indians to qualify for citizenship. He became a citizen himself in 1949.

"I told my audiences," SAUND said recently, "that prejudice thrives in all countries and all climates; parochialism has no flag. But in a democracy things can change and people do change; I explained that things had changed greatly in the United States since World War II. As an example of the new winds blowing, I cited my own election. The fact that I had been an outcast, that I had fought my way up, worked for me rather than against me. The proof of change was the fact that in a district traditionally ultraconservative I somehow made the grade."

The Congressman's graceful statement, however, gave the people of Calcutta and Delhi and Amritsar no hint of the high drama of the campaign 2 years ago in California's sweltering 29th District. This district, 200 miles long by 100 miles wide, is composed of Riverside and Imperial Counties and stretches from the Mexican border to the outskirts of Los Angeles. Temperatures reach astronomical heights in summer and early fall, and one weary eastern reporter who followed SAUND in the desert for 48 hours paraphrased Gen. Philip Sheridan's remarks about Texas when he (the reporter) finally holed up in an air-conditioned motel.

"If I owned both hell and the Imperial Valley," said the reporter, "I'd rent out the Imperial Valley and cool off in hell."

There were many reporters; no Congressional campaign in recent years has received so much national publicity. And, for obvious reasons. SAUND's opponent, personally endorsed by President Eisenhower, was a world figure—the dynamic and glamorous aviatrix, Jacqueline Cochran Odlum. Jackie, a truly great flier who still holds many national records, organized the WASPS in World War II, served her country in many ways, and was and is the friend of admirals and generals and industrial titans. Yet Jackie fought her way up too; at the age of 12 she was a barefoot orphan in a Georgia cotton mill. She ended as the owner of her own cosmetics business. Her husband, who spends his winters on their 1,000-acre ranch at Indio, is well known in the world of finance; he is Floyd B. Odlum, one of America's richest men.

The contrast in candidates provided the drama. SAUND, the educated but obscure Sikh from the rawboned small town of Westmorland, was running as a Democrat in a district which had never failed to send a Republican to Congress. For a time the odds against him seemed overwhelming; one observer described the rivalry as that of "the lioness and the mouse."

SAUND kept calm; he shared the limelight created by the prominence of his adversary, and he campaigned shrewdly and to good effect. He knew that the rancors of a bitter primary battle had disaffected many Republicans who ordinarily would have been in Jackie's camp. On election day, Eisenhower carried the district overwhelmingly, but SAUND achieved a major upset. When the last ballots were counted, he had defeated Jackie by a few thousand votes.

Many Californians still regard SAUND's victory as a political accident; that controversy will be resolved when he comes up for reelection this fall. Recently I toured Imperial and Riverside Counties and I can report that he is running strongly and that he is not running scared. The victory was a quick and spectacular one, but the real

story behind it began in the village of Chhajalwadi, a good many years ago and miles away.

DALIP SAUND is often described by his friends as completely American in appearance, manner, and thought. He is outgoing, indefatigable, and his background is in our pioneer tradition. It is significant that his family were Sikhs, a religious group which separated 500 years ago from the Hindus, who predominate in India.

SAUND's grandfather was a village blacksmith who, in the Congressman's words, "had no assets but five husky boys." The boys left home to better themselves, and SAUND's father and two of his uncles became well-to-do Government contractors, builders of canals and railroads, owners of big houses and large tracts of land.

"Neither my father nor my mother could read or write," SAUND told me, "but they were passionately interested in education for their children and the children of our village. They furnished the quarters for the local primary school and they paid the salary of the teacher. It is a western delusion that women occupy an inferior position in India; actually, my mother was always the boss of the family. My father died when I was 10, and thus long afterward my mother's admonitions are compulsions. 'Always wash your hands before eating.' Today I find myself sneaking down to the men's room before a banquet at the Waldorf-Astoria. 'Make friends everywhere and no enemies.' I have tried all my life, but have not always been successful. 'Respect religious men.' I still am incapable of entering a room ahead of a minister or a priest."

SAUND attended grammar school and high school in Amritsar and was graduated with honors from the University of Punjab in 1919. A normal next step for a bright Sikh was a position in Britain's Indian civil service. But SAUND was already a follower of Mahatma Gandhi and an enthusiastic Indian nationalist; the newspapers had introduced him to Woodrow Wilson, who wanted to make the world safe for democracy, and Wilson's speeches had introduced him to the writings of Abraham Lincoln. He was America-inclined. At about this time Gandhi and Nehru went to prison, and SAUND's elder brother decided DALIP would be safer at the University of California than in Amritsar. DALIP had expansive ideas—he would study the canning industry in the United States and return to set up a profitable business in his homeland.

A few months later he found himself in Berkeley, domiciled at the residence clubhouse of the Hindu Students' Association with about 80 other Indian students. (One of them, Pratap Singh, he met again last year; Pratap Singh is now Chief Minister of the Province of Punjab.) SAUND enrolled for several agricultural subjects, and also learned that if he took a few mathematical courses it would be comparatively easy to get a master's degree. He went on, during the next 4 years, to win his doctorate in mathematics. The title of his thesis, he remembers, was *On Functions Associated With the Elliptic Cylinder in Harmonic Analysis*.

By that time his British-accented English had absorbed both American idiom and campus slang, and he frequently spoke before student and church groups to eulogize Gandhi—whom he never knew or met—and to lambaste British rule in India. His family warned him that the authorities back there had a complete dossier on his anti-British tirades. SAUND was confused about his future. After his elder brother died, there were no more checks from home and he was strictly on his own.

"Like Stephen Leacock's hero," he told me, "I was riding off in all directions. I wanted to write a history of India, be a teacher, return to India as a political fighter, make a fortune. I was adrift in a country where

I could not become a citizen, and my first job after earning a Ph. D. was as foreman of the sirup department in a fruit cannery. I never used my math again."

SAUND had abandoned the traditional Sikh turban, cut his hair, and begun shaving early in his Berkeley years. But he still went to the Sikh Temple at Stockton, in the San Joaquin Valley, to celebrate religious days. There he met Hindus, many of them illiterate, who drove big motorcars; they were farmers in the rich, irrigated Imperial Valley. He decided to go there, too. So the second job of the doctor of philosophy from Berkeley was that of foreman of a cotton-picking gang near Holtville. He made good money, saved it, planted a good celery crop by sharecropping—and lost his shirt.

The Imperial Valley is like that. There are certainties there—two crops can be harvested annually, sunshine is inevitable, and irrigation water from the Colorado River will wander down your own cared-for ditch. But the market is unpredictable. Farmers make a fortune on onions or watermelons one year and go in debt the next. SAUND was to place his bets on this agricultural roulette wheel for a good many years, but he also had to get a book out of his system. It was an answer to Katherine Mayo's best seller, *Mother India*, which Indians considered an outrageous and ill-reported picture of India's backwardness.

Bachelor SAUND went up to Los Angeles to complete his research and there met his future wife. Actually, although they did not remember it, they had met before; Marian Kosa, then 10 or 11, and her mother had been passengers on the vessel which brought SAUND to the United States. One night in Los Angeles, Emil Kosa, Jr., a young artist who had heard SAUND speak at the First Unitarian Society of Hollywood, brought him home to dinner and introduced the Indian to his sister. Marian, born in Cape Cod to parents of Czech origin, was then a freshman at University of California at Los Angeles. The SAUNDS were married in 1928. His book and their son, Dalip, Jr., appeared in 1930. The book, *My Mother India*, was close to Marian's heart because she had typed it so many times, but it was not a financial success.

So it was back to the Imperial Valley and farming and some rather rigorous pioneering. Neither SAUND nor his wife was afraid of manual labor; like their neighbors, they lived in a shack because they could afford nothing better. And in the 1930's the Valley was visited by pestilences. One year it was crickets, the next year mildew. Then it was blackbirds. Mrs. Saund recalls a crop season when they planted maize; it was her duty to stand in the corner of a field and fire a .22-caliber rifle under the clouds of blackbirds as they descended on the ripening corn. It worked, too. The blackbirds did not get the corn.

The future Congressman did most of his farming around Westmorland, a once-thriving but now sleepy town which boasts that its geographic location is 180 feet below sea level. He tried everything in his time—alfalfa, melons, onions, celery, cotton; he was one of the first to grow sugar beets and Punjab flax, now important crops in the Valley. Because he could not own or lease land, he often took leases in his wife's name; she, of course, was an American citizen. Or he sharecropped by oral agreement or some other subterfuge. Also, he knew what it was like to line up outside a bank for a \$50 loan and not get it.

The Saunds prospered enough to buy a new car every year, to take July-August trips to the coolness of Yosemite with their three children; they played tennis and hiked, and Marian was active in the Parent-Teacher Association. In the mid-thirties, SAUND hit the jackpot one year with alfalfa. Optimistic—a Valley farmer has to be

optimistic—he sank his \$8,000 profit in bigger holdings, borrowed \$10,000 more, and the next season the bottom fell out of the hay market. SAUND did not take bankruptcy. ("In India," he told me, "a man who takes bankruptcy must keep a coal-oil lamp burning in his window as a symbol of his shame.") But it took him a number of years to pay off his debts.

In the Congressional primaries in 1956 a Democratic opponent put into the record the fact that seven judgment suits had been filed against SAUND by creditors. As campaign material it backfired. "What the hell," an El Centro supporter said to me a few weeks ago. "Everybody goes broke in the Imperial Valley sooner or later. Doc SAUND, for all his education, was a dirt farmer like me and he knows what we are up against. He's been broke like the rest of us and he paid what he owed."

Aubrey Lee, a Westmorland grocer, believes that the Congressman got his first propulsion toward public life in a Current Events Club organized by a group of thirty-odd businessmen in Westmorland and nearby Brawley. Their monthly meetings were serious affairs; members, turnabout, were required to research and present a paper on one phase of world happenings. "Why, we had it figured out how the war would be fought before it even began," said Lee. SAUND was a staunch supporter of Franklin D. Roosevelt and an articulate one. At the Current Events Club he strove to improve his platform manner, and succeeded. He joined the Toastmasters' Club, eventually won its regional speechmaking competition and became the district governor.

Like many another Congressman, SAUND has had a long romance with his larynx—which incidentally needs no amplifier. Even in a private conversation the effect is oratorical, and his rather high voice reverberates from one office wall to the other like the roar of breakers by the sounding sea. Long before he became a political campaigner he was a frequent speaker before service clubs and civic groups, usually with India as his subject. "It wasn't so much that those sunburned men wanted to hear about Gandhi," said a friend. "Some of them didn't even like Hindus or Democrats. It was more that SAUND was always available."

In 1942, physicians made family life more difficult. They told Marian Saund that she could no longer live in the Imperial Valley; her allergy to Bermuda grass made her battle with asthma insupportable. She moved back to Los Angeles and returned to college. She was graduated in 1945 and since that time has been a teacher in the elementary schools of the Fairfax district. It was a curious, divided life. War years were prosperous years in the valley; SAUND batched it and farmed, and drove up to Los Angeles weekends to see his wife and children. On Mondays he took off at 3 a. m., for the desert to make sure the irrigation ditches were properly opened in the early dawn.

It could have been a lonely life, but SAUND filled his odd hours and his evening with activity. For one thing, he helped to organize the India Association of America, which pushed for legislation to make his 3,000 fellow countrymen eligible for citizenship. He went to Washington, and Clare Boothe Luce, a Republican, and EMANUEL CELLER, a Democrat, sponsored the bill; in 1946, when President Truman signed it, the bill became law. SAUND got his final papers 3 years later. Books—SAUND still reads himself to sleep every night—were also hedges against loneliness. The political worker who will really work, who is always on call, means money in the bank for any party. When SAUND became a citizen, he was appointed immediately to the central committee of the Democratic Party in Imperial County and later became chairman.

When he decided to run for town judge, however, several of his close associates thought he was unwise. "Doc" said one of them, "a lot of people here came originally from Arkansas, Oklahoma, and Texas. I'm afraid your skin is too dark." But some of those people, prosperous after earlier hardships, felt they, too, had met with discrimination when they came to the valley as penniless Okies and Arkies. SAUND passed the examination required by the State—although he was not a lawyer—and won the election. Immediately five Westmorland citizens petitioned for his disqualification because he had not been a citizen for a year. He did not oppose the petition.

The county board of supervisors had to appoint a judge. Hundreds of Imperial County residents signed a roundrobin asking that SAUND get the January appointment; his year as a citizen would then have been completed. The supervisors instead appointed Frank Lyall, longtime Westmorland resident. SAUND defeated Lyall in the following year's election and went on the bench.

Actually this judicial post was similar to that of justice of the peace in many communities, and when his Congressional campaign literature referred to him as "D. S. (Judge) SAUND," some of his opponents remarked that he was getting rather handsome mileage out of a position which didn't require a legal education or a great amount of his time. Nevertheless, two Imperial County district attorneys, Arthur Lockie and Don C. Bitler, have described him as an able, alert, conscientious judge who cooperated fully with the law-enforcement agencies. They refer to the cleanup of Westmorland's now ghostlike Fifth Street, which was then one neon-lit honky-tonk after another; prostitution, narcotics vending, and gambling prospered on the wages of itinerant fieldworkers who, brought in from Mexico, were literally men without women.

For several years SAUND had been doing only part-time farming. He handled farm contracts for the American Fruit Growers, a packing firm, and also was a fertilizer salesman for the Agro Phosphate Co. Then he set up his own chemical-fertilizer business. Thirty-odd tanks labeled "Saund" currently supply valley farms; the business grosses about \$250,000 a year. A. C. Faubion, who was once SAUND's boss at American Fruit Growers, supervises the SAUND business operations in his absence.

There was one thing obvious about the 1956 Congressional campaign. The Democrats were united and the Republicans were divided. True enough, SAUND had a rival in the Democratic primary, but he beat him handsomely; five Republicans sought office, and they lashed one another. John S. Phillips, in Congress for 14 years, did not run; he supported Jackie Cochran Odum. Fred Eldridge, a former newspaperman and president of the Farm Bureau in Riverside County, was her principal rival; he was also a World Federalist. Fur flew. An India editor described the campaign as the most literary blood letting in history; three candidates had made the mistake of writing books. Jackie had written her autobiography; Eldridge, who had served with distinction under Gen. Joe Stilwell in Burma, had written a defense of Stilwell's China policy. Even SAUND's book, remastered a quarter of a century before, was resurrected to establish him as a dangerous radical because the British Government in India had barred its importation.

Mrs. Odum beat Eldridge in the primary by a close vote; there seems little doubt that some of his supporters, indignant over what they felt to be unjust attacks on their candidate voted Democratic in the fall. And just to prove that anything can happen in California, Fred Eldridge, who refused to endorse Mrs. Odum, who was personally endorsed by Eisenhower, became the Eisenhower man-

ager in Riverside County. Is that confusing enough?

Sober Republicans this long after are not sure that party division was solely responsible for the Democratic victory; they have done their own intensive researches. Riverside and Imperial counties, once almost feudally controlled, are changing. Riverside County in particular has grown enormously in population; the rich smell of citrus groves is giving way to housing developments. Democratic workers in 1956 set themselves a goal of registering 10,000 new voters, and probably made it. Impartial observers say the SAUND family deserves a hefty share of the credit. Mrs. Saund and her younger daughter, Ellie, moved into an apartment in the city of Riverside, where the candidate was not well known, and began ringing doorbells as full-time campaigners. Other family members and in-laws were available on weekends.

Mrs. Saund said recently she had spent a lifetime trying to dominate her children and had never succeeded. Dal, Jr., a combat lieutenant in Korea, won a couple of Bronze Stars and was wounded in action. He was graduated this year in mechanical engineering at the California Institute of Technology; he has a pretty wife and a 6-month-old son. Julie, the elder daughter, was president of the YWCA at University of California at Los Angeles, went to work for the engineering department of Convair Aircraft. She met and married Dr. Fred Fisher, a young physicist who specializes in underwater sonics; they now live in Cambridge, Mass., where Fisher is doing research work at Harvard. Ellie will be a senior at University of California at Los Angeles this fall and expects to become, like her mother, a schoolteacher.

The Congressman got heavy support among his district's minority groups—Mexican-Americans, Negroes, and a few East Indians—but there are not enough of these voters to swing an election. He won the farm vote and also did well in the cities. One observer described his achievement as the "skilled selling of a pleasing personality." Another said, "His background as a dirt farmer and his civic activities made the people in the district feel closer to him, despite his foreign origin, than they did to the brilliant Mrs. Odum."

"I believe," SAUND himself said the other day, "that many, many people just thought it was an opportunity to demonstrate that they believed in democracy and fair play."

When the Congressman brought his bright nimbus of publicity to Washington, the Democrats promptly placed him on the powerful House Foreign Affairs Committee. It was as a one-man subcommittee that he made his extraordinary expedition to the Orient—technically to investigate the mutual security program, actually to improve relations between the United States and Asia. The trip began last October 22 and ended January 3. Everywhere, as telecasts and films revealed, the Saunds were met by tremendous crowds—in Japan, in Hong Kong, in the Philippines, and Burma and, of course, in India.

In Calcutta, in New Delhi, in his native Punjab, they were garlanded with marigolds, mobbed by school children, lionized at meetings. SAUND's American wife and daughter were of particular interest to the crowds; in one city, when he appeared at a reception without the tired ladies, he was hustled back to his hotel by car to recruit them. In New Delhi he addressed the Parliament for 2 hours, and Prime Minister Nehru—whom he had met the year before in Washington—was host at a private family luncheon. In the Punjab the Saunds traveled in a private railroad car provided by his brother Karnail, a graduate engineer who is a member of the five-man board which controls India's railroads. Just the summer

before SAUND had attended a traditional Sikh wedding in Ottawa when Karnail's son married the daughter of the Indonesian ambassador to Canada.

The Congressman spoke either in Punjabi or English, asking his audiences to choose. Even after an absence of almost 4 decades his Punjabi was fluent, but his daughter was told guardedly that he spoke with an American accent. He talked frankly and vigorously about America's position in the postwar world vis-à-vis communism; he willingly discussed such sore issues as Little Rock, Goa, Kashmir, and Pakistan, often using Indian stories and parables to make his point. Returning to his native village was perhaps his most affecting experience. There the 30 trees he had planted as a youngster—in India an act of virtue—were full grown and provided pools of shade. Under the trees a Sikh poet sang elegiac verses which—and here the Congressman found himself in tears—included Saund's mother's dying words.

SAUND's opponents have accused him of a certain ineptness as a working Congressman, but he showed no ineptness as a goodwill ambassador. When I toured his district, I discovered that the Indian expedition had made him new friends, particularly among women voters interested in peace and good international relations. But he still is a controversial figure; those who like him like him very much, and those who dislike him are eloquent about it.

SAUND has done some floundering as a Congressman, but most freshmen in Washington do. His colleagues have given him friendly help in matters concerning his district and probably will give him more before election time. A great many of the large growers in the valley oppose him, but, on the other hand, he has in the past had the support of such men as Jack H. Benson, one of the largest farm operators; wealthy rancher John J. Elmore; and James Simons, president of the Imperial Valley Beet Growers Association. "In another term or two," Benson predicted recently at his office in Brawley, "he will be one of the outstanding men in Congress. He has education, energy, and brainpower."

Personally, Saund is spirited, well informed and engaging. Of necessity, he early learned to get along with people. "Even in the first days, when things were harder," he told me, "I never had a fist fight or cussed back a man who cussed me. That's what Gandhi taught, and it was the way my mother raised me." His own son has described him as the most patient man he ever knew; in a lifetime, he said, he had never seen his father lose his temper. At 58, SAUND looks 10 years younger; his blue-black hair is only faintly graying; he is well dressed in a public calling where wrinkle and rumple are often a trademark. He does not drink or smoke, but is unstuffy about people who do. As a onetime New Dealer, he supports most so-called liberal causes and last year won an urban league award for bettering race relations. Yet he is an odd combination of meditative idealist and shrewd crossroads politician. He makes a political errors, but rarely repeats them. A generous man himself, he is as rapacious for his district as any stringtie Claghorn from the peanut-growing belt. Like most Congressmen—where their homefolks are concerned—he regards the Budget Bureau as the sworn enemy of man's highest hopes.

Mrs. Saund took a sabbatical year from schoolteaching when her husband went to Congress and now makes frequent trips East. But she still pursues her chosen schoolteaching career. The SAUND home in Los Angeles is on a steep slope in the Hollywood hills; Mrs. Saund bought the lot because of the view. Her husband and son in 1950 built the 3-bedroom modest white house with a

minimum of professional help and a maximum of effort; most of the building materials had to be hoisted aloft by cables. A celery crop, which had proved so disastrous when SAUND first went to the valley, this time paid the bills. The roulette wheel always turns. In Washington the Saunds make their home in a Connecticut Avenue apartment.

The Republicans in the 29th District this time have taken careful aim at the man from Chhajalwadi. Party lesions have been salved and wounds bandaged. All substantial factions of the party are supporting John Babbage, a 42-year-old lawyer from Riverside who has made his mark in many ways. Born in New York, he worked his way through the University of Southern California and won a scholarship to the Columbia University Law School. For 6 years he was a special agent for the FBI, spending 3 of the war years in South America. After coming to Riverside as a deputy district attorney, he went into private law practice. He was elected to the California Legislature in 1948 after receiving both Republican and Democratic nominations in a primary (remember, California is that State which allows crossfiling in a primary) and spent two terms there. In an evening interview at the famous old Mission Inn at Riverside, I found him an affable, ambitious, and intelligent young man.

But for all the self-examination of Republicans in Imperial and Riverside Counties, DALIP SINGH SAUND may not be an easy man to beat. Let his wife have the last word.

"DALIP is the optimist in our family. I am the worrier and brooder. He is optimistic about things turning out well and, astonishingly enough, they often do."

FRIENDLY FOREIGNERS

Mr. MANSFIELD. Mr. President, in its issue of August 2, 1958, the Saturday Evening Post has published an article entitled "The Case of the Friendly Foreigners." The article refers to relations along the United States-Canadian border, especially in the States of Montana and North Dakota and the Canadian Provinces of British Columbia, Saskatchewan, and Alberta. May I say that the economic, social, and cultural relations between my State of Montana and these Provinces could well furnish a pattern for the rest of the world. Though we have our differences over wheat, lead and zinc, water, and cattle we know how to get along with one another and to obviate our differences in a reasonable atmosphere.

I should like to read, for the benefit of the Senate, 1 or 2 paragraphs which show just how friendly a border we have with our neighbors:

A stranger can lose his way and get into Canada without knowing it. For 10 miles east of Sweetgrass, Mont., a dirt road runs right on top of the line, half in one country and half in the other. Lanes lead right and left to exactly similar ranchhouses which pay taxes to different capitals, record births and deaths as different national statistics. How are you going to keep those people from going across the road to borrow an egg? The road finally forks, but there isn't the slightest sign to indicate that the left fork leads into Canada, the right into the United States.

Clem Brigl, of Shelby, Mont., crossed the line a couple of years ago and unwittingly began handing out young Montana trees to Alberta ranchers. Clem is agricultural extension agent in Montana's Toole County. He was supposed to be encouraging ranch-

ers to plant windbreaks and shade trees back in his own United States.

"I was new to the job and didn't know which back roads led into Canada," Clem said. "I felt mighty foolish, though, until the county nurse broke down and confessed she had treated several Canadian families for a long time before she knew she was crossing the line. It had never occurred to the Canadians that she wasn't a Canadian nurse."

Speaking personally, I have campaigned in Canada, looking for Montana votes, in the Provinces of Alberta and British Columbia. It was some time before I was able to learn that on occasions I was looking for the wrong kind of votes, because I was not running for the Canadian Parliament; I was running for the United States Congress.

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

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

THE CASE OF THE FRIENDLY FOREIGNERS (By Paul Schubert)

Lots of Canadians and Americans out on the Great Plains wish the border didn't exist. It doesn't mean they want to be part of one big country. The Canadians like being Canadians and the Americans are completely loyal to the United States. But when you live along the line it seems ridiculous to have even an imaginary barrier that you aren't supposed to cross without getting permission.

Actually, the people right on the line do a lot of visiting and neighboring which, though officially frowned on and deplored, is unofficially tolerated because you couldn't stop it anyway along this unfortified, lightly guarded frontier.

In northern Montana and northern North Dakota the Canadian border is visible from the air, a long straight line running due east and west along the 49th parallel. Across the plains the wheatfield pattern has a geometric break where the tractors turn around at the ends of the fields—fields which end at the national boundary. Those ends line up stiffly across the variegated checkerboard of man's tillage.

From coast to coast the Canadian-United States border is 3,987 miles long. The part between the Rocky Mountains at Waterton-Glacier International Peace Park and the Muskeg and Tree Belt over in Manitoba and Minnesota, is an 800-mile stretch—the Great Plains.

Down on the ground you don't see the line at all. The Plains roll across open undulating country with occasional lines of low hills, treeless except along the rare winding rivers. Canada may be a different color on the map, but on the ground it's all one countryside. Except at official ports of entry 20 to 50 miles apart, the border is invisible as such—no flags, no foxholes, no troops, not even a wall or fence to indicate whether you are in Canada or the United States. You have to hunt to find the old stone posts put up by the surveyors after the 1846 agreement that the boundary would follow the 49th parallel along the long 1,300 miles from the Lake of the Woods to the Strait of Georgia.

Farm roads, paths, game, and stock trails cross the line without customs stations or even signboards. Once in a while a cattle outfit has 4 or 5 miles of barbed wire to keep stock from drifting; occasionally a sheep rancher strings small mesh to discourage ovine emigration. But mostly it's just country, intensively cultivated—"breadbasket of the world," they call it. Big rough chunks of it are still as wild as 1,000 years ago. They run cattle in those rough parts. And

at intervals there's oil, on both sides—drilling rigs, pumping fields, tank farms.

A stranger can lose his way and get into Canada without knowing it. For 10 miles east of Sweetgrass, Mont., a dirt road runs right on top of the line, half in one country and half in the other. Lanes lead right and left to exactly similar ranchhouses which pay taxes to different capitals, record births and deaths as different national statistics. How are you going to keep those people from going across the road to borrow an egg? The road finally forks but there isn't the slightest sign to indicate that the left fork leads into Canada, the right into the United States.

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The Reverend Bill Knickel, of Whitlash, Mont., ran into a unique variation of the border-legality problem. The Reverend Bill has a little white wooden church on the American side of the line, the only church in the vicinity. Quite a few Canadian families cross the line to attend services each Sunday, encouraged by Canadian customs official Hugh McLoughlin, who when called away by an emergency, tacked a sign to the locked door of his little one-man border station, saying: "If you're going to church, go ahead."

A year ago the Reverend Bill decided that his church in Whitlash didn't answer Canadian needs as fully as he would like, so he started crossing the line himself and holding a second service every Sunday, in a schoolhouse on the Canadian side. The Reverend Bill's Montana church is Presbyterian. His Canadian church is nondenominational—he gets Mormons, Baptists, Methodists, everything, and the whole thing works like a dream.

Recently a complication arose. Two young people of the Canadian congregation decided to get married, and wanted the Reverend Bill—their minister—to marry them. Then somebody realized that an American parson had no legal right to marry anybody in Canada. The dilemma might have been solved by having the couple step across the border onto United States soil, but as good Canadians they didn't want to do that—they wanted a home wedding with their own Reverend Bill officiating. So the correspondence began with the Provincial authorities in Edmonton, and before it is done it will probably reach Ottawa—who knows, maybe Washington and United Nations headquarters. If it could be handled by local authorities, it probably could be straightened out in half an hour.

In that part of the North American West the average ranch on either side of the border runs about 2,000 acres. Ranchhouses are substantial, comfortable, attractively furnished, equipped with the full range of electric appliances, from freezers to TV. Wheat is the big crop, hundreds of square miles of wheat, planted mostly in strips, with fallowed land between them in a pattern that saves moisture and discourages soil blowing. There's barley too, for feed and for malting, and a new crop called safflower whose seed is processed into vegetable cooking oil useful in cardiac and hypertension diets.

Farming is fabulously mechanized. One man works 100 acres a day, farms 1,000 planted acres—alone. Yield is prodigious,

with Americans readily acknowledging Canadian skill in pioneering wheat varieties and methods adapted to the soil and climate.

Montana and North Dakota are young States—both acquired statehood less than 70 years ago, in 1889. Alberta and Saskatchewan became Canadian Provinces in 1905. The country on both sides filled rapidly with homesteaders about 50 years ago, after the railways went through. The first homesteads were usually half sections, 320 acres, all that could be handled with the horse-drawn machinery of the day. Many homesteaders went to Alberta from the United States, one reason for the particular closeness along this border. But the main tie is the identical western life shared by all the ranchers and townspeople—same climate, same adversities, same tradition of self-reliance on the frontier. People understand, sympathize with, and respect each other.

The big West was never meant for small farming. Today the rule of thumb is that anything smaller than six quarters—960 acres, a square mile and a half—can't be made to pay off. Reason: A man needs just as much expensive machinery to farm 1 quarter section as 6, and if machinery isn't used full time it won't pay its keep.

Oldtimers like Gomer Thomas remember the days of open-range cattle country before the homesteaders came in with their fences. Gomer was born in Wales, but he settled on the American side of the line. Back in the open-range days the border was universally ignored. Cattle ranged where the feed was good, drifted before storms, found the best winter grazing and the sweetest summer water, wandered fantastic distances. Once a year at roundup time all the cow outfits, Canadian and American, joined up for range riding and calf branding, sorted out market stuff and drove big herds overland to shipping points.

Before that it was Indian country—the "Wild West"—and the Plains were ranged by hundreds of thousands of buffalo.

It's still full of Indians, who have special rights about crossing the border and do lots of intertribal visiting to help celebrate Indian holidays. The buffalo are gone except for a few protected herds. There's still lots of livestock, cattle and sheep and cow outfits still cross the line to help one another round up cattle and to share one another's rodeos. As for the border cow critters, they still can't tell the difference between flags, go where the grazing is good, get through fences as livestock will—and create a border problem.

Bob Sutton, on 3,400 acres just west of Whitlash, has cattle and sheep both, and wheat, too, and 3 oil wells on the place. His ranch—the brand is X Lazy H—is right on the border, with a couple of miles of fence between himself and Ernest King, his neighbor on the Canadian side. Ernest has just the same kind of spread. Bob and Ernie, a year apart in age, grew up together, went to Sunday school together—the Sunday school was on the Canadian side then—were boyhood inseparables. Their wives, attractive and competent, also knew each other before marriage made them immediate neighbors. The present crop of Sutton and King kids doesn't cross the line quite so freely as their dads used to, because today's border patrol, which does show up from time to time, says no-no, and Suttons and Kings are law-abiding people who want to do what's right.

"Stock cross the line? I should say it does. Grass always looks better over there. And we get Canadian cattle down here—had three head the middle of last winter."

How do you get strays back? Just saddle a horse and ride over the line after them? The law says that's bad—you're legally supposed to go way around through a port of entry, report to customs, and after you've

found your cattle bring them home through the customs station. A man could lose quite a little time obeying that law. At the same time a man doesn't want to get the border patrol or the Royal Canadian Mounted Police on his back for illegal movement of cattle across the line—and even a dimbrain can spot cattle and horse tracks on a soft dirt trail.

This is where officials and ranchers work together, trust each other. The usual solution is a phone call: "Joe, I've got three head up in Canada. All right if I take a horse and push them back through the fence?"

"Go to it."

Chances are the rancher doesn't even realize his way is probably smoothed by another phone call, this time from the American official to his Canadian opposite number. In fact, word of his little three-cow expedition may percolate all the way to the prow-car radios of the patrol and mounted police who do the actual border watching.

Big as the border is and open as it seems, you don't travel it long before becoming aware that literally nothing happens along it without the knowledge of the quiet gents in Government suits. Soft-spoken and obliging, they are the easiest people in the world to deal with as long as you are on the up-and-up. But in country so big and thinly settled any deviation from the norm sticks out like a thumb in a bloody bandage.

"We know what's going on," an officer in charge of an American border station told me. "Shucks, out in the West everybody knows everything—the bigger the country, the harder it is to keep a secret. Suppose Joe Miller's wife gets sick and has to go to the hospital. Everybody knows she's there—it's in the paper. Everybody wonders who's going to take care of Joe's kids and the housework while Irma is away. There are only two girls he might get, and one of them is Mary Brown—she lives on a ranch 4 miles across the line in Canada, a good girl and glad to help out. Of course, the law says she can't take employment in the United States. But in a situation like that, are we going to be nasty and ride herd on Joe? Perhaps it's smarter all around if he doesn't ask our official permission, because we have to be official when we're approached officially. The one thing everybody understands is that Mary couldn't get away with taking a permanent job here, unless she went through channels."

Many things besides neighboring take Canadians and Americans back and forth across the border. Plain old-fashioned fun is a big lure. The West is square-dance country and any Saturday night sees carloads of people travel long miles over dusty back roads to a party. If the party is in Canada, Americans go up there. If it's in the United States, Canadians come down here.

At little Whitlash a square-dance club called the Border Promenaders puts on a rousing evening in a little crossroad hall opposite the postoffice, which doubles as United States customs and immigration station. Square-dance callers specialize in the modern variety of singing call, use records and a loudspeaker system instead of the old cowboy fiddle. No babysitters here. All the small fry come along and the infants presently get laid out to sleep on the straight-backed chairs that line the crowded, swirling room. An outsider can't tell Canadians from Americans, though locals say they can easily spot differences in clothing, mostly in women's dress materials and the trademark brands of men's wear.

American liquor laws are more liberal, just now, in Montana and North Dakota, than Canadian law in Alberta and Saskatchewan—bars stay open longer and sell more kinds of firewater, which brings in many Canadian visitors seeking a good time, a switch from the departed days of

United States prohibition when the good-time travel was all the other way.

Shopping, too, is a big lure. Canadians who stay 48 hours in the United States can take back \$100 worth of merchandise apiece; Americans spending the same length of time in Canada can bring back \$200 worth duty free. Line-crossing formalities are minimal for bona fide citizens on both sides—no passports are required. American women say stores and service are better in Lethbridge and Calgary than in Great Falls or Helena—but Canadian women maintain it's just the other way around, which shows livestock isn't unique in believing grass grows greener on the other side of the fence.

People also cross over for medical and dental care. Edna Nutter, whose husband Carl is a border rancher not far from Sweetgrass, says: "When the children needed teeth straightened I used to take them 100 miles to Great Falls. But the orthodontist there is overworked and sometimes it took weeks to get an appointment. One day we had a Canadian visitor who told me there was a new man up in Lethbridge, in Alberta—really easier for us to get to. I tried him, and it's been wonderful. Now we all go to Lethbridge for our dental work, and so do lots of other families around here."

Four hundred miles farther east, over near the North Dakota line, Regina, capital of Saskatchewan, draws people from all over northern Montana and North Dakota to a cancer clinic famous as one of the finest anywhere; American physicians call on it as freely as on any hospital within our own borders, and patients speak of it with a gratitude and affection that transcends nationality. Similarly, the clinic and hospitals in Billings, Mont., serve a steady stream of patients from beyond a border that is no barrier.

Another important border relationship grows out of close-knit ties among every kind of club, social organization, fraternal group, or athletic team along the line. Sweetgrass, Mont., and Coult, Alberta, twin towns on the border, have one Lions Club between them—a true Lions International. Four-H Clubs on both sides of the line exchange visits, camp together, join up for sightseeing trips and picnics. A practice found all along the border is the exchange of friendship stones—boulders, sometimes so big that it takes four men to lug them—held in custody by a Kiwanis, Rotary, or junior chamber of commerce for a year, then taken across the border to a club on the other side. In many clubs and lodges, exchange visits are so common that both Canadian and American flags are permanently ensconced on the rostrum.

Canadians are fervent baseball players. They've retaliated for importing our national game by exporting a Scottish pastime now going great guns in western Canada—curling. This cold cousin to bowling, played with polished stones skidded along an ice rink, has permeated our northern tier of States, and if you don't think neighborliness is effective you haven't seen a Dakota rancher in cowboy boots and a big hat frantically wielding a broom to help a slow-moving stone slide along the ice to its goal.

Lee Hansen, United States customs officer at Sherwood, N. Dak., says: "Canadians come down here to play golf, to visit our Masonic lodge, to watch hockey games and play in them. Americans go into Canada to fish, to train bird dogs, to hunt elk and caribou. And I have five men who cross the line every day to farm in Canada, and several more farmers who go up for 3 weeks at a time; own ranches on both sides."

Numbers of Americans have taken advantage of Canada's generally lower land prices to buy fine ranches up there, and, as farm machinery can cross the line both ways duty free, they ride their tractors into Canada in the morning and ride them home at night.

For marketing, wheat quotas and other regulations, crops on either side of the line come under the law of that side. But ambitious operators take advantage of one honest border loophole. Registered seed wheat and registered purebred cattle cross the border free of both quota and duty. This fancy stuff is more trouble to raise, but rewarding in the payoff.

Open as the border is, professional smuggling isn't a major problem, though it does flare up now and then, especially at times when there's a big price advantage on either side. When there's really big money to be made, smugglers can be mighty resourceful. This peaceful border was one of the world's most notorious in the days when rumrunners used to come barreling down these same back roads, and the most innocent-looking barn might house a liquor cache worth a fortune.

Today cattle and sheep are the principal smuggling problem. The big trick is to bring in the stock unbranded, then slap a legal brand on it once it is over the line. A couple of years ago an American smuggler made a deal with a Canadian rancher to buy his herd and pay \$5 a head extra if the stock was left unbranded. The Canadian went for it, but squawked bloody murder when the unbranded herd was hijacked and driven across the border one dark night before any money had passed. They never did catch that smuggler.

One North Dakota sheep smuggler baffled authorities for months. Customs officials were sure his sheep originated in Canada, but couldn't pin it on him until one agent secretly went to the suspected source in Canada and smeared invisible dye on the animals' wool. When that dyed wool turned up in a warehouse on the American side, the smuggler went to jail for 2 years.

Smuggling of aliens is sometimes a problem, too, particularly after big population upheavals and emigrations of refugees and displaced persons. The 1956 Hungarian tragedy brought an inevitable drift of pathetic men and women to the Canadian-United States line, some in ingenious efforts to pass border stations openly, some grimly determined to sneak through the wide-open spaces.

What aliens don't reckon on is the enormity of the country, the lack of cover, the 50 miles between the border and main highways and railways where they can get transportation, and the simple fact that any stranger, even an American, sticks out. Foreigners betray themselves at every step by language, clothing, lack of money, lack of documents, everything.

The old melting pot is still a bubble, however, and transborder marriages are common. A year and a half ago a Canadian ranch girl named Isabel Gottfried—that isn't her real name—went to Calgary and got a job selling notions in a five-and-dime store. One weekend her girl friend asked her to come along down to the States in a car—really to chaperon her girl friend and her beau. So Isabel found herself in a bar-and-lounge in Glasgow, Mont., having more fun than she had ever had in her life.

Isabel didn't usually talk to strangers, but she found herself next to the nicest young fellow, and the first thing you know they were dancing together—he kept putting quarters in the jukebox. He came from a big ranch about 30 miles north, and the funny thing was that his folks were originally from Austria, and Isabel's own father had come from Switzerland, though she was born in Canada.

Isabel and that boy were married in March 1958 right there in Glasgow, and I found Isabel over the washing machine in the big ranchhouse. She'll probably spend the rest of her life in Montana, but they'll visit back and forth to Alberta.

There's a peace park on the line at Waterton-Glacier and a peace garden between Dun-

seith, N. Dak., and Boissevain, Manitoba, in which people have tried to express formally and somewhat self-consciously the special amity of the border of brotherhood. But the expression which means much more is the spontaneous kind of thing that busts out through the roughness of inarticulate men who simply know they've got a thing so good they must avow it publicly, any way they can. Ever since May 30, 1938, Decoration Day, the Canadian Legion has marched down to the line at the obscure border crossing at Elmore, in Saskatchewan, and the American Legion has marched up from Sherwood, N. Dak., to meet them. There at the border these little groups of men in the outgrown uniforms of past wars get all mixed up together, and the flags flapping in the mild spring breeze get all mixed up, too, until it doesn't seem very important which is which because they all mean the same thing—which is that everyone has a country and a flag, but not everyone can share it this way.

At first the music was a single Canadian bagpiper named MacIntosh. Now they have bands—military bands and high-school bands—and a draped rostrum and speakers. Afterward they all go down to Sherwood and Mohall and make a holiday of it.

Elmore started this—and it has spread all along the line. Good things do spread along the line.

Indeed, our consciousness of the line as a link, not a barrier, is the most precious thing about it. I have lived near many borders, seen tank traps and pillboxes between Czechoslovakia and Austria, Maginot fortress and concrete bastions between France and the Reich, barbed-wire tangles and armies of men between Italy and Yugoslavia. I have stood, hat in one hand and passport in the other, before petty officials in ornate uniforms, conscious that all the man had to do was shake his head and I couldn't go past the heavy barrier he had lowered across the road.

Nowhere else in the world have I seen anything like the border of brotherhood between Canada and the United States. For a heartening experience in the working fellowship of man I commend it. No border anywhere can be any better than this.

MR. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD also an editorial from the Glendive, Mont., Ranger of July 30, 1958.

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

THE FRIENDSHIP FRONTIER

We can testify to the views of Paul Schubert, writing in a recent issue of the Saturday Evening Post, that the border between Canada and the United States is unlike any frontier in the world.

Schubert says that the friendliness of persons on both sides of this unfortified border is a "heartening experience in the working fellowship of man." Being situated close to Canada as we are the people of Glendive are qualified to say that this is an apt description of the condition that exists. Crossing into the United States from Canada is almost as easy as passing from Montana into North Dakota and, in fact, less difficult than entering California where "bug men" inspect your car like it might be loaded with tarantulas.

The people of Glendive, we know, are always anxious to welcome visitors from Canada.

HOUSING CODE STUDY

MR. SPARKMAN. Mr. President, A housing code study has just been completed in the State of New York, under the joint sponsorship of the New York

State Housing Division and the Urban Renewal Administration, of the Housing and Home Finance Agency. The Honorable Joseph P. McMurray, commissioner of the division of housing, State of New York, supervised the study and the preparation of the report. Senators will remember that for several years Joe was staff director of the Senate Banking and Currency Committee, and did an excellent job, particularly in the field of housing.

I have not read the report, Mr. President, and therefore cannot say that I agree with all parts of it. However, all of us know that sound housing-code procedures are essential to sound housing construction and maintenance. It is with this thought that I call the report to the attention of the Senate and of housing authorities over the country. In order to make available more details regarding the report, I ask unanimous consent that the release issued by the division of housing, State of New York, be printed at this point in the CONGRESSIONAL RECORD.

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

Pointing out that while there are approximately 1,600 cities, towns, and villages in New York State, fewer than 500 report building permit statistics and less than two-thirds inspect new construction to make certain of safety, sanitation, and restraint of fire hazards, Housing Commissioner Joseph P. McMurray today transmitted to Gov. Averell Harriman the results of a 3 volume 2-year study entitled "Housing Codes, The Key to Housing Conservation" and stressed the urgent need for expanded State leadership to aid all communities within the State in conserving and rehabilitating their predominantly older housing.

The report suggests four possible methods of approach to more effective State assistance for local programs: (1) closer coordination of State programs and cooperative pooling of local resources; (2) adoption of additional mandatory requirements to supplement existing State regulations in this field; (3) technical assistance by the State to local communities on a reimbursable cost basis; and (4) State financial assistance to communities based on the type and scope of local program in relation to need.

This study raises vital questions of State policy which will entail considerable time and thought in arriving at sound, imaginative, and long-range decisions, Commissioner McMurray stated in his letter of transmittal to Governor Harriman.

"Code enforcement programs have achieved recognition as indispensable weapons in the struggle against deterioration in slightly more than half the cities of over 50,000 population in our States," said Commissioner McMurray in commenting on the proposed code. "Most of these programs, however, cannot be compared with the more successful ones undertaken by such out-of-State cities as Baltimore, Cincinnati, Detroit, and St. Louis. While these are larger centers, the programs of Portland, Maine, and Rockford, Ill., clearly demonstrate the capacity of medium-sized cities to manage their rehabilitation and conservation programs successfully. On the other hand, within our State, Rochester, has done an outstanding job."

"Today there are very few regulations applicable to existing housing other than State mandatory laws. Almost no enforcement of these regulations is undertaken except on a complaint basis. In the course of this study, some 43 jurisdictions of under 50,000 popu-

lation were surveyed. It was revealed that 27 had no regulations whatever governing the maintenance of housing; 30 others had no regulations requiring basic facilities such as toilets, bathing, or even water supply. Another 24 had no regulations pertaining to sewage disposal other than those contained in the sanitary code.

"Our reports indicate that smaller communities, unable now to afford the employment of full-time technical or enforcement personnel, could benefit greatly by pooling their resources and engaging in cooperative programs. Adjacent communities could join together to administer building and housing regulations.

"In the larger communities, programs are handicapped by lack of coordination among municipal agencies. Our study revealed that planning agencies were, as a rule, not consulted in the formulation of code-enforcement programs. Available manpower resources have been spread too thinly in costly decentralization. Out-of-State cities have more success in recruiting personnel because their salaries average about \$700 per year higher."

The reports indicate that, excluding New York City, as of January 1, 1958, nearly 44 percent of the urban and rural nonfarm housing in the State was constructed prior to 1919. Slightly over 50 percent of New York State's 5 million dwelling units are located upstate.

"The adequacy of a community's housing resources is a prime factor in the maintenance of a stable economy," Commissioner McMurray declared. "This study demonstrates the type of practical program that local communities can adopt quickly and operate continuously without requiring massive financial investment from governmental and private sources which occurs in the complete demolition and redevelopment of slums. Redevelopment, while it must be continued, is an expensive and time-consuming process. Rehabilitation and conservation, through housing code administration, is a difficult, more subtle, but extremely essential treatment, regardless of whether the major surgical operation of redevelopment is necessary. Adoption and effective administration of a housing code is the basic and fundamental weapon in the vital housekeeping function of preventing blight and decay," Commissioner McMurray stated.

The first volume of the report entitled "Code Enforcement Programs and Recommendations" analyzes the role of the State and various types of local governments and their relative capacity to undertake code enforcement programs. It summarizes the present programs undertaken by the State, large municipalities, and smaller communities. Programs are developed which should lead to basic improvement in the administration of rehabilitation and conservation.

The second volume, entitled "Minimum Housing Standards Ordinance," is a model housing code designed primarily for local adoption. The grouping into a single document of all regulations pertaining to housing standards is the outstanding advantage of a housing code. This code, properly sustained by supporting codes and ordinances, can be effectively utilized by communities to extend the useful life of large segments of their housing inventories. Housing codes apply principally to existing residential structures, and provide minimum standards governing occupancy, maintenance, health, utilities, light, and ventilation facilities. Building, plumbing, electrical, and other construction codes are basically concerned with new construction. The multiple-residence law is applicable to structures housing three or more families, except in Buffalo which is regulated by the provisions of the multiple-dwelling law. While systematic enforcement of building and housing regulations is necessary to conserve the housing inventory, a

housing code is the principal tool in the administration of rehabilitation and conservation programs.

The third volume, entitled "Administrative Guide for Local Programs," illustrates methods of administering and enforcing housing conservation and rehabilitation. The significance of periodic inspection, the maintenance of adequate records regarding violations, and a quasi-judicial approach to conducting hearings to ease enforcement problems are emphasized. Recommendations for the administration of local programs are based upon the analysis of procedures utilized by 53 New York communities and the outstanding programs of 19 cities outside of the State.

"Today, in order to qualify for Federal urban renewal assistance, a community must meet the terms of a workable program. Point I among the qualifications declares that a community must have adequate local housing, health and safety codes and ordinances, and they must be effectively enforced. Adoption of the minimum housing standards ordinance which is recommended in our report would enable communities to meet this requirement more easily."

This \$145,000 study was jointly financed by the State division of housing and the Urban Renewal Administration pursuant to section 314 of the National Housing Act of 1954. It concentrates mainly upon housing and interrelated code enforcement problems in the more highly urbanized communities of the State, excluding New York City. The study received sustained cooperation and support from the Housing and Home Finance Agency, Albert M. Cole, Administrator, and the Urban Renewal Administration, Richard L. Steiner, Commissioner. Assistance was also given generously by many State and local agencies.

Suburban renewal is fully as important as urban renewal, the reports indicate. Municipalities with a population of over 50,000 have been able to do a better job of solving housing problems than smaller cities, towns, and villages. Our figures show that the smaller communities are faced with an aging housing inventory and substandard housing. The bulk of the power housing has been built in the suburbs, and older neighborhoods have been generally bypassed thus accelerating the major factors contributing to the surging spread of slums and blight.

"Copies of the three volume report are being distributed widely throughout the State to municipalities, officials, State agencies, and interested groups," Commissioner McMurray stated.

As a necessary first step in the development of effective code enforcement programs, Commissioner McMurray proposed the retention of the small expert staff to provide assistance to the urban communities of the State in the rehabilitation and conservation field.

Mr. MUNDT. Mr. President, I ask unanimous consent that the remarks I am about to make be printed in the portion of the RECORD devoted to the morning hour.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

AMERICANS FOR CONSTITUTIONAL ACTION

Mr. MUNDT. Mr. President, I think the date of August 4 may well go down in American history as one of the most memorable dates in the political history of the United States, because on today there was an announcement from Pittsburgh, Pa., of the formation of a new

organization in the field of American political life, under the title of Americans for Constitutional Action.

Mr. President, I ask unanimous consent to have printed at this point in my remarks the news release issued from the office of Adm. Ben Moreell, of Pittsburgh, Pa., this morning.

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

AMERICANS FOR CONSTITUTIONAL ACTION—NEWLY ORGANIZED ACA PROMISES FIGHT FOR FREE AMERICANS

PITTSBURGH, PA., August 3.—Formation of Americans for Constitutional Action to "aid in the promotion and preservation of the American system of constitutional Government" was announced here today.

The announcement was made by Adm. Ben Moreell, of Pittsburgh, United States Navy, retired, chairman of the board of Jones & Laughlin Steel Co., who is chairman of the board of trustees of the new organization. Other trustees of ACA include Henning W. Prentiss, Jr., vice chairman of the ACA, of Lancaster, Pa., chairman of the board of the Armstrong Cork Co.; former Secretary of the Navy Charles Edison, of New Jersey, former Democratic Governor of New Jersey, and now chairman of the board of McGraw Edison Co. and treasurer of ACA; Hon. Ed Gossett, of Dallas, Tex., now general attorney for Texas and the Southwestern Bell Telephone Co. and a former Democratic Member of the House of Representatives, and Dr. Walter D. Martin, of Norfolk, Va., a former president of the American Medical Association.

In announcing the formation of the new organization, Admiral Moreell made public a formal policy statement. It read:

"Whereas it is the conviction of the founders of Americans for Constitutional Action that the great majority of our fellow citizens have a profound faith in the principles of American constitutional government and the system of free enterprise under which America has grown great; and

"Whereas there is increasing concern among many thoughtful Americans over the threat to our basic American institutions as a result of the complex problems now presented to America and to the world by the growing threat of socialism and communism and the resultant challenge to the capacity of the American economy to provide properly and adequately for our defense and, at the same time, preserve America as an economically stable, self-governing Republic that may continue to provide its people with a widely distributed well-being and to serve as an example to the world of a continent-wide civilization that can survive without resort to organized intolerance, economic class conflict, the liquidation of oppositions, or the slavery to an all powerful state: Now, therefore, be it

"Resolved, That it shall be the policy and the primary objective of Americans for Constitutional Action to seek common ground and to stimulate by all proper means the activities of all citizens and organizations seeking the preservation of the American way of life and the American system of government and our system of free enterprise and private property under the constitutional safeguards provided by the Founding Fathers; and

"To this end, it shall be our endeavor:

"A. To awaken Americans everywhere to the dangers that are facing us at home as well as abroad;

"B. To inculcate a sense of individual obligation to the community, State, and Nation;

"C. To assist in research and education as to the forces now active in American political life;

"D. To consider and to utilize the most practical political action by which these

problems may be solved in full harmony with the provisions of the American Constitution and without stifling American enterprise in the embrace of a completely regimented economy.

"E. To support, regardless of partisan considerations, causes and candidates conforming to the following all-American objectives which are essential to the preservation of the opportunity State created and preserved by our Republic:

"1. Preservation of our Government as a Republic through the support and utilization of the guide lines established by our Declaration of Independence, the Constitution of the United States, and its Bill of Rights;

"2. Unqualified support and protection of free enterprise and private ownership, with its reward of merit system, as it functions within the framework of sound and workable two-party government;

"3. Adherence to Government and economic concepts which will protect the principles of sound money, effective economy, taxation for revenue only, and to operate our Government within the framework of a balanced budget;

"4. Articulate and effective support of the constitutional provision guaranteeing that all powers not expressly granted to the Federal Government are reserved to the States and to the people;

"5. Intelligent and energetic use of the secret ballot and the demonstrated desirability of an effective two-party political system in implementing the capacity of free men and women to control their own destinies;

"6. Active participation in the primary and political convention decisions within the political party of our own choice, so as to select appropriate nominees, and the determination to support—regardless of party affiliation—candidates for office who most nearly embrace and support the provisions of this policy statement."

Americans for Constitutional Action conceive that freedom is dependent upon the limitation of government and that stability of the American economy is vital to the continued development of America with full justice to all elements of our population.

In seeking the attainment of these objectives, Americans for Constitutional Action welcomes the cooperation and support of all like-minded citizens and organizations who are willing and ready to place constitutional convictions ahead of partisan loyalties.

Mr. MUNDT. Mr. President, this news release includes a statement of policy of the new group, indicating what the group has in mind doing and the educational and political action campaign which they envision.

Mr. President, I also hold in my hand an analysis of the American political and economic trends as they are envisioned by the promoters of Americans for Constitutional Action, which includes a diagnosis of the problem and a suggested cure for the situation which confronts the country, as well as the reasons which led this group of distinguished Americans to originate and create the new organization known as ACA. I ask unanimous consent that it may be printed in the RECORD at this point in my remarks.

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

THE CASE FOR AN ACA—AMERICANS FOR CONSTITUTIONAL ACTION

THE DIAGNOSIS OF THE PROBLEM

For the past three decades, there has been a steady increase in the pressures being exerted in this country on both of our major

political parties and on all candidates for major public office in an effort to push or pressure them toward support of causes which for want of a better term are labeled as "leftish" in nature. They are the causes which move toward socialism.

Sometimes these causes involve outright ownership and operation of commercial-type industries. More frequently, they (1) involve excessive and extravagant Federal expenditures; (2) crippling and unnecessary Federal regulations or restrictions; (3) the steady and substantial growth of the powers, authorities, taxes, and activities of the Central Government in Washington; (4) the invasion of the Federal Government into areas of activity normally under our Constitution reserved to the States; and (5) a whole family of legislative suggestions designed to narrow the horizons of individual opportunity in America and to expand the powers, authorities, and activities of whatever brand of politicians happens to be in the executive and legislative positions of responsibility. Even our Supreme Court at times seems to be affected by these trends: to vest more and more authority in men and to preserve less and less authority by statute.

Basically, there are three significant reasons why these pressures and trends continue to pyramid and why the traditional American constitutional and conservative points of view, which are shared by a majority of all Americans, fail to register themselves successfully in our national elections and may have permanently lost an effective means of manifesting themselves in our National Congress.

These are (1) our electoral college system, whereby a plurality of one vote can swing the entire bloc of electoral-college votes of vast States like New York, California, or Pennsylvania behind a winning candidate so that for President or Vice President this winner-take-all concept gives the individual with that one extra vote the electoral college votes not only of all those who voted for him but also of all those who voted against him. Thus, by concentrating upon the voting blocs in 12 vast cities of 8 large States, any political party and any presidential candidate can usually win a national victory if it wins these 8 large States. Either party can add to the collective votes of these eight pivotal States sufficient electoral votes from strongly partisan, smaller States generally supporting that party to make victory almost certain. Thus, pressure groups—(COPE); the ADA (Americans for Democratic Action), and others—can spend their funds and talents on these 8 carefully selected States and the 12 great cities dominating them and usually come up with a national victory except when overriding issues or national emergencies arise to disrupt this general political rule.

(2) Conservatives and those who cherish constitutional standards of freedom in this country are artificially divided in and out of Congress by the Mason-Dixon line which since the War Between the States has, in the main, made the Republican Party ineffective in Congressional campaigns in the old South and except for rare occasions has held the South in line for whoever gets the Democratic nomination even when such nominee is selected by northern liberals and becomes beholden to the northern pressure groups to the point that his policies are inimical to many of the very southern conservatives whose votes he needs and gets in order to be elected.

(3) Americans for Democratic Action (the ADA) increasingly has become the spearhead organization and the political catalyst which has brought into effective and united political action such strong political forces in the North as the CIO-PAC (COPE); the big city Democratic machines; nationalistic and radical blocs; and the ADA itself. The ADA is a comparatively small but very well financed group of self-proclaimed liberals who exert great and effective authority in de-

termining the party platforms, policies, and personalities dominating the Democratic presidential conventions. At times, the ADA also has influence in determining Republican nominations for governor, Senator, and Congressman in the urban States of the North and East.

Thus, our American political picture has developed a third dominant and effective force within our traditional two-party system. This third force is the ADA and its coordinated and cooperating power blocs as enumerated and suggested in paragraph (3) above. Since almost always this third force supports Democrat nominees for House and Senate as well as for President, the capacity of constitutional conservatives to unite for victory has been seriously—some believe hopelessly—impaired. A fourth force is needed to put our American political pattern back in balance and to provide an opportunity for constitutional conservatives everywhere (regardless of party affiliation or geographical location) to work together for success. Otherwise, the existing formula of two against one seems designed to elect a Congress in 1958 which will be far more leftist than our present Congress. This third force—unless challenged by an equally effective fourth force—may very well also nominate and elect a presidential candidate in 1960 designed to outdeal the New Deal and to push us far toward national socialism.

Inasmuch as clever, self-serving politicians, operating through ADA and other pressure groups, frequently receiving financial and personal-worker support from COPE, have taken advantage of the impact of the industrialization of large urban States upon our electoral college system of bloc-voting for President, and since these big city career politicians have recognized the opportunity for pressure group control which grows out of the fact conservatives in America are divided, separated, and frustrated by operating as Democrats in the South and as Republicans in the North, something different must be done if the relentless, reckless drive to the left is to be stopped in the United States of America.

THE CURE—WHAT MUST BE DONE TO PROTECT OUR AMERICAN CONSTITUTIONAL CONCEPTS?

What is needed in order to equalize the success chances of our competing political philosophies in America is clearly indicated—we must create and support an ACA (Americans for Constitutional Action) which will vigorously and definitely support conservative, constitutional-minded causes and candidates, with the same tactics, force, finances, and determination that the ADA devotes to its highly successful program of supporting left-wing causes and candidates.

The ACA (Americans for Constitutional Action) in general elections should be strictly nonpartisan as between Republicans and Democratic candidates. It should consistently support the more conservative and the more constructive candidates and causes whether sponsored by Republicans or Democrats. It should meet head-on and toe-to-toe the political quackery espoused by Americans for Democratic Action. It should assume responsibility and develop the facilities for challenging, answering, and repudiating the left-wing positions and proposals habitually adopted and advocated by the ADA. It should oppose the socialistic schemes of the ADA and embrace and support the traditional concepts of the American Opportunity State that private ownership and our reward of merit system have made possible. In primary elections and political conventions it should actively support the available candidate most nearly embracing its position.

The ACA should support in Congress and in State legislatures those measures which are sound and right. It should oppose those measures which could destroy our solvency or undermine our basic American concepts of States rights, private ownership, and free

enterprise. At election time, it should, in turn, support its friends and oppose its enemies as the ADA supports or opposes candidates on the basis of their devotion to its liberal causes.

At worst, the ACA could force back together the conservative coalition in Congress which for over 20 years successfully stopped the greatest excesses toward statism in this country but which in the summer of 1957 was torn apart and destroyed by the Congressional debates and votes on Hells Canyon, civil rights, and atom power—in that order. Southern conservatives (almost without exception in the Senate) stubbornly voted for socialistic steps toward Government ownership of Hells Canyon power development and federalized atomic power while Northern conservatives voted for civil-rights legislation which the South opposed. Whatever the merits of these votes, the conservative coalition in the Senate suffered badly as the result of them—the private ownership group resented bitterly the consistent voting of Southern conservatives for big government and for Government ownership of atomic and hydroelectric powerplants which the Southern conservatives resented, the Northern conservatives voting against States right on civil-rights measures. Today, consequently, both private ownership of the power package (coal, natural gas, petroleum products, atomic power, and hydroelectricity) and States rights are in great jeopardy. An active American for Constitutional Action could aid greatly in forcing this conservative coalition back together again. Otherwise, public power generated by hydrodams or atomic plants can lead the entire power package with all of its five basic elements as set out above into State ownership and civil-rights legislation can become the spearhead for other bills on other subjects reducing the rights of our sovereign States solely to ceremonial functions.

Among other things, ACA should encourage the use and counsel of conservative, Constitution-minded journalists, editors, columnists, and commentators just as ADA so successfully is encouraging those who utilize or heed the counsel of leftwing columnists and commentators. An ACA, certainly, should be able to support those who counsel for America as well as ADA is supporting and encouraging its journalistic darlings.

To have maximum effectiveness, this ACA must provide the needed fourth force in American politics to nullify the one-sided advantage which ADA and its associated liberal groups, operating as a third force, has given parties and candidates of the left in our State and National elections.

ACA would have as much or as little reason to register under the Lobbying Act as the ADA. ACA would claim and receive equal time on TV and radio programs. Its news releases and press conferences would have the same claim to public attention as those of the ADA. The task of ACA would be to offset the political and propaganda activities of ADA.

ACA would utilize similar educational and information media as those employed by ADA in alerting Americans, generally, to the significance of organized political activity in achieving wise decisions at the polls. ACA would emphasize the importance of using the criterion "Which candidate more nearly supports my basic American viewpoints?" rather than "Which candidate belongs to my political party?" in determining the candidate meriting sufficient support to win. In both parties, in every primary, there is a choice—and in virtually every area of the country there is or could be a second choice in the fall election so that candidates most nearly meeting your ideals of constitutional-conservatism can be elected. Thus, our American concepts and freedoms can be

preserved—if we deserve them and organize to protect them.

ACA should be open to individual members and contributors of both political parties and to all loyal independent Americans. We should encourage leading officials of reputable organizations supporting constitutional and conservative causes to join ACA as individual members and to encourage their organizations to cooperate by coordinating their efforts in support of the causes and candidates supported by ACA. ACA should concern itself with our domestic issues alone and it should adopt broad, basic policies which will not dilute its strength and efficacy by differences over controversial details or specific proposals which have less than general, national application. Its board of governors or trustees should be bipartisan in nature and its spokesmen and officials should be bound by the policies and programs adopted by the board or by general conventions of the ACA. State and local ACA chapters should supplement the national activities of ACA.

Adequately financed and properly led, the ACA can be a catalyst for uniting the individuals and organizations of America dedicated to "the greatest liberal Government in the world"—the opportunity state created and sustained by constitutional, conservative Americans who combine the forward look with adequate respect for the time-tested formulas which have made us great and kept us strong.

Without an ACA or something close akin to it, the disorganized, dispirited, and disunited majority of our American citizenry who believe so deeply that "America didn't become the greatest country in the world by doing everything all wrong" can remain inarticulate and ineffective. We can criticize each other and campaign against ourselves but in the long run a formula which operates "two against one" in politics is as futile and fruitless as any other contest which is entered with the odds firmly stacked against us. To remain free, those who love freedom must become effective. To do this requires this fourth force to give constitutional conservatives an equal opportunity to succeed at the polls and to provide us with effective political machinery for preserving our heritage.

To be effective, this ACA force would have to recognize that there is always a choice between candidates and usually between parties in every campaign. They would have to realize that American politics is not composed solely of those with whom we completely agree and those whom we would completely oppose. But there is a difference in every election at every level, every time. They should seek candidates who would emphasize that difference as sharply as possible and they should support the candidates invariably in primary campaigns and in our fall elections who are most likely to be found on the side of constitutional, conservative government. By encouraging selections of this type, we can gradually expand the difference.

So long as constitutional conservatives continue to let the leftwingers select the jury (elect the Congress) and dominate our presidential nominating conventions for that long the shift toward socialism will continue. The decisions are made at the polling places and at nominating conventions. When good men permit others to select and elect their officials in a democracy like ours they have only themselves to condemn when things go wrong. Right will triumph only when those who should win organize their efforts and devote their talents to the practical problems of politics and demonstrate the capacity of self-government to perpetuate the great opportunity state which our way of life has created on this continent.

Mr. MUNDT. Mr. President, in the morning issue of the New York Herald Tribune of today, Monday, August 4, I note a syndicated column by the distinguished Washington correspondent David Lawrence, under the title "Moreell Group Seen Aiding Both Parties' Conservatives." This is a very interesting and informative column, and gives the very significant and important endorsement of David Lawrence to this new movement. I ask that the column be printed in the body of the RECORD in connection with these remarks.

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

TODAY IN NATIONAL AFFAIRS—MOREELL GROUP SEEN AIDING BOTH PARTIES' CONSERVATIVES

(By David Lawrence)

WASHINGTON, August 3.—Conservatives of both the Republican and Democratic parties, as well as the many independents in the country who believe in the basic doctrines of conservatism, now will have an opportunity to combine their efforts for the cause in which they believe. This will be made possible through the Americans for Constitutional Action, the foundation of which organization has just been announced by Adm. Ben Moreell of Pittsburgh, retired, and a number of other prominent Americans in the field of business.

Admiral Moreell, who won fame during World War II for his leadership of the Seabees—the Navy's big construction corps—will have associated with him as trustees both Democrats and Republicans.

The main purpose of the ACA program is to support, regardless of partisan considerations the causes and candidates conforming to objectives which are essential to the preservation of the opportunity state created and preserved by our Republic. Here are the six main points of the platform of the ACA:

"1. Preservation of our Government as a republic through the support and utilization of the guide lines established by our Declaration of Independence, the Constitution of the United States, and its Bill of Rights;

"2. Unqualified support and protection of free enterprise and private ownership, with its reward of merit system, as it functions within the framework of sound and workable two-party government;

"3. Adherence to government and economic concepts which will protect the principles of sound money, effective economy, taxation for revenue only, and to operate our Government within the framework of a balanced budget;

"4. Articulate and effective support of the constitutional provision guaranteeing that all powers not expressly granted to the Federal Government are reserved to the States and to the people;

"5. Intelligent and energetic use of the secret ballot and the demonstrated desirability of an effective two-party political system in implementing the capacity of free men and women to control their own destinies;

"6. Active participation in the primary and political convention decisions within the political party of our own choice, so as to select appropriate nominees, and the determination to support—regardless of party affiliation—candidates for office who most nearly embrace and support the provisions of this policy statement."

GROUP HELD OVERDUE

Such an organization has long been overdue in American politics. The Americans for Democratic Action usually reflects the radical point of view in American politics, particularly that of the big labor organizations which create their own political committees in every campaign. They have been

giving money for political literature or precinct-worker help in Congressional as well as presidential elections, for the most part in support of the Democratic party nominees in the North. The ACA will probably be supporting many Democrats, but primarily these will be conservatives from the South. This is a significant move because the northern radicals have begun to support radicals in the Democratic primaries in the South, and here and there have been successful either in electing their own men or in intimidating those who would otherwise remain conservative.

Ever since the close of World War II, Congress has continued in the main conservative or at least nonradical because of the presence of a coalition majority derived from both parties. Such a coalition has never been given the direct political help and financial support that the radicals, with their millions of dollars collected from unionized workers, have been able to give their spokesmen in Congress.

Admiral Moreell has recently retired as chairman of the board of Jones & Laughlin Steel Co. and is a natural for the leadership of the movement that has just been christened "Americans for Constitutional Action." The new organization has the blessings of many conservative Democrats and Republicans in Congress who have been instrumental in helping it to get started.

Mr. MUNDT. Mr. President, in conclusion, as one who for many years—at least for 8 or 9 years, actively—has been suggesting there is something wrong with the party alignment in the United States, I welcome wholeheartedly this new venture in our American political system. I think many of us realize and recognize that the distinctions and differences between the two major political parties of this country for a long while have been something less clearcut and specific than is desirable, and something less than I believe is essential to produce the optimum functioning of our two-party system.

As long as 6 or 7 years ago, in association with the then Senator from Maine, Mr. Brewster, and others, I helped organize a weekend conference, held in the North Room of the Mayflower Hotel here in Washington on September 15 and 16, 1951, which resulted in the creation of what was then known as the National Committee for Political Realignment, which had the cochairmanship of former Senator Albert Hawkes of New Jersey, as a Republican, and Ed O'Neal of Selma, Ala., as a Democrat. Senator Hawkes had been formerly the president of the United States Chamber of Commerce, and Ed O'Neal was known to all of us as the very effective national president for many years of the American Farm Bureau Federation.

The group, after its meeting early in 1951, I believe, or in 1952, developed a brochure and set in motion procedures to try to alert Americans to the fact that we needed to have in this country some clear-cut definitions of party policies so that people who go to the polls in national elections would have a definite and significant policy choice to make on election day; and many of these people have been working in this vineyard ever since. So it is with a great deal of gratification that I notice the announcement from Pittsburgh this morning, and take this opportunity to call it to the attention of those who read the CONGRESSIONAL RECORD and those who listen

to what is said on the floor of the Senate.

May I say that I personally know a number of the distinguished officers of Americans for Constitutional Action, which include, in addition to Admiral Moreell, such men as former Secretary of the Navy and former Governor Charles Edison of New Jersey; a man with whom I served in the House of Representatives for a long while, former Representative Ed Gossett, of Dallas, Tex.; and a number of other distinguished Americans listed among the trustees of the organization.

Mr. President, knowing these men as I do, I am happy to report to the Senate and to the country, that this is not an organization of fanatics or extremists in any sense, but it is an organization dedicated to our great American system of providing for Americans all necessary information and necessary background to advance a political and economic philosophy which has too long been left unheralded and undefended by a distinguished organization of the type which has now been created to support it.

I am hopeful, as the months move along, we shall all see great results, because we do have a cleavage in American political life which is greater and more clear cut than exists between the Democratic Party and the Republican Party. Those who believe in one general economic and political philosophy will now have the opportunity to support and participate in the activities of Americans for Democratic Action, on the one hand; and those who oppose those convictions and beliefs now will have an opportunity, through Americans for Constitutional Action, to ally themselves with an equally vigorous and significant organization in defense and support of our traditional and cherished American opportunity system.

It is my hope, in conclusion, Mr. President, that the ACA can become the catalyst for those who believe in constructive and constitutional conservatism in this country in the manner in which the ADA has become the catalyst to pull together those groups with a very different political and economic philosophy with which I, for one, frequently find myself in total disagreement. ACA should now be able to do much to pinpoint the issues and clarify the atmosphere so that Americans, generally, can contribute more effectively to their basic responsibilities of self-government.

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who wish to address the Senate in the morning hour, if the Chair will conclude the morning hour I shall send a resolution to the desk and suggest the absence of a quorum.

The PRESIDENT pro tempore. Morning business is concluded.

THE LATE SENATORS MATTHEW M. NEELY, OF WEST VIRGINIA, AND W. KERR SCOTT, OF NORTH CAROLINA

Mr. JOHNSON of Texas. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be stated.

The Chief Clerk read the resolution (S. Res. 352), as follows:

Resolved, That the legislative business of the Senate be now suspended in order that memorial addresses may be delivered on the lives, characters, and public services of the late Senators MATTHEW M. NEELY, of West Virginia, and W. KERR SCOTT, of North Carolina, respectively.

The PRESIDENT pro tempore. Without objection, the resolution is agreed to.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. JOHNSON of Texas. Mr. President—

The PRESIDING OFFICER. The Senator from Texas.

MATTHEW M. NEELY

Mr. JOHNSON of Texas. Mr. President, there are very few men who had such a tremendous impact upon the character of Congress for as many years as did the late Senator MATTHEW M. NEELY. For 44 years MATT NEELY was associated with Congress. He served in both the House and in the Senate, and even when he left us for a term as Governor of his beloved West Virginia, the force of his ideas could still be felt in this Chamber. He was a dedicated man, fiercely devoted to the ideals which he had embraced.

He was a fighting man, who threw all of his tremendous energy and the inexhaustible resources of his oratory into the causes which were close to his heart. MATTHEW NEELY always met an issue head on. He would not compromise a principle or retreat an inch from the ground upon which his conscience told him he should stand. But even his strongest opponents respected him and admired him. What is more important, they liked him. They all recognized the inner sincerity of this towering, energetic figure.

The mountains of West Virginia are rugged and tall. The people of West Virginia live by the State's motto—"The mountain men are always free." MATT NEELY spoke the heart and soul of a rugged mountain man of West Virginia, who will always be free.

But I think the best monument to MATT NEELY will be the determination that Americans will always be free.

W. KERR SCOTT

Mr. President, I now turn to express some thoughts regarding another late colleague.

It is very difficult for us to realize that Senator W. KERR SCOTT is no longer with us.

To those of us who served with him, Senator SCOTT seemed a permanent part of the Senate. Every day, we looked over to where he sat for his quick smile, the red rose in his lapel, and his winning sense of humor.

KERR SCOTT loved people. KERR SCOTT's love was not an abstract, academic love. He wanted to do things for them because he was of them. And they responded in full measure to his devotion.

There were many times that I turned to KERR SCOTT for advice. I placed a high value upon his earthy common sense, his candor, his wisdom, and his dedication to the ideal of doing what was right and for doing something for the people of the Nation.

I was never disappointed in my judgment of the quality of his advice. It was of the highest caliber.

He had a deep devotion toward the people who tilled the soil. He was a farmer himself; and many of the finest achievements of modern agriculture are based upon the contributions he made. When he came to the Senate as a freshman Member the Democratic majority assigned him immediately to the powerful and important Committee on Agriculture and Forestry.

But KERR SCOTT's horizons were never limited. He had an understanding of all men, whether they worked on the land, in their overalls, in the factories, or in their blue serges in the counting houses. And at all times he was ready to listen to their problems with a sympathetic heart.

I think it can truthfully be said that KERR SCOTT gave every man a fair hearing and an honest chance to prove his case, and this is one of the finest qualities anyone can have.

All of us miss Senator SCOTT, not only as a Member of the Senate and an outstanding public servant, but as one of our closest and truest friends. He was a gentleman, a kindly man who loved God and the Christian way of life.

He has gone on to his reward. But he leaves behind to his loved ones and to his friends an inspiration that will be part of our lives for as long as we shall live.

MATTHEW NEELY

Mr. DIRKSEN. Mr. President, to me it has always been passing strange how a little act displaying interest or kindness can unlock the door of another man's heart and permit one to walk in. But so it was with MATTHEW NEELY. It was my privilege to serve with him in the House of Representatives and the Senate.

Long ago he became a militant crusader for the Neely-Pepper bill to augment research in the field of cancer. That measure was under some fire in the House when it came on for consideration. At that time he was Representative NEELY. For ought I know, I may have been the only minority Member who joined the crusade and made an effort to secure the enactment of that measure. When this legislative adventure had been concluded, MATT NEELY came to seize my hand, and for the first time I learned the reason for the deformity and missing fingers and why he became such an inspired missionary in the crusade against cancer.

It was symbolic of a far greater heart—a heart and soul which embraced all causes where the well-being of humanity was involved. Coming from a mining State, he threw himself into the fight

for a mine-safety bill so that men going down to bring up that resource in the depths of the earth with which to warm the firesides and drive the spindles and wheels of commerce would have the maximum chance to return to their families at the end of each day.

Like John Brown, who came from Kansas to Harpers Ferry in a day of judgment, MATT NEELY could thunder against things undone or things done wrong by his estimate. Like a circuit-riding preacher in pioneer days, he could wrestle with the Devil even as Jacob wrestled with the angels. Like a Will Rogers, he could draw upon an endless fountain of quaint humor for any occasion. And like a gentle-hearted minstrel, he could coax from the recesses of memory those sweet and lilting things to bring comfort to a weary soul.

Like a golden overlay was his indomitable spirit. His courageous approach to the everyday challenges of life was not unlike that spirit which, after a lifetime of pain and torture, made the young William Ernest Henley write his imperishable poem, *Invictus*:

Out of the night that covers me,
Black as the pit from pole to pole,
I thank whatever gods may be
For my unconquerable soul.

Such was the spirit of MATT NEELY.

W. KERR SCOTT

I turn now to a few remarks about another departed colleague.

How little we know about each other in this limited deliberative body, of the deep and intimate feelings, of the spiritual urges, of the emotions, of the interests that bring inner calm and peace, of the means by which men capture the durable values that make the very soul shine.

KERR SCOTT reminds me of Richard Evelyn Byrd. It is only natural that one should associate one who had so long undertaken such rugged adventures to Little America with a spirit that had neither time nor inclination for anything except breathless conquest. Yet in that Antarctic winter of 1934, on Ross Barrier, that bleak and icy shelf between Little America and the South Pole, his spirit could respond to the very ordered immensity of the universe. He could write in his diary that day:

The day was dying—the night was being born—but with great peace. Here were the imponderable processes and forces of the cosmos—harmonious and soundless. Harmony, that was it. That is what came out of the silence—a gentle rhythm, the strain of a perfect chord, the music of the spheres, perhaps.

Strange but inspiring sentences from the heart of a bearded man, discovering a new universe as it were.

And so with KERR SCOTT. On May 9, 1956, he spoke before the Senators breakfast group. He spoke on flowers. In that speech, he quoted the inscription on the plaque at Bok Tower near Lake Wales, Fla.

The kiss of the sun for pardon
The song of a bird for mirth
One is nearer God's heart in a garden
Than anywhere else on earth.

Who would have known that in the gentle heart of our departed colleague

there was such an abiding appreciation of the beauty of flowers, their symbolism at birth and in courtship and marriage, on birthdays and in time of illness, on Mothers Day and days for memorial, in life and at death and what a spiritual value they had?

Here, then, was the key to a gentle heart—to the stirrings of a quiet, modest, humble colleague who not only found freedom from the tensions of public service, and spiritual refreshment when the world came too close, but who also found God in the beauty of the flowers. Truly he exemplified an oft repeated phrase, "The holiness of beauty."

As an amateur gardener, all this may have struck me more deeply than some others. But I understand KERR SCOTT better now. No one can contemplate the indescribable beauty in countless forms in a flower garden, wondering how sun, rain, and soil can translate a seed or bulb or tuber into a thing of colored majesty to delight the eye and the soul without gaining a deeper appreciation that behind it all is the hand of the Creator, and also that man does not stand alone.

In the fellowship of KERR SCOTT is a lesson. If we knew each other better and what makes us all tick in the quiet moments when the soul rehearses, our forbearance, tolerance, and appreciation would be the greater.

And so a fragrant rose to the memory of our colleague KERR SCOTT. He left us an enduring legacy, if we will but embrace it.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that our colleagues who are absent from the city or who have been detained from the Chamber be permitted to insert in the appropriate place in the RECORD their remarks in connection with the passing of Senator NEELY and Senator SCOTT.

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

MATTHEW M. NEELY

Mr. REVERCOMB. Mr. President, it was with sorrow in my heart that I formally announced to the Senate last January 20 the death on Saturday morning, January 18, 1958, of the senior Senator from West Virginia—Senator MATTHEW MANSFIELD NEELY.

Although word of Senator NEELY's passing was not unexpected at the time—for he had been grievously ill for some months—I am sure it came as a shock to his family, his colleagues, his friends and acquaintances throughout the country, and that it caused mourning in thousands of homes in West Virginia and elsewhere.

It is likewise a solemn occasion today as Members of this body pay their final tribute to our departed colleague, who spent a total of 35 years in Congress.

If one might sum up in a sentence the chief characteristic of Senator NEELY, who served 5 terms in the House of Representatives, 5 terms in the United States Senate, and a term as Governor of his State, I believe that sentence would read—"He had a fighting heart."

He had experienced both victory and defeat during his long and eventful years—but he always came back fighting.

And when the ultimate defeat came, as it must to all men, he went down fighting.

I distinctly recall his appearance on the Senate floor for the last time, just 12 days before his death. Although he had to ride in a wheel chair, he insisted on attending the opening of Congress on January 7, 1958. Both time and age found in him a valiant, stouthearted opponent who fought to the very end.

Senator NEELY had an amazing career, overshadowed by few men in public life throughout the Nation's history.

The son of a country doctor, he was born on a farm in Doddridge County, W. Va., November 9, 1874. As a boy, he worked on the family's 150-acre farm, attended a country school, to which he walked more than a mile each weekday, 4 months each winter.

In 1893, he successfully passed an examination for a teacher's certificate, and the next fall was given a school at Windom, a small mining community in Mineral County. During those early teaching days, he attended spring terms at Salem College, earning his way by working and using the savings from his meager salary to further his education. In the fall of 1897, he entered West Virginia University, where he continued to work at a variety of jobs to help pay his way.

The Spanish-American War's outbreak found him enlisting as a private in Company D, First West Virginia Volunteer Infantry, at the first call for volunteers. He served 7 months, but was a member of the National Guard from 1900 to 1911, when he was mustered out with the rank of major. Until his election to the United States Senate, he was familiarly known as Major NEELY.

Returning to West Virginia University in 1899, he resumed his studies leading to a law degree. His forensic ability, for which he was later to become noted, was already in evidence, and he won numerous awards in oratory and debating. Receiving his law degree in 1902, he immediately began his career at the Marion County Bar.

Senator NEELY's first venture into politics was in 1908, when he was elected for a 2-year term as mayor of the city of Fairmont. He first gained statewide attention when he was elected clerk of the West Virginia House of Delegates in 1911.

His first big opportunity in politics came when President Woodrow Wilson in 1913 appointed the distinguished John W. Davis, of Clarksburg, later the Democratic candidate for President, as Solicitor General of the United States. Mr. Davis resigned his seat in Congress, and Mr. NEELY was elected to the unexpired term.

After being elected to three full terms in the House of Representatives, he was elected to the United States Senate in 1922. He was defeated for reelection in 1928, but 2 years later he was returned to the Senate for his second 6-year term, and was reelected in 1936.

In 1940, he was elected Governor of West Virginia, resigning his seat in the Senate on January 12, 1941, to be inaugurated chief executive of the State.

In the middle of his term as Governor, he again sought election to the Senate in 1942, and was defeated. He was elected to the House of Representatives in 1944, defeated for reelection in 1946, and was returned to the Senate in 1948. He was in the fifth year of his fifth term in this body when he passed away at the age of 83.

Thus, for half a century, he was a dominant figure in State and national politics, championing many a cause that attracted national attention.

I became acquainted with Senator NEELY many years ago, and our relations throughout the years were pleasant and cordial. We were political opponents in two senatorial campaigns, with the decision of the electorate a draw. He was a tireless campaigner, to be sure, but I can say in all truth and sincerity, I never had a fairer opponent on the public forum.

Senator NEELY was one of the most colorful figures ever to serve in Congress. His powers of oratory are well remembered by those here. He could be sharp in criticism, quick in repartee, flowery in eulogy, and brilliant in his choice of words. Few men were his peer in the use of the English language. Few men exceeded him either in ability or in the fighting spirit he displayed in the causes he supported.

As the Fairmont West Virginian, the Republican newspaper published in Senator NEELY's home town, pointed out at the time of his death:

If the real test of a man is his ability to face disaster unafraid, then Senator NEELY was pretty much of a man. As we have previously suggested, the Senator never appeared at better advantage than when he met defeat. It will be noted that only 2 years passed after each of his political defeats before he regained the victory. He was a fighter without a doubt.

The Senator's record speaks for itself and even the most bitter of his political opponents will have to admit that it was a record unsurpassed in this and other States. Like all of us, he had his faults, but we will leave it to the partisans to point them out. Today, we remember a man who served his people and often served them well; a man who never ceased to fight for what he believed to be right.

I would also like to quote from an editorial that appeared in the St. Louis Post Dispatch at the time of his passing:

Senator MATTHEW MANSFIELD NEELY, of West Virginia, died at 83 as rambunctious a liberal as when, in his undergraduate days, he burned the president of West Virginia University in effigy for being too reactionary. The 50 years he spent in public life were years of solid service because to him politics was people—the coal miner, the railroadman, the elderly widow, the man out of a job.

As mayor of Fairmont, W. Va., as United States Representative, Governor of West Virginia, and United States Senator, Mr. NEELY fought to make government mean more in the lives of most individuals. He was working for old-age pensions and protections for organized labor even before the New Deal. Social security, organization for world peace, aid to the needy, railroad retirement legislation, and legislation for the coal miners—these were measures close to his heart.

One of Senator NEELY's accomplishments during his first term in the Sen-

ate was to gain enactment in 1928 of the first bill ever approved by either House requiring the Federal Government to enter the war against cancer. And one of his last acts was to press for more funds with which to carry on the cancer research program.

He now rests from his labors, but the results of his long years of service in the Halls of Congress will be in evidence for many years to come.

Mrs. Revercomb joins me in expressing once again our deepest sympathy to his widow, Mrs. Alberta Clara Ramage Neely, their two sons, Mr. Alfred Neely and Mr. John Neely, and their daughter, Mrs. Corinne Neely Pettit.

WILLIAM KERR SCOTT

Mr. ERVIN. Mr. President, I shall indulge at the outset in some reflections rather personal in nature.

On an occasion such as this, I am acutely aware of the number of those I have known and loved who have journeyed to the undiscovered country from whose bourne no traveler returns. In the words of Mississippi's poetic son, William Alexander Percy, "They were the bulwarks, the bright spires, the strong places."

I count among them my departed colleague, KERR SCOTT, who was known to his family as WILLIAM KERR SCOTT and to all other North Carolinians as "the Squire of Haw River." For 3 years 4 months and 18 days, he and I shared the precious privilege of representing the more than 4 million North Carolinians in the greatest deliberative body on earth, the United States Senate. I am sure that no two Senators from any State ever enjoyed more cordial official and personal relationships with each other.

I was appointed to the Senate just 6 days after KERR SCOTT had won the nomination for North Carolina's other Senate seat in the Democratic primary of May 1954. At that time a mutual friend of ours called me, and said: "I'm expecting you and KERR SCOTT to work together in the Senate." I replied: "We will have no trouble doing so because both of us love North Carolina."

My prediction proved true. At all times during our joint service in the Senate, KERR SCOTT and I worked together in complete harmony for what we thought best for North Carolina. Now that he has gone, I sorely miss his genial companionship, his uplifting sense of humor, his wise counsel, his wholehearted cooperation, his loyal friendship, and his understanding heart. As long as my memory endures, I shall treasure these things in grateful remembrance.

Before ending these personal reflections, I wish to express my deep appreciation of the countless courtesies extended to me during the times under consideration by Ben Roney, Bill Cochran, Bill Whitley, Roy Wilder, Joe Crawford, Louise Bragg, Betty Carter, Peggy Jane Warren, Emmy Pickett, Mickey Pickett, and Madeline Hughes, who constituted Senator SCOTT's staff and served him and North Carolina with rare fidelity and efficiency.

I now turn to less personal matters.

KERR SCOTT sprang from God-fearing Scotch-Irish ancestors, who settled in North Carolina before the American Revolution and took an active part in building for the Old North State sound economic, political, and religious foundations. His birthday was April 17, 1896, and his birthplace was his father's farm in the Hawfields community of Alamance County. Here he grew to manhood.

As his biographer, Robert W. Redwine, so well points out in the Addresses and Papers of Gov. WILLIAM KERR SCOTT, Senator SCOTT acquired significant characteristics from each of his parents. From his father, Robert W. Scott, a highly respected farmer and political leader of Alamance County, he "inherited traits of sternness, tenacity, and even, on occasion, stubbornness, good business judgment, and a compelling urge to help people help themselves make life more worthwhile by raising the community and State to a better standard of living"; and from his mother, Elizabeth Hughes Scott, "he inherited an inner gentleness of nature and a sentimental streak that he" was "usually able to hide or disguise from all except his most intimate friends and members of his immediate staff."

After completing his studies at Hawfields High School, KERR SCOTT entered North Carolina State College, where he distinguished himself in athletics and scholarship and was graduated in 1917 with the degree of bachelor of science in agriculture. Shortly thereafter he volunteered for service in the First World War as a private in the field artillery. In subsequent years he was awarded the honorary degree of doctor of agriculture by North Carolina State College, and the honorary degree of doctor of laws by Elon College and the University of North Carolina.

Upon his discharge from military service, KERR SCOTT purchased with borrowed funds a 224-acre farm in the Hawfields community, and embarked upon his chosen vocation as a farmer and dairyman. By hard work, business acumen and wise husbandry, he ultimately increased his farm to some 1,300 acres and his dairy herd to some 200 Holsteins and Jerseys.

July 2, 1919, was the most fortunate day of KERR SCOTT's life. On that day he was united in marriage with his boyhood sweetheart and constant inspiration, Mary Elizabeth White, whom he loved to call "Miss Mary," and whose charm, gentle spirit, and steadfast devotion taught him the truth of the ancient saying that "No man has more wealth than he that hath a gode woman to his wyfe."

This happy marriage was blessed with two sons, Osborne W. Scott and Robert W. Scott, and one daughter, Mary Kerr Scott, now Mrs. A. J. Loudermilk.

As good neighbors, "the Squire of Haw River" and "Miss Mary" participated in the activities and shared the joys and sorrows of the Hawfields community. They were pillars of spiritual strength in the old Hawfields Presbyterian Church, where the "Squire" served as a

deacon for a dozen years and as a ruling elder for a quarter of a century.

KERR SCOTT accepted as valid Thomas Carlyle's thesis that "our main business is not to see what lies dimly at a distance, but to do what lies clearly at hand." This being true, it is not surprising that he fought without ceasing, both as a citizen and as a public official, for soil conservation and improvement, reforestation, the eradication of animal diseases, markets for agricultural products, secondary highways and farm-to-market roads, rural electrification, rural telephone lines, and other things calculated to make more abundant the lives of those who dwell or work in rural areas. He was equally interested, however, in the construction of modern schoolhouses, the expansion of educational opportunities, the conservation and development of water resources, the erection of health centers, and hospitals for the physically sick, and the establishment of better facilities and care for the mentally ill.

His services to agriculture, prior to his election as State commissioner, are indicated by his occupancy of these positions: Emergency food production agent, United States Department of Agriculture; farm agent, Alamance County; member, North Carolina Rural Electrification Authority; master, North Carolina State Grange; regional director, Farm Debt Adjustment Administration; member, American Jersey Cattle Club; president, North Carolina Jersey Cattle Club; president, North Carolina Dairy Association; president, North Carolina State farmers convention; and member of the advisory board of the North Carolina Cotton Growers Cooperative Association.

KERR SCOTT sought his first elective public office in 1936, when he was chosen State commissioner of agriculture. He was reelected to this post in 1940 and 1944, and filled it with unprecedented effectiveness until February 1948, when he resigned, to become a candidate for the Democratic nomination for governor. At various times during his tenure as commissioner, he rendered services in these additional capacities: Chairman, Tobacco Advisory Board; member, National Advisory Committee of Agricultural Research and Marketing; member, Special United States Commission to Mexico to Study Hoof and Mouth Disease; and president, National Association of Commissioners, Secretaries, and Directors of Agriculture. His enormous contributions to agriculture were recognized in 1937, when the Progressive Farmer bestowed upon him its man-of-the-year award; and again in 1940, when the North Carolina State Grange conferred upon him a similar honor.

Having won the Democratic nomination for the office, KERR SCOTT was chosen Governor of North Carolina in the general election on November 2, 1948, and served in that capacity from January 8, 1949, until January 8, 1953. As Governor he initiated and carried into execution a bold and sound go-forward program, which removed what he rightly called deficits in services to the people. Time does not permit me to detail the notable

events of his administration. They are well stated in summary fashion in the Redwine biography, in this wise:

The paving of 14,810 miles of highways and roads, or the paving of 179 more miles than had been paved in North Carolina in all the years prior to 1949.

A public school building program providing 8,000 new classrooms, 175 gymnasiums, and 350 lunchrooms.

Permanent improvement costing \$331,339,843 at the institutions of higher learning, and in the construction of mental, tubercular, spastic, orthopedic, and community hospitals.

The establishment of an annual appropriation of \$550,000 to support a statewide public school health program.

An increase of 398 new industrial plants with a total investment of \$257 million, to give employment to 39,000 additional workers with annual payrolls of \$95 million.

The construction of modern port facilities at Morehead City and Wilmington, at a cost of \$7,500,000, which brought to fruition a 100-year-old dream of North Carolina for deep-water shipping outlets.

The installation of in excess of 31,000 rural telephones, and 153,000 new electric service connections in rural areas;

The placing in service of 4,406 additional beds in 77 new and improved hospitals in 73 of the State's 100 counties, many of these counties theretofore having been without hospital facilities.

And, moreover, there was a surplus in excess of \$40 million in the State treasury when KERR SCOTT's term as Governor ended.

KERR SCOTT was elected to the United States Senate at the general election on November 2, 1954, for an unexpired term ending January 2, 1955, and for a full term ending January 2, 1961. He was assigned to the Committee on Agriculture and Forestry, the Committee on Post Office and Civil Service, and the Committee on Public Works, and rendered invaluable services to our country.

While at home on Easter vacation, Senator SCOTT suffered a heart attack, and was carried to the Alamance County General Hospital at Burlington, where death stilled his mirthful, fighting, and loving heart.

His passing occurred April 16, 1958, the day preceding what would have been his 62d birthday anniversary. Two days later, funeral services, whose simplicity and sincerity were in keeping with his life, were conducted for him by his pastor, the Reverend Ralph L. Buchanan, assisted by the Reverend Russell Fleming, at the old Hawfields Presbyterian Church. This was altogether fitting, because it was at this sacred place that KERR SCOTT, the boy, had sensed the spiritual experiences symbolized by these words of Alfred Noyes' poem, *The Old Skeptic*:

And there I shall hear men praying the deep
old foolish prayers,
And there I shall see, once more, the fond
old faith confessed,
And the strange old light on their faces who
hear as a blind man hears,
Come unto me, ye weary, and I will give
you rest.

Upon the completion of the services, the body of our departed colleague was laid to rest in the quiet churchyard nearby in the presence of 7,000 sorrowing North Carolinians of both races for

whom he had fought the good fight and kept the faith.

I digress for a moment at this point to ask unanimous consent to have printed in the main part of the RECORD immediately after my speech an outline of the funeral service, the remarks made by Senator SCOTT's pastor at the service, and some 50 editorials from North Carolina newspapers commenting upon Senator SCOTT's life and contributions to society.

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

FUNERAL SERVICE OF SENATOR W. KERR SCOTT
(Held at Hawfields Presbyterian Church, Route No. 1, Mebane, N. C., 3 p. m. Friday, April 18, 1958, conducted by Rev. Ralph L. Buchanan, pastor, assisted by Rev. Russell Fleming)

Opening sentences, pastor:

"Our help is in the name of the Lord, Who made heaven and earth.

"Like as a father pitieth his children, so the Lord pitieth them that fear Him.

"Thou wilt keep him in perfect peace, whose mind is stayed on Thee; because he trusteth in Thee."

Prayer, pastor:

Eternal God, our heavenly Father, we pray that Thou wilt—

"Drop Thy still dews of quietness,

Till all our strivings cease;

Take from our souls the strain and stress,
And let our ordered lives confess

The beauty of Thy peace."

Amen. (From John Greenleaf Whittier's poem, *Dear Lord and Father of Mankind*.)

Hymn, choir: *I Come to the Garden Alone, While the Dew Is Still on the Roses* (by C. Austin Miles).

Old Testament reading: Rev. Russell Fleming.

Prayer: Rev. Russell Fleming.

Solo: *I Shall Not Pass This Way Again* (by Stanley Effinger), Mr. William D. Kirkpatrick.

New Testament reading: Pastor.

Remarks: Pastor.

Prayer: Pastor.

Hymn, choir: *How Firm a Foundation, Ye Saints of the Lord* (Rippon's A Selection of Hymns).

Conclusion of service at the grave.

New Testament Scripture reading: (1) John's Picture of Heaven, Portions of Revelation, chapter 21; (2) Jesus' Words, "Let not your heart be troubled," et cetera. Portions of John's Gospel, chapter 14.

REMARKS BY REV. RALPH L. BUCHANAN

Among the many things we have for our comfort today, I would like to mention three:

First, this marvelous picture of heaven, where our friend has gone and where many of our loved ones are today. Its glories are beyond human comprehension and description. St. Paul says in 1 Corinthians 2: 9, "Eye hath not seen, nor ear heard, neither have entered into the heart of man, the things which God hath prepared for them that love Him." Mr. SCOTT loved Him, and we believe he is now enjoying all the glories of heaven.

Second, these gentle, loving, and comforting words of our Saviour, "Let not your heart be troubled: ye believe in God, believe also in Me. In my father's house are many mansions: if it were not so, I would have told you. I go to prepare a place for you. And if I go to prepare a place for you, I will come again, and receive you unto myself; that where I am there ye may be also. * * * Peace I leave with you, my peace I give unto you: not as the world giveth, give I unto you.

Let not your heart be troubled, neither let it be afraid."

For Christ to go to prepare a place for us led Him by way of a cross and a grave; but death could not hold Him. He conquered it, both for himself and us. Therefore, He could say, "Because I live, ye shall live also." And today He is saying to us, "Peace I leave with you, my peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid."

Third, the life Mr. SCOTT lived. Mr. SCOTT's life was dedicated to and spent in service to God and his fellowmen. His life was centered around three great loyalties: his home, his church, and his country.

His home: The lives of his three children are monuments to the type of home he and "Miss Mary" maintained. It was wholesome, congenial, and Christian. One of Mr. SCOTT's treasured delights was to sit before the open fire in his home with his family and friends.

His church: Mr. SCOTT was a man of faith. He loved his church and he believed in the things for which the church stands. He was loyal and faithful in every responsibility. During the 4 years he was Governor of our great State, he rarely ever missed a service here at this church, and, when he did, he would mail his pastor a bulletin of the church service he attended that day. His interest, vision, and leadership have meant a great deal to us here at Hawfields as well as to his presbytery, synod, and general assembly.

His country: Mr. SCOTT had a deep interest in his community, State, and Nation. He was a man of worldwide vision and concern. He was interested in the betterment of mankind everywhere, and he gave himself unreservedly in service to his fellowmen.

This combination of loyalties—to home, church, and country—produces great men and great nations. And as long as men read history the life of Senator W. KERR SCOTT will be an inspiration.

[From the Sandhill Citizen, Aberdeen, N. C., of April 24, 1958]

W. KERR SCOTT: A REAL COMMONER

Few people in public life have gained the unofficial title of "commoner." Henry Clay was one to become known as the commoner. Abraham Lincoln was known as the commoner. William Jennings Bryan achieved the title of the "Great Commoner." These men achieved these titles because of their champion of the causes of the common people. Lincoln said, "The Lord must have loved the common people because he made so many of them."

We think KERR SCOTT might be called a commoner because he always espoused and championed the cause of the common people.

The death of Senator KERR SCOTT removes from Tar Heel life the most picturesque political leader North Carolina has produced in many a year.

KERR SCOTT, a man who knew the people, the big people and the little people—and understood them, will go down in history as one of its truly great leaders.

In his approach to the issues and problems of the day, KERR SCOTT was often unorthodox. Nevertheless, he achieved results and usually got what he was after.

SCOTT, we do not think, made long-range political plans, but took advantage of the opportunities as they arose, and in so doing never lost an election in which he was the candidate. Elected to the governorship in the same campaign and election in which Harry Truman surprised the pros and most everybody else, SCOTT and Truman were somewhat alike in their straightforward talk and approach to issues.

In the Senate, SCOTT appeared to have mellowed some from the bare-knuckle man-

ner which characterized his approach to matters while in the governor's office.

SCOTT was not a man to do things by halves. As Commissioner of Agriculture, as governor, and as United States Senator, his work and his accomplishments were outstanding. In the annals of North Carolina's great, the name of W. KERR SCOTT will be written often and large. Many of those who opposed him while living will come to appreciate his sterling character and greatness, now that he has plowed to the end of his row.

[From the Albemarle (N. C.) Stanly News and Press of April 22, 1958]

A FRIENDLY CHAT

(By George Weaver)

Senator W. KERR SCOTT is dead.

His sudden passing Wednesday afternoon takes from North Carolina one of her most outstanding public servants, the champion of the farmers and all the other ordinary, everyday folks who were rather affectionately termed by him "the branchhead boys."

In the brief span of about 22 years, from 1936, when he was elected commissioner of agriculture, until his death, he continually widened his area of service.

While I saw Mr. SCOTT on a number of occasions, there are three which stand out in my mind.

The first one made the most lasting impression on me. It was in the spring of 1948, a few weeks before the Democratic primary. Charles M. Johnson, then State treasurer, was running for governor and was considered by most people the favored candidate. Mr. SCOTT had a short time previously announced his resignation as commissioner of agriculture and had entered the race for governor. There were other candidates, including colorful young Mayne Albright, who was touring the State with his wife in a trailer.

About breakfast time I received a call from Doc Morrow asking me to come up to the hotel for breakfast, that Mr. SCOTT was to be there to meet a few of the folks and to make plans for his campaign in Stanly County.

I sat across the table from the big, dark-haired man in the blue suit and listened as he talked. He told those gathered about the table how he had covered some 70 counties in about half that many days and planned to reach the remainder of the 100 counties before primary date. He seemed possessed of boundless energy and enthusiasm.

But the one thing which impressed me more than any other was his sincere and positive conviction that he would be the next Governor of North Carolina. There was not anywhere in his mind a shred of doubt but that he would win.

How right he was was demonstrated a short time later, when he ran second in the primary, and then came back to edge Johnson by a good margin in the second primary in June.

The second time I recall association with Mr. SCOTT was during the same campaign, when he came back to Stanly to speak in the courthouse.

Speaking the language of the farmers, Mr. SCOTT promised to work to get them out of the mud, to spread electricity and telephones within their reach, and to build more schools for the education of their children.

SCOTT spoke with sincerity and they believed he would do just what he told them. He did.

When he took office at the beginning of 1949 there were about 12,000 miles of surfaced roads in the State. In his 4 years as Governor an additional 14,000 miles were paved. Another tremendous mileage of muddy roads received a stabilizing treatment. Most of North Carolina's rural people were out of the mud, or at least fairly close to an all-weather road.

The third time I would like to mention Mr. Scott was during his term as Governor, when he came back to Stanly on the occasion of the Albemarle Farmer's Day.

The fare for the occasion was barbecue, with the usual trimmings, washed down with soft drinks. I sat near the Governor as he ate, surrounded by a number of Stanly County farmers. He chatted with them about their problems. He spoke their language, because he, too, was a farmer. He grew up a farmer and never got away from that occupation, even though he was sitting in the Nation's highest lawmaking body.

Mr. Scott was a champion of the average, ordinary branchhead boys all his life.

Only recently he had made the news columns by his attacks on the failure of the administration's farm policies to give to many farmers the consideration he felt they deserved.

History will record the blunt-spoken Scott as one of the State's better governors.

It will set him up as a vindication of the democratic form of government, which offers to the people the opportunity to elect to high places of leadership men and women from their own ranks.

It will say that KERR SCOTT was a fighter for what he thought was right, and that he never flinched or drew back from an active campaign for his objective.

[From the Albemarle (N. C.) Stanly News and Press of April 25, 1958]

AMONG OUR READERS

There ought to be a law when it comes to writing, I couldn't make "doodly," Sandy and a few words to the memory of KERR SCOTT, a real friend to the Press and to the branchhead boys.

Freshest thing on my mind right now is the hazard of getting across the street out here at the Main and First Street intersection.

Reason why it's fresh on my mind, I came within a hair's breadth of getting struck down there less than 30 minutes ago. If I hadn't looked back quick, and jumped quicker, I wouldn't be living now to write these few lines.

So, the thought occurred to me that every person who tries to walk with the green light from the Maralisse Hotel to Lowder Hardware, or from Rose's to Cabarrus Bank, ought to be given a permit to carry a .45; and then when some driver turns the corner and heads into him, he ought to out with the .45 and shoot his tires down. If this doesn't correct the situation, then he could do the next best thing, and shoot the driver.

Sandy Watt is just 11 years old. But he's as well informed about what's going on in this land of ours as some I know who have been on this scene of life three times as long.

Sandy was at his grandfather Pearl Hart-sell's store, at Love's Grove, when I was there a few days ago, about the time another one of our manmade satellites fizzled out and exploded before it left the ground.

Sandy was lowrating Government waste, and mentioned to the dollar the millions that went up in smoke when the rocket blew to pieces and didn't go up at Cape Canaveral, Fla.

I was quite impressed with Sandy's display of knowledge and I asked him about his grades in school. Said he was in the upper fifth at Stanfield, and made all A's and B's 'cept writing.

Not to be emotional would be inhuman. And I never want to reach the point when I would cease to be touched by tragedy.

Yet, I am somewhat of a realist, and when it comes to death, among the great or small, I usually accept it as "one of those things."

But to me, Senator KERR SCOTT's death was more than just one of those things.

He was a controversial figure, I know, and I also know that many didn't like him. But I did.

I admired him for his outspoken manner, and because of the plain, down-to-earth man that he was.

I never did take exception to the person who speaks out, if he does something more than talk. And KERR SCOTT did.

The network of good roads in this county that connects with most farm homes, and the many telephones now scattered over the rural areas is the result of Scott's talking, followed up with action. Those who so well remember the ordeal of traveling in sloppy mud or suffocating dust on rural roads, and who recall the days when it wasn't possible to pick up a phone and talk with people at Ridgecrest, or Locust, or in the Aquadale community, will cherish the memory of KERR SCOTT.

I first learned of his tobacco-chewing habit when I walked with him, and a farmer of this county, down the stadium of Albemarle High School just before he addressed a Farmer's Day gathering back when he was Commissioner of Agriculture. The farmer (I don't recall his name now) pulled a plug of tobacco from his hip pocket and bit a hefty piece from it. As he started to replace the plug in his pocket, Scott said to him: "Give me a chew of that." The farmer obliged, and the two of them, as I paced along, went merrily chewing and spitting down the football field.

I covered his visits to Albemarle many times while he was governor, and I remember his friendly, helpful, and understanding attitude toward those who worked for the press.

On one of his visits my job was to get a picture of Governor Scott with several politically prominent Stanly County persons. I had planned to go to the coast on a fishing trip that afternoon, but had to wait until that night to get the picture before I could leave. I told the governor, just as he was about to step up to the platform to make his speech, what the situation was, and, jokingly asked him to make his talk short and snappy. He just stopped right there, told me the fishing was more important than his speech, and he very patiently delayed the official proceedings long enough for me to get the picture, so I could be on my way.

I don't make it a practice of using the column for eulogies like this. But I believe most of my farmer acquaintances in the county, regardless of politics, will go along with me in saying that KERR SCOTT was one of the best friends and benefactors of the "branch-head boys" ever had.

HAWKEYE.

[From the Apex (N. C.) News-Herald of April 17, 1958]

SENATOR SCOTT PASSES—WOULD HAVE BEEN 62 TODAY

On the eve of his 62d birthday, the beloved Senator W. KERR SCOTT lost his battle with the heart attack he had suffered last week.

At 5 p. m. Wednesday, he suffered the second attack, it was too much for the man who made Washington and the Nation sit up and take notice of the plight of the farmer and the workman in these days of tension and uncertainties.

Words cannot express the sorrow being felt by those who knew him, and those who didn't, he was a friend to all. His enemies were only temporary, with his down-to-earth ways, a chew of tobacco or cigar, he gradually won one over.

Everyone knows what he accomplished while Governor of our State and since he went to Washington. He will be missed.

Somehow we like to think that where he is now, he may have that "ice cream and

cake" he talked of having on his birthday today.

"So he passed over, and all the trumpets sounded for him on the other side."

BUNYAN.

[From the Asheville Citizen of April 18, 1958]

WILLIAM KERR SCOTT

It was with feelings of shock and grief that the people of North Carolina learned of the death of WILLIAM KERR SCOTT.

The outpourings of tributes from persons in all walks of life testified to the esteem, the respect and the affection in which he was held.

"The Squire of Haw River," who rose from farmer to the highest offices in the gift of the electorate of North Carolina, probably had a greater hold upon the rural people than any man in this State since Zeb Vance.

That was because of the character of the man.

He will be long remembered for his devoted and distinguished service in the United States Senate.

He will be long remembered too for his still more distinguished service as a progressive Governor of North Carolina.

KERR SCOTT never lost an election in which he offered as a candidate.

When he appealed to the people they responded whether in election to office or in behalf of a cause he espoused.

He began his public career as Alamance County farm agent. He won a reputation as master of the State grange. For 11 years he was State commissioner of agriculture, resigning in 1948 to seek the Democratic nomination for governor.

He showed amazing political magnetism and strength in the campaign. He rallied to his cause the sentiment at the grassroots, at the crossroads and among what he liked to call the branch-head boys. Many others too in the population gave him their support.

The dairy farmer and Presbyterian elder was a prodigious worker. He achieved results.

As governor from 1949 to 1953 he initiated and carried out, with courage and vision, a program that embraced expansion of hospitals and health care, greater facilities for the mentally ill, improvements at the State's institutions of higher learning, more public schoolhouses, better teacher pay, a big system of paved farm-to-market roads, and extension of electric and telephone services in rural areas.

These were details of a program that was designed to enrich the lives of the people.

As a private citizen and public official, KERR SCOTT felt he was his brother's keeper in rendering material assistance and in promoting moral and spiritual values.

A practical man with ideals, he had great determination. Now that he is gone, his life and career may assume almost legendary proportions.

Said Robert W. Redwine, in a biographical sketch written after his term as governor:

"His character is as rugged as the sassafras and hickory-covered red hills of his native Alamance County which have been tended by Scotts for several generations. And from his Scottish ancestors, KERR SCOTT inherited a Presbyterian conscience that is uncompromising, and a stubborn, bulldog-tenacity of purpose that cannot be shaken."

His rugged exterior failed to hide another side of his character. He was gentle, loyal, affectionate, qualities that endeared him to family and friends.

KERR SCOTT died in office, still serving the people who sent him to the Senate in 1955. To use his own figure of speech, he "plowed to the end of the row." History only can evaluate his record fully.

[From the Asheville Times of April 17, 1958]

STATE WILL MISS SENATOR KERR SCOTT

North Carolinians in all walks of life mourn the untimely death Wednesday of Senator W. KERR SCOTT. Hope was strong that he would survive the heart attack which struck him down last week, and fight his way back to continuing public service.

"Fight" was always the word for KERR SCOTT. Always a strongly controversial figure, he stood up and battled for his beliefs as commissioner of agriculture, as governor, and as United States Senator.

Never a man to spare language when he was in a fighting mood, KERR SCOTT aroused both opposition and fervent support as he bulldozed his path across North Carolina's political history.

His strongest support came from the State's farmers, and he was probably the most beloved political figure of recent years among the farm element.

Despite his sometimes heated conflicts with the State legislature, time will show that he was a good governor, as later he was a hard-working and devoted Senator.

With the controversies stilled in death, W. KERR SCOTT stands up in the esteem of the State he served as an honest and upright man. North Carolina has lost greatly in his passing.

[From the Benson Review of April 23, 1958]

SENATOR KERR SCOTT

KERR SCOTT will go down in the history of our State as the outstanding statesman of our time. His memory will be cherished and the results of his efforts will be enjoyed and appreciated by a great majority of the people of our State for years to come.

There were many who opposed him politically, there are still some few who dislike him, but mainly for personal reasons. We know of none who will not agree, on looking back, that his achievements were remarkable and worthy. His contribution to the general welfare of the State brands him as nothing less than great. He was surely the right man at the right time.

His main concern was the low standard of living of his beloved branchhead boys, the farmers and workers of North Carolina. He fought for and achieved some degree of success in rural electrification and rural telephones, but his greatest fight and greatest success was in the field of roads. In this field his political enemies immortalized him by calling them Scott roads. They will remain to be gratefully remembered for years to come. They have and will continue to enhance rural living—the health, the education, the social life, and the religion of rural people, the friends of KERR SCOTT, the good poor people of North Carolina.

KERR SCOTT was worthy of the love that was bestowed upon him. His record is worthy of the praise that will be heaped upon it. He was the outstanding statesman of his time in North Carolina.

[From the Watauga Democrat, of April 24, 1958]

END OF DISTINGUISHED CAREER

The passing of Senator W. KERR SCOTT brings to an end one of the most colorful and uniquely fruitful careers in the history of the State.

As a farmer, county farm agent, commissioner of agriculture, Governor, and Senator, he served the people of his State with rare fidelity. In ascending the political ladder, he'd fought his way through the most formidable opposition which could be mustered by his direct appeal to the masses of the people, and had always won.

The Scott followers, whom he referred to often as the branchhead boys, were always there with effective support of Scott, and when he brought them rural hard-sur-

faced roads, better farm conditions, and an improved standard of living, he aided the whole State and Nation. In the National Legislature he was taking his place as a man of wisdom and courage, and was continuing his espousal of the causes of the average man.

Offhand opinion supports the belief that Senator Scott was yet growing in the favor and esteem of the people of the State when he was stricken. Ruggedly honest, he hadn't let them down, and whenever they appeared, they could be heard, and their sounder notions heeded.

The throngs which gathered at a little church on Haw River the other day attested to the friendship the folks held for the man who'd gone away, who'd "plowed all the way to the end of the row," as the late Senator was won't to say. And when his furrow had reached on and on, until the moleboard caught the glint of the setting sun, and his shadow lengthened, and until his hands let go the plowhandles, KERR SCOTT remained the friend of the folks, the man of the land and of the people. His footprints are big and wide and deep, and sharply challenge those who tread behind him.

[From the Burlington Daily Times-News of April 19, 1958]

W. KERR SCOTT

In his beloved Hawfields, W. KERR SCOTT rests quietly, nearby his kith and kin in the eternal city, his monument inscribed to toil, to public service, to accomplishments. His niche treasures the soul of a man who loved—his family, his acquaintances, and the masses in whose behalf he was thoughtful as he planned; as he applied, and as his influence drew leadership from all walks of life to support his efforts.

If we recall KERR SCOTT in sequence, as the chapters of his life and public service, we think of him first as the farm boy of a distinguished ancestry whose homestead reflected the strong character of his parents—their spiritual life, their wholesome culture in rearing their family, their reasonable but firm hold on a sound economy for themselves and as gulpeposts to the future their children would follow on avenues branching out from the hearthstone on personal pursuit objectives.

When KERR SCOTT first broke the "machine barrier" to political progress in North Carolina, it followed his career as farm agent of his native Alamance County. We recall him as a worker, wearing the leather puttees he wore home from World War I in which he served as a commissioned officer. He was not an "office farm agent." He carried his boyhood farm training, his student supplementary training in agriculture, to the farm: He worked with farmers, encouraged crop rotation, crop diversification, sidelines to increase the farm income.

It was time, then, KERR SCOTT thought and friends encouraged him, to seek a higher level—election to the office of commissioner of agriculture of North Carolina. He entered his name as a candidate for the office. He won. His record was one of coordination, cooperation, inspiration to the farmers, but let's not forget a famous slogan: "Agriculture and industry go forward hand-in-hand."

KERR SCOTT still was a "machine barrier breaker" when he decided to become a candidate for governor. He was not wanted, machine speaking, to become governor of his State. His campaign personality, his work and achievement background, elected him.

No North Carolina governor's record to date compares with his: Thousands of miles of improved roads, tens of thousands of people lifted from the mud to surfaced traffic lanes, providing them access to market, to merchant centers, to hospitals in emergencies; telephone and power lines he literally drove through, his own rural telephone after 23 years in waiting. KERR SCOTT was a consci-

entious, devout, servant of the people. It's in the record.

Although the farmer was emphasized by the late Senator Scott in relationship to his economic life and security in North Carolina, his overall interests in the State, affecting all businesses, institutions, and classes was comprehensive.

In the United States Senate, still a barrier breaker, KERR SCOTT was a power of influence, his ascendancy soaring in popularity and influence, when fate struck its fatal, it seems to us, premature blow.

Modestly KERR SCOTT would have accepted it all—the work he was able to accomplish, the immortal tribute. To those who knew him best spoke during his lifetime, and in silence revered at his bier.

[From the Burlington Daily News of April 19, 1958]

THERE WERE MANY MEMORIES AFTER WE HEARD ABOUT KERR SCOTT

The scene was at Hawfields Presbyterian Church cemetery Sunday afternoon.

There were many people there, and most of them walked to the grave of the late Senator W. KERR SCOTT, their heads bowed. Certainly most of them were in prayer as they stood at his grave.

Leaving the cemetery and moving among the cars parked around nearby, I saw a sight I will never forget. There was a man standing beside his car, gazing out toward the grave. He held his hat in his hand and over his heart. And he paid no attention to that which was around him. He allowed the tears to roll down his face freely, and he made no effort to stop them.

He had lost a close friend.

We don't know the name of the man standing there in his sorrow.

Yet we looked upon him and knew that the feelings he was expressing were those of countless thousands of people in North Carolina—people who loved KERR SCOTT, who found hope through his courage, and who knew that in him there not only was a way of life but a future.

It was near 6 p. m. on Wednesday when word of the Senator's death reached Washington and the reception for newspapermen belonging to the American Society of Newspaper Editors.

One of the Washington correspondents came up to me.

"I've been looking for you," he said.

Then he paused before he added that "KERR SCOTT is dead."

I knew that this man should know. Yet it seemed unbelievable.

Just a few hours previously I had written a short story to appear in the afternoon paper telling of the birthday celebration planned for him. Medical reports were encouraging, though there always had come a warning when doctors were pressed for details. The doctors had been pleased with his progress, but they still were deeply concerned. He hadn't passed the danger period.

I immediately went to my room to call home. Then I stayed in my room the remainder of the night.

There were many thoughts and memories on this night.

I thought of the first time back in 1947 that I talked with KERR SCOTT about the possibility of his running for governor, after resigning as commissioner of agriculture.

"I don't think any person who has served in public life would honestly say he wouldn't like to be governor," he told me. "But so far as a race is concerned, I can't say."

Then came the mass meeting in Burlington in January of 1948. There weren't many people who would speak out that night. KERR SCOTT spoke out, however, but he said only that there had been some interest. He wanted to know if the people of Alamance County thought he should make the race.

The State survey was launched, and then came an eventful night in Alamance Hotel. A number of people from the State had been coming in during the day.

I remembered that night well, for it was the first time I learned that signed blank checks could be offered. One of those people on the inside of the meeting was called outside. He met a man downstairs. Then came the offer.

"You see to it that KERR SCOTT stays out of this race," he was told, "and you get this check. You fill in the amount you think it's worth."

Then at 10 a. m. the next morning, KERR SCOTT walked into our old newspaper office on Maple Avenue. He handed Editor Staley A. Cook a one paragraph announcement.

KERR SCOTT, just 7 weeks before the May primary, was announcing his candidacy for governor. The race was on.

That was one of my first thoughts.

But there were many others.

After the primary, there came a runoff.

On the Saturday morning when thousands of people from throughout the State were going to the polls to choose their next governor, I talked with Mr. KERR, as many of us called him, before he left his Hawfields home to go to Mebane to vote.

"How do you feel about the election?" I asked.

He didn't hesitate.

"I feel sure that I have 48 percent of the vote," he told me, "and I believe I'll get 4 percent of the silent vote. That will put it over for me."

I made an appointment for 3 o'clock Sunday afternoon to get the story on his victory.

When final tabulations came in, KERR SCOTT was exactly right. He had won by getting 52 percent of the vote. He had judged the State to the precise percentage point.

I was at his home on Sunday afternoon, but it was some 4 hours later before I left. I was the only person with an appointment, but there were more than 500 people to come by the home. He shook hands with all of them.

In that 4-hour period, however, I got more notes than ever before in a story. It took me most of the night to get in writing everything I had seen that afternoon.

And another thought:

He phoned one morning shortly after winning the primary.

"I don't know what will take place, but a group of Robeson County Indians is coming up this afternoon in case you may want to join us. They may bring their peace pipes, or they may bring their tomahawks. They didn't tell me what they wanted."

In the yard of his home, the Indians sat in a circle, showing that they were in a peace-pipe mood.

"Miss Mary" brought ice cream to us. Then there were watermelons. Then we all visited the barn during milking time.

Then the Indians left, some 3 hours after their arrival.

The new Governor kept wondering what they wanted, but they never asked for anything. Later, we concluded that they merely wanted him to know that there were some Indians in Robeson County and that he should not forget it. They had voted for him all the way. Their peace pipe belonged to him.

The night before he and Miss Mary went to Raleigh for the inauguration, there was another memorable experience.

I joined Richard Minor and his camera, and went to the home for some pictures.

Out came the new Governor in his top hat and tails.

I remarked to him how good he looked in the suit.

"I ought to," he came back, "because it took two cows to pay for it."

And it was then that the famous two-cow suit story started. Kay Kyser, in introducing him at the inaugural ball, even told that the Governor was wearing his two-cow suit. It was the most famous formal suit this State ever has had.

And my memories kept coming back.

There was the time when he told me about the criticism of civic clubs.

"Just wait and see," he said. "When the civic clubs in the State hear what I'm going to say, they're going to get so mad at me they're going to show me how wrong I am."

It wasn't long before he made a speech telling that civic clubs in North Carolina were about the most ineffective group of people the State had. They didn't do anything, he said, and they were operating under a false promise.

His speech made most every club member in the State rise up in arms.

For months that followed, there were stories upon stories of clubs criticizing the Governor. They were showing them their records.

But what never came out was that many of them looked over their records and saw that the Governor was right, though they wouldn't admit it.

All types of civic activity spurted from the criticism by the Governor.

He later commented that "never before have we had so much work done by civic clubs for our communities in the State. They did just what I wanted them to do."

"If I had asked them to increase their efforts, they would have paid little attention. When I got them mad at me, they decided to show me how wrong I was."

It was an unorthodox approach, but it was the way he got the results he wanted.

On another occasion, he admitted naming a man to a high State office, then seeing the Democratic executive committee refuse to confirm his nomination for election.

The committee, instead, nominated someone else, a man, in fact, whom the governor wanted in the office in the first place.

"But if I had nominated him," he later said, "the committee wouldn't have confirmed him either. What I had to do was to name someone else, then work behind the scenes to get the man I wanted."

The man he wanted still is in high office, probably because KERR SCOTT worked a strange strategy to get him there. His work is highly respected.

And another:

I was with him at a public meeting when he was governor, and he acted like he had fallen asleep. He often pretended that he had fallen asleep when he was hearing every word said.

I wrote a column about the governor falling asleep, which I thought he had at a political meeting. It seemed strange.

One of his strongest supporters lambasted me for it. He said I had cast an unwarranted reflection on the Governor's interest in politics.

I wrote the Governor a note, telling him that "I didn't mean to offend you, but I was reporting what I saw."

He wrote only one line back to me in his own handwriting.

"I wouldn't let a little thing like that bother me," he wrote, then signed his name.

I showed the letter to the offended supporter.

"He's a big man," the supporter said. "I apologize."

What happened was that KERR SCOTT didn't agree with what was taking place at the meeting, and he pretended to be asleep to show it.

The memories mounted.

I thought of the trip we made back from Raleigh after he turned the State seal over to William B. Umstead.

He and "Miss Mary" were in the new car which State employees gave them. Ed Mc-

Cauley and myself were in a car back of them.

Before we had left the mansion, the servants there were showing their affection for him. Several of the women servants cried.

It was near 2:30 p. m. when we got outside Raleigh's city limits, and none of us had eaten a bite since early morning.

We pulled to the roadside and took a cooler from the back seat. The servants had seen to it that there was sufficient food, as well as buttermilk, the then ex-governor's favorite drink.

We stood alongside the road eating thick meat sandwiches, he was drinking his buttermilk, and we all were extremely pleased at what the mansion's servants had done for us. We agreed that at no time had food tasted any better.

What I seemed to remember equally well, however, was the way people slowed up and waved and spoke to him.

"Come back often to see us," is what the majority of the people said in their own way.

When we arrived at the Hawfields home, Governor SCOTT immediately started taking off his two-cow suit and had his hunting clothes on within minutes. He was in the fields hunting with a group of his friends within 20 minutes after he arrived.

"I'm on relief now," he said, "so I've got to get us some meat to eat."

He bagged eight rabbits that afternoon.

Then there were memories of the way the Hawfields home always had its welcome sign out to all who cared to call.

Memories of the period between the governorship and the start of the senatorial campaign; of the trip to Washington for the swearing-in ceremony in the Senate when more people attended than anyone in the Capitol could remember; of the way many of his supporters wanted to fry eggs on the Capitol steps and how rules didn't permit it.

Memories of the way I had to stop running stories on him often when he was home, because he never had a free minute when the people knew about it, but how I enjoyed sitting under the big oak tree with him and hearing him talk about the farm, politics, his friends, and the many other topics that interested him.

Memories of how he always was a different person at home and in the company of a few friends than when he was out in crowds and his supporters were expecting him to be unconventional and rather controversial.

Memories of his corduroy suit given to him by Cone Mill, and how he wore it to a Burlington Chamber of Commerce luncheon where he was to give the main address, and how "Miss Mary" thought he should have on a tie.

Memories of how he explained wearing the suit to show appreciation to Cone Mills for the gift and, also, to wear an Alamance County and North Carolina product to help promote its use.

Memories of how he stood before the Bur-Gra Civitan Club here last November and read his famous "Don't Park Here" address that has gone, in printed form, to more than a million people throughout the world, mostly by request, and how he had to stop at one rather inspirational part of it, for his tears would not allow him to read further until he had composed himself.

Yes, there were many memories that night as I remained alone to think about the news that had just come to Washington.

I went to the House of Representatives Thursday afternoon and heard the eulogies as they were paid to his memory by the North Carolina delegation, then placed in the CONGRESSIONAL RECORD.

The memories, and the eulogies both spoken and unspoken, represented a friend.

His name, I felt then and have felt for a long time, will be legend in North Carolina.

He represented hope, and courage, and freshness, of spirit that reflected into all who were close to him.

And I could understand, seeing the man cry at the cemetery Sunday.

He was representing the feelings of many people.

[From the Carolina Israelite of May-June 1958, Charlotte, N. C.]

THE BRANCHHEAD BOYS AND THE NEGROES—AN AMAZING POLITICAL STORY OF OUR TIMES—SENATOR W. KERR SCOTT

Within a few weeks North Carolina lost two of its most distinguished men, Judge John J. Parker, of the Fourth Circuit Court, and United States Senator W. KERR SCOTT.

Senator Scott was a political phenomenon. He was the first southern politician since the Populist days of the 1890's who received the overwhelming votes of both the rural population of a Southern State and the Negroes; and to make the story even more fantastic, this southern farmer also won the enthusiastic support of the textile unions and the intellectuals of the colleges and newspaper offices. The branch head boys of the farms, the factory workers, and the Negroes. Quite a story. (In 4 Negro precincts KERR SCOTT received 97 percent of the vote.)

Why? Senator Scott never once spoke out against racial segregation. Ah, but neither did he ever "use" the issue, even by innuendo, at any time in his entire political career, and coming from that part of the State which has the preponderant Negro majority, it makes the Scott career one of the most important political stories of our times. What Scott did was to substitute for the "race" issue such other issues as electrification, collective bargaining, telephone lines for the rural population, and roads—and it worked for him. He built a secondary road system in the State which, in most cases, stretched from the main highway right up to the kitchen door of the farmer. "Don't want the kids to stand in the mud waiting for the school bus."

During the Senate debate on the civil-rights measures of 1957, a suggestion was made to Scott that he should be the first Southern Senator to publicly support the civil-rights program. Scott bit into his plug of tobacco. "You must remember that I'm a southerner, and I'll always go along with the southern boys, but during this civil-rights debate, I'll have a heap to say about the need for the preservation of our water resources."

On water and on land, Senator Scott was one of America's great authorities. He was a successful dairy farmer and had served for many years as North Carolina's commissioner of agriculture. There was the time during his term as governor when several of his assistants were thinking hard about a speech scheduled for the following morning at Duke University. This was to be the usual formal greetings from the Governor before a conference of eggheads from all over the country. After a little while Scott said: "I do not need any speechwriters, I'll talk about the land: I'm going to tell them all about our peanut, tobacco, and dairy farmers, and I'll tell them how necessary it is to preserve our water resources." When the scientists completed their work, they remembered Governor Scott's speech as the most stimulating event of their conference. Some greetings from the Governor. There were other greetings. Vice President Barkley was the speaker during the first Stevenson campaign, and it was Scott's turn to make his speech and he spoke one sentence, but loud: "I am a Woodrow Wilson, Franklin Roosevelt, Harry Truman, and Adlai Stevenson Democrat," and he sat down looking up and down the platform at all those Eisenhower Democrats.

Governor Scott used public power to install electricity in over 50,000 farmhouses, but

in the process he provided private enterprise with the greatest stimulus the State had ever seen because electricity and rural roads meant that the folks now needed washing machines and refrigerators, and that they could now come into town at the drop of a hat to do business with the banks and the department stores, and go to the movies. Scott's most prized fan letter came from a farmer's wife right after the installation of electricity: "Been married 40 years and for the first time I can see what my husband looks like."

Because of Senator Scott, many thousands of the ladies of our Hadassah Society now call themselves "Hadassies." I have told the story all around America, and it is worth repeating here. The schools and societies visit the Governor's mansion on a certain day of the week, and after Scott had been Governor for about a month or two he examined the visitors' book and said to Mrs. Scott: "Miz Mary (the orthodox Presbyterians often follow the Hebraic custom of such formality between husband and wife; he was always "Mr. Scott" to her)—"Miz Mary, how come no Hebrews have visited the mansion?" And Mrs. Scott had said: "Maybe they're shy." "And," continued the Governor, "I told my secretary to call up the Hadassies and have them come on over and visit the mansion, so we can have some Hebrews in the book." "And," concluded Miz Mary, "the best behaved bunch of them all."

But it was not only the land and the water, and electrification and roads; Governor Scott had also appointed Dr. Frank P. Graham, president of the University of North Carolina, to the United States Senate, and what imagination and wisdom that took. In other words, this here man Scott sure got the point, and it will be a long time before we see another man of his political wisdom. I mourn his loss.

[From the Charlotte Observer of April 18, 1958]

W. KERR SCOTT: HE SERVED WELL

In an age of conformity, W. KERR SCOTT was an individualist and a rugged one at that. He was a blunt, plainspoken man. He was a doer. History will assign him a top rank among North Carolina governors.

For it is as Governor Scott that he will be remembered most vividly by Tar Heels, although he served agriculture long before he became chief executive and sat in the United States Senate for 4 years after he left the Governor's mansion.

The achievements of his administration in Raleigh are too well known to need repeating. He secured the passage of a \$200 million road bond issue, and sent ribbons of hard-surfaced roads across the face of the State. He cajoled and threatened the power and telephone companies into renewed activity, especially for the benefit of the boys at the head of the creek.

These accomplishments are all the more impressive when they are considered in the light of the climate which prevailed at the time. So far as the political powers were concerned, KERR SCOTT was an interloper. And the smooth professionals did all they could to harass, embarrass, and stymie the Governor. They were confounded—they still carry the scars—by the success of the squire of Haw River.

And historians who come to assay the role of "Scott the Bullder" will be well advised to consider his role as a demolition expert in the field of State politics. Before he and his cigar appeared in the arena, the ruling cliques with monotonous regularity had been able to choose governors well in advance.

KERR SCOTT destroyed the tradition that rotated governors between east and west, and with it rendered impotent the political rulers who had more ego than real power. He provided refreshing evidence that it is still possible in North Carolina for an individual to

establish a rapport with the people despite the machine politicians.

Of course, KERR SCOTT, himself, was a skilled politician. On several occasions, his allegiance to political kith and kin produced appointments that went sour. Sometimes his appeals to the branchhead boys seemed to suggest that what was good for the city folks automatically was bad for country residents.

The Observer has opposed him often, sometimes from a diligent necessity to specify flaws, once in a while by reason of philosophical conflict.

But the career of W. KERR SCOTT, considered as a whole and measured against the needs of the people in their time and circumstances, was a most distinguished one. He served his people well.

[From the Mecklenburg Times of April 17, 1958]

ALONG THE WAY

(By B. Arp Lowrance)

I was deeply grieved when the news came of Senator Scott's untimely death. He was the closest friend I ever had to be Governor of North Carolina. Many times he expressed this friendship for me and I also for him.

There was never a time when he was too busy to chat with me for a little while and we together expressed our love for our State and her institutions. We agreed that some of them were not perfect, but we were also agreed that we would do all we could to bring them to greater perfection.

I was named one of his "Branch Boys" and honored by many letters and appointments in his pet organizations. We both liked the farm and farmers, we liked the fairs, and the scenery of our native State.

I liked his direct manner of expressing his opinion and the fact that he was never afraid to let people know where he stood on any subject.

Death has closed his lips and ended his more or less spectacular career, and I shall not have the joy of talking with him again, but I shall never forget all his kindnesses to me and the feeling that I was among his friends.

[From the Sampson Independent of April 24, 1958]

W. KERR SCOTT

Senator W. KERR SCOTT is dead.

This statement within itself told a story which saddened all North Carolina, including those who did not always agree with the Senator and former governor of the State.

First, Senator Scott was easily one of the best known men in North Carolina. Second, he had served his State and the Nation well. Especially had he been a champion of the farmers of the State—as agriculture commissioner, then as Governor, and last as United States Senator.

Perhaps Senator Scott will be best and longest remembered for his good-roads program while Governor—a movement which took millions of his fellow statesmen out of the mud, so to speak, and put thousands of rural homes on, or within easy access to, paved roads. Too, much credit can be attributed to Senator Scott for placing electric lights and telephones within the reach of thousands of the rural people of the State, who before his advent to the governorship had not known these advantages and conveniences.

Senator Scott was outspoken, we sometimes thought too outspoken; but he was a determined fighter for what he believed to be right, and he usually succeeded in his plans and efforts. That he had a large following was evidenced by the fact that he won two important political races over opponents of no mean ability and standing in the State. To be sure, his unexpected passing from the earthly scene of action meant

a great loss to North Carolina and the Nation. And, we will seldom, if ever, see his like again.

[From the Sampsonian, Clinton, N. C., of April 1958]

W. KERR SCOTT

The death of Senator W. KERR SCOTT removes one of the State's most able public servants from the scene. But the mark he made on North Carolina while commissioner of agriculture, Governor, and then Senator will not be soon erased.

KERR SCOTT made violent enemies and loyal friends. But neither his friends or his enemies doubted where he stood. He was a plain-spoken man who did much to change the concept of the role a governor should play in the life of a State. During his 4 years in Raleigh as North Carolina's chief executive, he lived this role to the hilt. Every aspect of government drew his personal attention. And the State of North Carolina is a better State for it.

If one group could claim KERR SCOTT as their personal champion, it was the million and a half people in rural areas. It was SCOTT's road program which gave to this rural population their share of paved roads—paved roads which prior to his administration seemed to be a special advantage enjoyed by the users of the primary system. He pushed hard for rural electrification and the development of markets for farm commodities. That his chief aim was to develop the potentialities of farming areas was never doubted.

KERR SCOTT mellowed after he went to the Senate. Somehow, he never found his niche in this august body. But he still was the champion and the idol of his hundreds of thousands of loyal followers. And had he lived, he would have been a difficult man to defeat for his Senate post.

KERR SCOTT will be missed in North Carolina. He changed this State too much during the memory of all of us to be forgotten anytime soon.

[From the Carolina States, Durham, N. C., of April 26, 1958]

A GREAT LOSS TO NORTH CAROLINA

This newspaper did not always agree with KERR SCOTT. In fact there were times when we disagreed with him most vehemently and took him to task in these columns. But KERR SCOTT was a big enough man with whom one might disagree without having to suffer subsequent reprisals at his hand. He was no yes, yes man and he didn't like such around him. However honest and sincere one may be, it is not always safe to disagree with a little man, especially when he has become drunk with power. Only a strong man can have power in his hands and not use it to destroy those who are weak.

KERR SCOTT was a strong man, probably this State's strongest in many a decade. He possessed a kind of simple honesty that made you like him even though you could not go all the way with him on an issue. He was the kind of opponent that one could find a kind of satisfaction in losing to as well as winning from, in being cussed by as well as being praised.

The death of no public official in this State within the past 50 years has brought so much regret to its Negro citizenry as that of Senator SCOTT. Even when he did just the opposite of what they wanted him to do on issues involving their welfare, they took him to task with a kind of restraint that gave evidence of their abiding faith that beneath it all was a heart of pure gold and that when the chips were down they could depend on him to keep the covenant with his conscience rather than with some political clique.

In the death of Senator SCOTT we think North Carolina has lost the greatest statesman of this generation as well as its most

astute politician. He kept his fingers on the pulse of the people, all the people. His example is one that future seekers of public office in this State would do well to follow if they hope to secure the support of all the people.

[From the Durham Morning Herald of April 17, 1958]

SCOTT'S DEATH A GREAT LOSS TO NORTH CAROLINA

The death of W. KERR SCOTT brings great loss to North Carolina. He served his State with conspicuous devotion and ability, as commissioner of agriculture, as Governor, as United States Senator, and he made a creditable record of achievement in promoting its welfare.

An individualist to the end, Senator SCOTT brought to public office the sound common-sense of the successful farmer. As is the case with any man who has firm convictions and expresses them fearlessly, he made enemies. But his superior ability impressed, and his genuine concern for North Carolina and its people won many friends and loyal supporters.

Though identified with farming interests, Senator SCOTT was not unmindful of or indifferent to the development of and progress in other phases of the State's economy. He had his great strength among the farmers, and deservedly so, for he did much to make agriculture a more profitable undertaking and farm life more attractive and convenient. At the time of his death, and for some time before, he had been much concerned over the farm recession and had worked untiringly in the effort to formulate an agricultural policy, which would bring prosperity back to farming.

Senator SCOTT was a genuine conservationist. He believed sincerely that conservation of natural resources—and he included soil and water among them—is one of the most important functions and responsibilities of the people and of government for future prosperity. Of late he had given special emphasis to conservation of water resources, an emphasis which future developments will show was well placed.

The list of Senator SCOTT's many services and contributions to the State and its people is long and impressive. He has left his mark on North Carolina for a long time to come. The people are his debtors, for he served them well and consistently championed and defended their interests. They will not soon forget him, his inimitable personality, his distinctive manner, his valuable service.

Senator SCOTT furnished a leadership which North Carolina needs. He has helped to give the State balance and perspective, qualities ever needed. Complacency could not be comfortable while he was around. He contributed to the State's political life a healthy excitement.

Death came to Senator SCOTT in an Alamance hospital. Though the preference of the people had carried him to high office, there was no break in the ties which bound him to Alamance, the county of his birth. It continued his home. There was his beloved farm, where he could renew courage and draw fresh strength from the familiar soil. In that picture one comes nearer to understanding the manner of man KERR SCOTT was.

[From The Durham Sun of April 17, 1958]

KERR SCOTT

Senator W. KERR SCOTT is dead, and at only 62 years. He would have been exactly 62 today.

It is hard to believe. He seemed so rugged a man.

In his passing is lost a champion of the farmer and one accepted as a friend of labor.

He was kindly regarded, perhaps, by many of the organized Negro voters although he never yielded on segregation.

Most of those who fought his great road program saw and admitted their error and his foresight.

On other counts, they remained steadfastly against him; but, had KERR SCOTT lived, he almost certainly would have gone back to the Senate in 1960.

Whatever the ways in which he offended the sensibilities of some, he was a popular man of the people in North Carolina.

[From the Elizabeth City Daily Advance of April 18, 1958]

TAR HEEL LEADER SUCCUMBS

W. KERR SCOTT, junior Senator from North Carolina, who was 62 years old yesterday, is dead. The Squire of Haw River, who rose from the post of farm agent of his home county of Alamance to one of the country's most important posts, succumbed in a Burlington hospital exactly one week after he had been stricken with coronary thrombosis while he and his wife were on their way to renew their driver's licenses.

The heart attack, similar to that suffered 2½ years ago by President Eisenhower, removed one of North Carolina's most colorful political figures. After spending 10 years as farm agent, Scott was elected North Carolina agriculture secretary in 1936. For 12 years he built up an outstanding farm program for Tar Heel growers.

In 1948 he was elected governor and embarked upon a liberal program that included a \$200 million State bond issue to pave and improve farm-to-market roads.

In 1954 Scott was elected to the United States Senate, a post that would have expired in 1960. As a member of the Senate Scott has built a strong reputation as a solon, especially in the field of agriculture. As a result the tobacco-chewing Tar Heel was believed slated to become the next Secretary of Agriculture, a post he would have filled with dignity and efficiency, especially where it involved the small farmers.

In recent months Senator SCOTT had been exceptionally active in his campaign against what he had termed as Agriculture Secretary Ezra Benson's unfair farm program. No doubt overwork recently speeded up his heart attack, causing him to follow in the footsteps of death the last several North Carolina Senators. Senator SCOTT is going to be greatly missed, not only by Tar Heels, but by plain, everyday Americans everywhere.

[From the Bladen Journal, Elizabethtown, N. C., of April 24, 1958]

BLADEN LOSES A GOOD FRIEND

Bladen County lost a real friend in the untimely passing of United States Senator W. KERR SCOTT last Wednesday, for he was the champion of better living for rural people and he gave his best efforts to this cause in his beloved State.

Whenever we travel over the rural roads in this county we can well remember that it was his program while he was Governor of North Carolina that brought us our farm-to-market roads and made comfortable travel on every road which the school bus travels in our section.

Every time we lift the receiver from our telephone cradles to call anyone in the rural sections of Bladen County, we should remember that it was Senator SCOTT's efforts that brought telephones to rural sections throughout the State.

Only last week a large appropriation was made for extending the rural telephone service to the Kelly section of Bladen and this was secured through Senator SCOTT's efforts in the United States Congress.

Deep in his heart was a plan for the greater development of the Cape Fear Valley, but he was called to his eternal home

before he had accomplished many things that he wanted to do for the people he served.

Senator SCOTT died at a time when he could ill be spared in Washington, when so many crucial matters face the Congress and his forceful personality was needed.

He made a great contribution to his State and Nation and undoubtedly, by his achievement he will go down in history as one of the State's greatest citizens of the present age.

[From the Goldsboro News-Argus of April 26, 1958]

SCOTT'S GREATEST SERVICE

Ask the fairminded and unbiased North Carolinian what was the greatest contribution of the late KERR SCOTT and you would get many answers.

Some would emphasize his taking North Carolina out of the mud.

Some would give stress to his ending the State's lax money policy.

Some would refer to his service for agriculture.

Others would say that the program he mounted for water resource development and conservation offered the greatest promise for good to the people of tomorrow.

All these are important in the life of a great public servant.

Most important of all, we think, was his restoration to the average Tar Heel of a sense of personal stake in State and national Government. Until he let in some fresh air as he smashed to a surprising victory for governor, interest among the men on the street in State government was at a low ebb. Everything, including the line of succession, was cut and dried, predetermined and there wasn't a sparkle in the whole procedure. The man at the head of the branch or on the average residential street felt forlorn and forgotten. Government to him was faint and far away. He got no warm sense of choosing.

W. KERR SCOTT changed that. He galvanized the mass of men with joyous knowledge that after all they were important, most important, in the scheme of things. That fresh wind will blow sweetly across North Carolina for a long time hence.

[From the Greensboro Daily News of April 18, 1958]

KERR SCOTT: ESSE QUAM VIDERI

Even after a heart attack hospitalized him last week, it was hard to visualize KERR SCOTT stricken with anything. And it is harder yet to visualize him dead today at his beloved Hawfields Presbyterian Church in Alamance where his meteoric career began in a major way a little more than 10 years ago.

The big, bushy-browed, tobacco-chewing farmer appeared on the Tar Heel political scene in 1948, as if summoned by some deep, inner folk need. He came, unpretentious and fixed in his views. The mud of Haw River still clung to his shoes. He came to prove again that North Carolina is suspicious of a "sure thing."

Already in 1948 the Tar Heel political hierarchy had laid an apostolic hand on the successor to Gregg Cherry in the governorship. The arrangers had everything arranged. Then KERR SCOTT strode into the fracas; he tossed Haw River witticisms left and right and nailed his major opponent, Charlie Johnson, to the cross of lazy money in the State's counting house.

TWO MEN OF INDEPENDENCE

Like another plucky man of Independence, KERR SCOTT wrought a political revolution in 1948. He spoke of his victory as "the bottom layer overturning the top." But the secret of his success lay in something more than the red-neck stereotype of southern politics. His family background was above the level of the South's "wool-hat" tradition. It was

part and parcel of that independent ruralism which sets North Carolina apart. It was chittlins and cornbread, but it was also light and enlightenment.

At times KERR SCOTT seemed to hover dangerously near the edge of demagoguery—pitting class against class—but always an innate sense of the North Carolina spirit stayed his hand. With his stupendous political intuition, the squire of Haw River combined a genuine understanding of the needs of a struggling agricultural State. He saw his regime as an instrument for redressing the balance between lawyers and farmers—between the moneyed interest and the boys at the head of the creek.

He used his 4-year regime to recharge the batteries of farmers in the mud, school children in double-shift classrooms and branchhead boys without electricity. He was blunt. He was candid. At a ceremony unveiling a new powerplant he threw a bolt of lightning at the power company. At an august dinner of businessmen he called their magazine *We the People Against the People*.

With that single-minded determination born in a man of action, KERR SCOTT persuaded the general assembly and the people to spend \$20 million for building rural roads. Some of his advisers told him it would never pass. But he knew North Carolina better than they did. As a county farm agent he had traveled the back roads for decades, observing agricultural conditions, formulating his program. When he reached the Governor's office he knew what he intended to do, and he did it.

THE NEW FUSION

Ironically the fact that the State highway commission refused to pave the road by SCOTT's house inspired his gubernatorial career. He turned his crusade for roads into a kind of sermon for general uplift in North Carolina. He viewed it as a campaign for getting school children and rural church patrons out of the mud. The scholars, philosophers and press agents suddenly saw his revolution as a plea for accessible isolation, for a Lewis Mumford-like dream of tension-free, dispersed living—1 foot in the soil, 1 foot in the factory. SCOTT's appeal began to transcend the purely hayseed and political gimmick level. It definitely moved into a genuine fusion of the intellectual and the rural when SCOTT casually announced the appointment of Frank Porter Graham to the United States Senate at a dinner meeting in Chapel Hill.

That appointment led to a fiery political campaign unmatched in decades. SCOTT's candidate could not keep the branchhead boys and the intellectuals in line. Faced by a second primary bitter in racial demagoguery and bombast Frank Graham went down to defeat at the hands of Willis Smith. Graham's defeat and the later rejection of SCOTT's candidate for governor, Hubert Olive, set a pattern. KERR SCOTT could generate a huge following for himself; but he could not pass it along to his chosen successor. Thus SCOTT never built much of a political machine in North Carolina, despite fearful speculation of his enemies. He seemed to become undefeatable on his own—proved in his spirited 1954 campaign against Governor Umstead's appointee to the United States Senate, Alton Lennon.

In the United States Senate KERR SCOTT again confounded his critics. Many had expected a continuation of the unconventional antics which often marked his regime in the Governor's office. SCOTT again demonstrated his political wisdom. He was a quiet freshman, listening and learning. He assembled an astute staff and laid low. Little by little in the last 2 years he had begun to raise his voice in the august Romanesque Hall of the Senate. On every hand he was consolidating his position; his principal interests lay in the fields of agriculture and resource development.

THE SHADOW GROWS

How large will KERR SCOTT's bulky, cigar-attached figure loom in the history of North Carolina?

Like Harry Truman's, his shadow grows larger every day. For SCOTT and Truman were alike: Their hearts were in the right place, and they were sound on many large and memorable issues; they were sometimes wrong, and petty, on small ones.

The span of years will see SCOTT's gubernatorial administration as a time of spirited moving forward. He recognized the predominantly rural problems of a predominantly rural State as no governor has in this century; he sought to combine rural down-home living with modern industrial society in an interesting blueprint still applicable today. He made some poor appointments and some good ones, among the latter the first woman member of the North Carolina Superior Court and the first Negro to the State board of education. SCOTT's prediction that water is the largest unmet challenge will haunt North Carolina again and again in the future—just as the research triangle area learned recently when a nuclear reactor project went to the shores of the Yadkin, near Rockingham, and not to the Raleigh-Durham area.

A COMMON MOTTO

KERR SCOTT had a mind open to new ideas. He was a bulldozer, not a diplomat; a doer, not a philosopher. He never plowed under false colors. He plugged for roads, schools, rural electricity, telephones—all tangible things the people of North Carolina understood. He said he would let in some fresh air, and he did. If he is standing close by St. Peter this morning, we suspect he is advising him to rip out all that gold facade and repave it with black macadam.

When they bury KERR SCOTT's body at Hawfields Church this afternoon, North Carolina will lose a unique political leader. He is a variation in the lawyer-governor tradition, proving the strength of North Carolina's independent spirit. He is as near a symbol of a plain-spoken State's motto—"To be rather than to seem"—as we have had in this century.

That was KERR SCOTT's motto, too.

[From the Greensboro Record of April 17, 1958]

W. KERR SCOTT

It is as Governor of his State that W. KERR SCOTT has now taken his place in history.

In the United States Senate, Governor SCOTT had adapted himself to a new, more restrained atmosphere. He did well there for his State and the Nation, but it was his virtual reshaping of North Carolina's system and attitudes of government in the years between 1948 and 1952 that will be best remembered.

People heard the news of his death last evening in Alamance General Hospital at Burlington with disbelief. The man, who rose so rapidly in 1948 from second rank in the State government to become a giant of Tar Heel politics, had so many enduring qualities that it was difficult to realize that a heart attack had ended his career.

As the news was carried down the black-topped Scott Roads to the farms, past the schools built with the bonds issued during the Governor's administration, a sadness fell over the people as they stood amid the bursting greenery of spring.

Nor was it confined to the rural folk, the "branchhead boys" whom Governor SCOTT had rallied to support him. In cafeteria breakfast lines and on street corners in the cities, Tar Heels paused to read the black headlines telling of the State's loss and to recall the urban debt to the man. A State with the momentum of the Scott go-forward program behind it had matched its rural progress with city and industrial growth as well, as the Governor had told them it would.

KERR SCOTT had faith in the people, and the people had faith in him. Perhaps so simple an explanation will not do for the mighty changes wrought in his day, but those who watched the State administration take a new and vigorous approach in almost every realm of endeavor felt this tie between the man and the people.

There was mistakes and there were bad appointments. KERR SCOTT never claimed to be perfect. Yet in the balance of the years none can deny the success of his program or the skill and loyalty of the men who stuck with him. Such surprising—and wise—moves as the appointment of University President Frank Graham to the Senate, gave the lie to those who charged SCOTT with political opportunism or narrowness of view. His appointment of Dr. Harold L. Trigg to the State board of education, the first Negro to hold such a post, revealed an enlightened and intelligent attitude on racial affairs.

What monument does the man leave behind in his beloved State? The Scott Roads span her counties and new schools dot her land. Yet roads and schools will not endure. They will wear away.

Perhaps KERR SCOTT's greatest legacy is his go-forward program. It embraces a Tar Heel optimism, a determination to better the lot of all the people, and a love of native soil which have served the State well, and which will serve it well in the future as long as there are men like KERR SCOTT, dedicated to the service of the commonwealth.

[From the Henderson Daily Dispatch of April 17, 1958]

SCOTT WAS LIBERAL PIONEER

Senator KERR SCOTT's death Wednesday came as a shock to the State after doctors had said he was making satisfactory progress toward recovery from a heart attack a week previously. He had been removed from oxygen and had been promised return to his home from the Burlington hospital a month hence. His sudden death is further evidence of the startling treachery of this leading killer of Americans.

People in all walks of life in North Carolina will regret the seemingly untimely passing of the Squire of Haw River, as he was known to friends. Even as death is no respecter of persons, so also do friend and foe alike sorrow when the Grim Reaper strikes.

SCOTT will probably be known in State history as the greatest pioneering liberal of his time. He led the minority group to victory after becoming known as the friend of the masses seven years ago when he was county agent in Alamance, his home county. It was on that basis that he campaigned for commissioner of agriculture in the early thirties, and he carried the banner in his race for governor in 1948, and for the United States Senate in 1954. He was noted for his wisecracking utterances both in public appearances and in private.

Those who disagreed with him had respect for his convictions, which ran deep. Tolerant minds may differ but they honor men who have opinions of their own and are willing to stand by them. That was SCOTT's policy, and it can be said of him truthfully and in all seriousness.

Farmers have lost a strong advocate of their cause, for he never failed to speak up in their behalf and to go to bat for them at every opportunity. He was not one to hesitate in blazing trails or setting precedents. He did much of both during his public life in all offices he held. He had the knack of the politician, but did not plug for liberalism solely for the popularity of taking such a stand. High office and heavy responsibility never frightened him. Stage fright, as such, did not last long with him either in the governor's mansion or in the United States Senate. He was quick to acclimate himself to environment and then go on from there

in what he considered the service of his constituents.

No man before him ever led the liberals in a formerly conservative North Carolina with the same aggressiveness and earnestness as did Senator SCOTT. Not every one indeed can. It will be interesting to observe developments of the months, perhaps years, ahead to determine who will be his successor in that role.

[From the Henderson Daily Dispatch of April 22, 1958]

ESTEEM FOR SENATOR SCOTT

If every public citizen who has eulogized Senator KERR SCOTT since his death a week ago had acted toward him during his lifetime in keeping with convictions professed at the time of his passing, the deceased official would scarcely have had an important influential opponent in his campaigns for high position in the State and Nation. It is probably true that friend and foe alike never at heart questioned SCOTT's sincerity. Many just didn't see eye to eye with him politically.

Tributes by newspapers and by numerous others who have been quoted attest the quality of service the Senator rendered in his many capacities. Regardless of whatever opposition he may have attracted for reelection, had he lived, he would almost certainly have triumphed. That is because of the growing liberal complex of the State in an increasing trend which is well nigh universal across the Nation. It reflects a surging will of the masses of people everywhere, even in the adherence to the extremes of communism in Iron Curtain countries. This is not to say that all liberals are read, but is merely an evaluation of a thinking which is modernistic, and for better or for worse.

SCOTT was a politician, and a highly successful one. His success could be traced to the fact that he was representative of and a spokesman for a vast element of the public. He fought for these principles because he sincerely believed in them, and not by reason of a demagogic attitude designed simply to snare votes at the polls. Even those who disagreed with him were and are constrained to accord that integrity to a great leader of an important segment of citizens, both in his own State and elsewhere.

These concessions do not always become manifest until death strikes down a crusader for convictions. Nor can this fact be rightly termed insincerity. Actually, it might be precisely the opposite.

Seldom has death struck down a public official in North Carolina to bring out finer tributes to any man than those that have been given in honor of KERR SCOTT. For our own part, we happen not to have been in his corner most of the time, but never questioned his convictions. By any yardstick of measurement, he was a true public servant, and a trusted leader for those who believed in and followed him. And their name was legion. They and the State as a whole will sorely miss his wiry comments and his persistent plugging for the causes which he so fervently espoused.

[From the Hendersonville Times-News of April 18, 1958]

W. KERR SCOTT

In the untimely death of Senator W. KERR SCOTT, North Carolina has lost an able, frank and forceful representative in the United States Senate and an honest and upright citizen.

We did not always agree with Senator SCOTT and his policies. We could not agree with many of his statements which seemed to us to be an effort to set the rural citizen of North Carolina against the urban. We were never entirely in accord with his farm program and felt some of his ideas were too far on the liberal side. (It is interesting to note, however, that, on the basis of his

voting record in the Senate, he was classed as unilateral by some of the more radical organizations.)

But, in spite of these disagreements, we never questioned his sincerity and honesty of purpose and we never questioned his right to his views. We greatly admired his frankness and his courage in always making his position known, even when there was a sting in his manner of expression.

As agriculture commissioner, governor and United States Senator, he served his State honestly and sincerely in the conviction that all he did was in the best interests of its people. He "hoed to the end of the row."

[From the Hickory Daily Record of April 17, 1958]

W. KERR SCOTT

United States Senator W. KERR SCOTT, whose unexpected death came late Wednesday afternoon, was a controversial figure in North Carolina's public life. However, his friends outnumbered his political foes by a safe margin. He never kow-towed to anybody, and his friends found him firm and steadfast.

As has been said of him since his passing, he "hoed to the end of the row," as had been his lifelong hope.

The greatest Tar Heel achievement of KERR SCOTT, in the opinion of the Record, was the construction of thousands of miles of hard-surfaced, secondary roads that form a network over the State. He gloried in the fact he was a farmer, and nothing pleased him more than the fact he succeeded in getting many thousand rural families "out of the mud," as he put it. He also sought to extend electric and telephone service to the country people, during his 4 years as Governor.

Senator SCOTT took delight in his sobriquet, Squire of Haw River—which admiring friends had dubbed him. He continued to the last to pin his faith on what he was pleased to refer to as the Branchhead boys, who were his friends and staunch supporters.

KERR SCOTT was steadfastly loyal to his convictions—to his political philosophy—until death counted him out. He was truly a man of the people—one who was too proud of farm folk to make pretensions of being anything other than what he was.

The Record may have differed with Governor SCOTT, but there were few occasions when we could find fault with United States Senator SCOTT. And never did we fail to admire the sterling qualities that marked him as a democrat—spelled either with a small or capital D.

[From the Northampton County News, Jackson, N. C., of April 24, 1958]

A GIANT PASSES; A STATE MOURNS

W. KERR SCOTT bestrode the first half of the 20th century in North Carolina like a Colossus.

No man, not even Aycock, will be judged by history as high. For a moment—but for a telling moment—he brought real Jacksonian democracy to a State ruled through its history by an oligarchy. For ever after him, the common man must get his due in North Carolina.

But for all his public stature, the most memorable thing about SCOTT was his personal life. He was a gentle, chivalrous Christian statesman. Beyond all the news-story paragraphs about his tobacco chewing and his drawling speech, there was a man whose mind and heart were attuned to the finest things in human experience. Far from being a down-to-earth, essentially simple person, he was a sensitive, finely tuned man with a deeply wrought vision and the iron will to see the vision through.

His service as Governor for all time etched his name on top of the high pylon of fame. He gave himself best to the State which

profited from his giving. Much of his Senate service was mortgaged to health battered by the strain of gubernatorial years and arduous political campaigning.

Hundreds of thousands of North Carolinians weep genuine tears of sorrow, born of love and gratitude, at the passing of W. KERR SCOTT, the Squire of Haw River and the fountainhead of North Carolina at its greatest.

We join them in deepest sorrow.

[From the Kinston Daily Free Press of April 17, 1958]

SENATOR SCOTT IS DEAD, BUT HIS SPIRIT LIVES

The death of Senator KERR SCOTT of Haw River, the roadbuilding rural "squire" whose faith in North Carolina's people was his greatest political asset, is a blow to the State and Nation. There have been few leaders in the history of the Commonwealth whose vision, courage and service have out-ranked his, or whose spirit was more closely linked with the rank and file of Tar Heels everywhere.

His record of public service began with the office of State commissioner of agriculture, to which he was elected in 1936 and in which he served with distinction for 12 years. He stepped down to run for governor in 1948 and defeated Charles M. Johnson, former State treasurer, in a runoff primary.

His administration was dedicated to roadbuilding, bonds for more schools, expansion of tuberculosis facilities, service to the mentally ill and other vital projects for the welfare of the State. He was elected by his beloved "Branchhead boys" as he called his rural constituents throughout the State. But his followers included large groups of urban and city dwellers as well.

On the death of Senator J. Melville Broughton in 1950, Scott named Dr. Frank Graham, president of the university, as his successor. Dr. Graham later was defeated by Willis Smith, conservative lawyer from Raleigh. Scott backed Judge Hubert Olive for governor in 1952, but William B. Umstead won. On the death of Willis Smith, Umstead named Alton Lennon of Wilmington to the post and it was Lennon whom Scott defeated in his most important political battle in 1954.

Scott was a fighter. He did not always win his battles, but he was a good loser too. He kept on fighting for what he felt was right. He named the first Negro, Dr. Harold L. Trigg, of Raleigh, to the State board of education. His foes later used this against him and against his senatorial appointee, Dr. Graham, but it did not change his views about the rightness of his action.

He was an authority on agriculture and its problems. He was engaged in a grueling struggle to help solve some of those problems when his heart attack struck him a week ago. His place in the United States Senate will be difficult to fill, because he was a partisan battler to whom the top leadership looked for guidance in many matters.

Senator Scott understood people. He loved North Carolina and its average citizen. He fought for causes designed to elevate the dignity of the whole State and to enhance its ability to meet and solve its problems. He considered his major gubernatorial contribution to the life of the State his roadbuilding efforts, which he said "made it possible for rural people to go to church."

In his passing the State has lost a stalwart leader, a successful politician and a statesman who gave his life for worthwhile causes in behalf of the State and Nation. That spirit will live as a part of North Carolina's heritage long after the roads he built and the schools he supported have been replaced by bigger and better facilities in this growing Commonwealth.

[From the Laurinburg Exchange of April 22, 1958]

THE STATE NEEDS A KERR SCOTT NOW AND THEN

The late Senator and Governor, W. KERR SCOTT, was a commanding figure of a man when measured by most any standard. Perhaps his outstanding characteristic was bold audacity. He did not fit in conventional molds. His words and his acts sometimes shocked his more conservative contemporaries. He was not afraid to speak his mind on any and all issues, and he was not afraid to tramp on somebody's toes if those toes were in the way of his objectives. In the very nature of the case he made political enemies, but he also made in large number political and personal friends who stuck to him with a fierce and passionate loyalty. You either liked KERR SCOTT or you didn't like him. He was not a neutral or negative character.

But his bitterest foes admired and respected the man for his courage, his direct and forthwith manner of speech and action. And usually his words were backed up with action, or the action preceded the words. KERR SCOTT was a farmer, one of the Branchhead boys, and he never deserted them. In his zeal for the farmer's welfare he was sometimes accused of neglecting other groups or interests, but he never wavered. The \$200 million secondary-road program, which he said was designed to get the farmer out of the mud, was a major achievement of his administration as Governor.

But his devotion to agriculture, to his State and Nation was perhaps best served by his sometimes unorthodox approach to problems. If he saw something he didn't like, or he thought was wrong, he didn't hesitate to tackle it with all his might and that was considerable. Whatever place history gives him, it can be said truthfully that the State needs a man like KERR SCOTT now and then to brush out the cobwebs.

[From the Lenoir News-Topic of April 17, 1958]

COLORFUL FIGURE

The State of North Carolina has lost one of its most colorful figures in public life in the passing of Senator W. KERR SCOTT, the former governor.

Since his college days at North Carolina State, Mr. Scott had made many friends, and a large number of them he had kept in touch with for many years. Among the list of good and close friends since they were students at State was G. Mark Goforth, of Lenoir, a former Caldwell County commissioner, who was appointed a member of the State Highway Commission by his old schoolmate.

During his ups and downs, a road that all prominent political figures follow, the Senator had made a large number of loyal friends and supporters who stuck with him through thick and thin.

The former governor numbered his strongest supporters in the rural areas. It seemed that no one could beat him in a race when he had this strong agricultural bloc behind him. He was also loyal to his farmer friends and when he promised to get the farmer out of the mud, he did just that.

Senator Scott was frank. If he had anything he wanted to say, he said it regardless of where the chips fell. He didn't always make everyone happy. But there was no one to say that they didn't know where he stood on a question.

On many occasions he upset the old proverbial political appletart as many who bucked him soon found out.

The Haw River squire served as North Carolina commissioner of agriculture for 12 years prior to becoming Governor. He had served as a representative of the United States Department of Agriculture, and was a former county farm agent. He was interested in dairying, rural electrification, and rural telephones. He was a past president

of the North Carolina division of the American Jersey Cattle Club and past president of the North Carolina Cotton Growers Cooperative Association. Probably no man in the Tar Heel State was better versed on farming and its problems than W. KERR SCOTT.

Even though differences of opinion often arose about his ideas and policies, you cannot help but admire a man with the ability to work his way up from a farm boy to become Governor of the great State of North Carolina and later as United States Senator from the Tar Heel State. He had accomplished much during his 62-year span in this State. Even though he was a controversial figure, he will be remembered for many generations as a man who would roll up his sleeves and work for the principles and ideals in which he believed.

KERR SCOTT was also a man with feeling and a heart. Some time ago he sent this newspaper a release in which he raked President Eisenhower over the coals for some decision which the President had made and with which the North Carolina Senator did not agree. The President became ill and Senator Scott immediately wired to kill the story because he did not want to take issue with a sick man.

He had visited Lenoir many times and had made a host of warm friends in this area.

[From the Lexington Dispatch of April 18, 1958]

THE STATE SUFFERS LOSS

North Carolina is poorer in the councils of the Nation today because of the unexpected death of Senator W. KERR SCOTT. Senator Scott was just a little over one-fourth way on the fourth year of his service in the United States Senate. It was the judgment of a great company of friends and admirers that the stature of the man had increased each year since he went to Washington the first of 1955. He held great promise for valuable service to his State and country had fate spared him to the end of his 6-year term, at which time he would have been only 65 years old and might have looked forward with great confidence to a second term.

W. KERR SCOTT made a great contribution to the progress of his beloved State. More than 14,000 miles of highways built during his governorship stand as a lasting monument to his vision and faith. Those who choose to speak with scorn of his unprecedented program to pull all sections of his State out of the mud remained to praise the achievement before he left the executive office at Raleigh.

For 12 years as commissioner of agriculture, Mr. Scott contributed immeasurably to the agricultural progress of his State. During his 4 years as governor he let no opportunity pass without seeking to advance the fortunes of rural North Carolina, and with this the reflected progress of the towns and cities. He was a firm friend of the public schools and pressed successfully for an enlarged school-building program that spread its benefits to all of the 100 counties. During his 4-year term new records were set in expanding the facilities for higher education and for the extension of the work of the eleemosynary institutions. All these great works were carried out in such manner as to reflect high credit on his administration and the people of the State.

The governor's office demands much of the men who fill it. And this has been particularly true during the past 30 years. Witness the fact that with the passing of Senator Scott, North Carolina does not have a single surviving ex-governor.

[From the Harnett County News, Lillington, N. C., of April 24, 1958]

KERR SCOTT

Soon after the News went to press last week, Senator KERR SCOTT passed away. Our remarks did prove to be out-of-date, as we

suggested they might be. We had an idea, coupled with a hope, that he would be able to pull through his ailment.

By the time these lines are read, perhaps, Governor Hodges will have named a successor. He will need to appoint a good man if Scott's shoes are not too loosely filled.

KERR SCOTT found soon after he entered public life that many people failed to agree with his policies. As agriculture commissioner, as Governor, and as Senator, opposition to his policies grew stronger. The News disagreed totally with some of his views.

Our sharpest disagreement was with his advocacy of more public power projects—those projects that were so deftly termed "flood control," but which were nothing more nor less than jabs at private enterprise which built this Nation in the strongest fort for freedom the world has ever known.

We were never able to understand how Scott allowed his reasoning faculties to become so dulled by the influence peddlers.

But we always admired him because we always thought he was sincere in his efforts for the betterment of mankind—starting at the lower level where representation is always most needed.

Attesting the esteem of his fellow North Carolinians in his rise from a farm operator to the highest positions his State could give him.

There is grief at his passing, and it is keenly felt in Harnett County where he enjoyed a wide friendship.

[From the Robesonian, Lumberton, N. C., of April 17, 1958]

HERE WAS A MAN

The man from Alamance, unpredictable during his lifetime, remained so at the end. His death contradicted the favorable reports of his condition that had been issued by his doctor. He had been making progress in recovery, and everyone, including Senator KERR SCOTT himself, seemed to be sure he would get well again.

SCOTT was a man who could take it. He was said to have the hide of an elephant when it came to criticism—something that he also could dish out. He might have been said to have "the heart of a lion," although even a strong heart stops beating, someday. With his own preference for homely expressions, he liked to call himself one of the Branchhead boys, a mild term which did not necessarily rule out being bull-headed at times.

An able man, a colorful, and controversial character, Scott made his own way in politics, identifying himself with the farmers rather than with established political factions. He served as a county farm agent, state commissioner of agriculture, and then as a farmer governor who won the lasting affection of thousands of rural people who got out of the mud on paved "Scott roads" in every county.

As a Senator, Scott was said to have mellowed somewhat. But the people and the politicians of North Carolina looked forward to the prospect of a contest a few years hence between two ex-governors, Scott and Hodges, for Scott's Senate seat. That never-to-be contest was heralded years in advance as an awesome struggle between two political giants, and it was one that Scott himself probably would have enjoyed immensely.

Senator-Governor-Farmer Scott led a full life, giving free rein to himself as an individual and to his talent as a leader of people. He was not accustomed to basking in praise and admiration, but he knew that he had the deep-rooted loyalty of great numbers of the people of his State. Looking back now, at friends and foes, Democrats and Republicans, farmers, and city-dwellers, he would be able to pass up the pretty epitaphs and say, "Man and boy, they know I've been there."

[From the Davie County Enterprise-Record, Mocksville, N. C., of April 24, 1958]

SENATOR W. KERR SCOTT: DAVIE LOSES A FRIEND

In the death of Senator W. KERR SCOTT last week Davie County lost a very devoted friend.

In the two highest positions the State of North Carolina offers, there has been no one who has shown Davie County the consideration as did Senator Scott.

In a period of years, 1945-55, W. KERR SCOTT came into Davie and spoke four times.

He was the featured speaker while commissioner of agriculture in 1945. He was the featured speaker at the REA annual meeting while he was governor in 1949. Also while he was governor he gave the commencement address at the Farmington High School in 1951. Then at the end of his term, and just prior to his announcing for United States Senator, he returned to Davie in 1953 to speak again at the annual meeting of the Davie Electric Membership Corp.

His visits to the county were even more numerous.

These visits of W. KERR SCOTT to Davie County were made only because the man had interest in the county and its people. This interest continued on when he became North Carolina's Senator. A request from Davie for certain information would bring just as quick action and consideration as that of a much larger county.

The people of Davie County showed their fondness for W. KERR SCOTT by giving him a majority for every office for which he ran in the primary elections. This expression of fondness for the man went even further in Davie than in some counties. Davie also gave majorities to every candidate which the late Senator backed.

Some of the interest of W. KERR SCOTT in Davie County probably can be traced to the fact that Davie is a rural county. Senator SCOTT, a farmer himself, has always been interested in bettering the rural areas of the State. During his years as governor, many rural roads in this county were paved. The county also benefited in a statewide bond issue, all of which went into the construction of the new Davie County High School plant.

Since he has been Senator, this newspaper has carried each week on its editorial page a column, Washington Report, which originated in Senator Scott's office. Senator Scott used this column to keep the people back home informed of activities in Washington, his action, and his beliefs.

Yes, in the passing of Senator W. KERR SCOTT, Davie County and its people have lost a friend.

[From the Newton Observer-News-Enterprise of April 18, 1958]

SENATOR SCOTT WAS QUITE A MAN

Senator SCOTT is gone—but his record of accomplishments against old customs, traditions and political power will go down in history of North Carolina to reveal he was one of the State's greatest governors.

Most notable of his accomplishments were the rural telephone expansion and the paved farm-to-market roads. These two accomplishments have been burned deeply into the bronze plates of history for all time.

Senator SCOTT possessed a granite jaw of individualism with which he confounded his opposition. His rugged determination to help the farmers of North Carolina put him in the governor's office and later in the United States Senate.

We don't know who will be his successor in the United States Senate. But we do know Governor Hodges can't find another KERR SCOTT. His kind is rare; but a type of leader who is sorely needed today, who is for the people, in order that a pure democracy may survive over socialism, communism and all other isms.

During his term as governor it can be said of him, "He was a good ruler and the people prospered." In the Senate, he was no glamorous Member of that body, but you can bet your life he was admired greatly and was a power for the democracy he represented in Congress, backed up by the grassroots.

[From the Raleigh News and Observer of April 17, 1958]

KERR SCOTT

There seemed a quality of good, stout, rural indestructibility about KERR SCOTT. More than once in recent years there had been rumors about his health. When he suffered his heart attack a week ago, his doctor did not minimize its seriousness. Still it seemed incredible that the Squire of Haw River who stood so squarely on the North Carolina earth could quickly fall. He was to the last the branchhead boy and he seemed as eternal as the native spirit of North Carolina.

Now that he has gone, however, as another in such a succession of deaths among North Carolina senators as to build and buttress superstition, it is almost as hard to realize the brief term in which he rendered his great service to North Carolina. All his life, of course, Scott had labored in the service of the farm people of this State. But it was only 10 years ago—and then very suddenly—that he emerged as one of the recurrent great men in North Carolina's story who embody the stirring vitality of the people themselves.

His sudden rise was against the notion, which too often overtakes North Carolina, that matters can be arranged for the people and that leaders can be picked for them. Speaking their language and moving as they wanted to move, his election was a reassertion of the never-to-be-disregarded power in the people themselves. He surprised those who smiled at his presumption in daring to oppose a candidacy already arranged by those who regarded it as their right to arrange such matters in North Carolina. They were shocked at his success. The fastidious shook their heads. They undertook to turn his asserted comradeship with the boys at the head of the creek and the people up at the muddy end of the road into uncouth bumpkinness. And they liked it even less when Scott showed that he really meant to be the branchhead boy of the plain, un intimidated people of the State in its cities and on the streets as well as along the creeks and the unpaved roads. And, of course, he seemed even more the yokel when he associated himself in politics with such an idealist as Dr. Frank Graham.

He took lickings. But he built roads. In all the phases of the life of the folks, he labored for their advance. Most important, sometimes in joke and frolicsome phrase, sometimes with jut-jawed bluntness, he served the dignity of little people even when his manner and vocabulary displeased stuffed shirts. The people understood him. They knew that in education and family background he was the superior of many of those who sneered. They sent him to the Senate despite all efforts to besmear and belittle him.

He is dead now. And safely dead, he will be platitudinously praised by some of those whose relief is greatest at his passing. It will take time for the undoubted growth of his stature into that of one of the great figures who have, in this State's history, advanced North Carolina most and served its people best. But even now, dead in his native Alamance, what he best proves is the immortality of faith in the ordinary people and the certainty that they will find the leadership they require.

KERR SCOTT is dead. He is one of a succession of dead Senators. But in his brief, unexpected, dynamic span of leadership, he demonstrated the immortality in the life of North Carolina of the branchhead boy who

declines to be separated from the ordinary people, who has no fastidious fear of speaking their language, sharing their faith, and sharing, too, their frolics and their hopes.

This State will miss KERR SCOTT. He dies in a time in which he cannot be easily spared. Still his death is less important than the proof of his life that high leadership in North Carolina is always that which takes strength from the strong, plain, unpretentious and unintimidated people themselves.

That was KERR SCOTT. That was the young-hearted branchhead boy he was until he died. And North Carolina will be safe as long as the spirit which he shared survives.

[From the Shelby Daily Star of April 17, 1958]

NORTH CAROLINA LOSES A FIGHTER

North Carolina lost one of the most colorful political figures in its history with the death of Senator KERR SCOTT in Alamance County yesterday. He will be widely mourned in the great State he helped to build.

KERR SCOTT was a controversial Governor of North Carolina. But we have always thought he did the State, and especially the rural people, a lot of good.

He did the State a great service, if for no other reason, by breaking through the urban lethargy and selfishness of North Carolina conservatives and awakening them to the needs of the State's rural population, especially in the area of roads, electrification of farms and extension of telephone service.

Governor Scott made a good many enemies through a fairly ruthless manner of accomplishing his ambitions for the State. But he later carried enough weight at the polls to be elected to the United States Senate.

One of the most controversial things he did while in the governor's mansion was to appoint Frank Graham, president of the University of North Carolina, to the Senate. This didn't set well with the conservative political element in North Carolina. The late Willis Smith was sent after Graham's scalp and got it after one of the most bitter political battles in the State's history.

Scott's confidence in Graham was later justified, however, by the roles in which the latter was cast as a mediator for the United Nation's—jobs which could be done successfully by few men.

Prior to serving as Governor and Senator, KERR SCOTT was an able commissioner of agriculture for the State. It was while in this office that he made the contacts with the "branchhead boys" who later helped him defeat Charlie Johnson, the State treasurer who had been handpicked for the governorship by those in power.

He later came back to partially avenge the defeat of his appointee, Frank Graham, by wresting the Senate seat from Alton Lennon. The latter had been appointed to the job after Willis Smith died in office.

While less colorful and less blunt and outspoken in the Senate, Scott remained a unique political figure. He still had his severe critics and political enemies, but if they bothered him, he never let it be known.

He was, indeed, a man who will stand out boldly in the history of our State.

[From the Chatham News, Siler City, N. C., of April 24, 1958]

A LASTING MONUMENT: KERR SCOTT'S IMPRINT ON CHATHAM

There is little that we can add to what has been written about Senator W. KERR SCOTT who died last week. His life and public service have been written and spoken about to an extent that should clearly indicate that an important public figure has passed from the scene.

In discussing Senator Scott we would like to bring him closer to home.

KERR SCOTT made a lasting imprint on Chatham County, one that will stand through the years; that will be remembered when anything progressive occurs within the county's borders.

It was KERR SCOTT, through his secondary road program, that brought Chatham County "out of the mud" where it had languished for almost a quarter of a century.

Today the "Scott roads" are taken for granted by many who have forgotten that within our county's borders there were many "lost provinces" because of the red mud in which we wallowed.

The building of adequate county roads has probably done more to bring Chatham County out of the "poor county" category than any other State government activity.

Because people suddenly found that they could get around in the county there was an awakening economically and a development of pride in homes, buildings and farms.

One need only to travel through the county today to see what we mean. Because of the building of new roads there was probably more white paint applied to Chatham homes and buildings than there has been in a generation.

KERR SCOTT was an inveterate "needler" and the farmers came in for their share of it when in the early forties and as commissioner of agriculture Scott warned Chatham County's farmers that they would never get anywhere if they kept trying to become "rocking chair farmers", relying on commercially produced products to substitute for the crops which the farmers should have been producing on their farms.

Scott's everlasting needling resulted in more rural telephone and powerlines and in this area Chatham shared considerably.

On frequent visits to the county Scott took delight in recalling the poorer days of Chatham's agriculture. Seemingly he enjoyed making the comparison of things as they once were and the improvements that had been made. Of this he was a part, particularly through his good roads program that meant so much to Chatham's rural people.

As a county we need constant "needling" else we settle into the comfortable rut of complacency.

Maybe there are some among us who can take up where KERR SCOTT left off—in needling us into a realization that much remains to be done before we can even hope to pause in the "Go Forward" program he instituted in various fields.

[From the Smithfield Herald of April 18, 1958]

SCOTT DID FOR NORTH CAROLINA WHAT JACKSON DID FOR NATION

KERR SCOTT will live long in the memory of Tar Heels as "the man who got us out of the mud."

KERR SCOTT literally lifted rural North Carolina out of the mud with his bold road-paving program. But his rescue work extended far beyond the farms of the State. He rescued the political power of the people of North Carolina at a time when that power appeared to be mired in a bog.

He was the Andrew Jackson of modern North Carolina politics. Scott's "go-forwardism" did for North Carolina what Jacksonian democracy did for the Nation more than a century before. It brought fresh air into popular government and reversed an unwholesome trend toward excessive political conservatism.

President Franklin D. Roosevelt said in 1936: "It will never be possible for any length of time for any group of the American people, either by reason of wealth or learning or inheritance or economic power, to retain any mandate, any permanent authority to arrogate to itself the political control of American public life. This heritage * * * we owe to Jacksonian democ-

racy—the American doctrine that entrusts the general welfare to no one group or class, but dedicates itself to the end that the American people shall not be thwarted in their high purpose to remain the custodians of their own destiny."

KERR SCOTT fulfilled this expression of faith in the democratic dream. When he suddenly announced his candidacy for governor 10 years ago, seasoned politicians said he had no chance to win the nomination. Charles M. Johnson, who for a long time had been referred to as the man "hand-picked" for the gubernatorial succession, was thought to be invincible. But the group of Old Guard Democrats that seemed to hold an iron grip on North Carolina political power underestimated Scott. This upstart candidate was a farmer and a former county agent. He had made a name for himself as North Carolina's commissioner of agriculture. Farmers rallied to his support. Labor backed him. And he picked up enough additional support from dissatisfied politicians in the conservative ranks to score the upset.

A new day dawned in Raleigh when Governor Scott was inaugurated just as a new day dawned in Washington when President Jackson entered the White House. The Branchhead Boys, "blood relations" to the unpretentious farmers and frontiersmen who cheered Jackson, at long last had one of their own in the governor's chair.

Governor Scott always will be gratefully remembered as a good-roads governor. He gave a new word to the language. An unnumbered rural paved road is known widely as a "Scott road." Governor Scott also fought vigorously for greater rural electrification and extension of rural telephone lines. He worked endlessly to close the gap between rural and urban standards of living in North Carolina. But his most distinctive achievement was his injection of new life into North Carolina democracy.

The State has had a number of able governors in this century, but none of them—except "the immortal Aycock"—has influenced the direction of North Carolina's growth as greatly as KERR SCOTT. He died an honored United States Senator, but he appropriately will live in the minds of the people as "Governor Scott." In time the name of Scott will stand out like the name of Aycock in the history of the Tar Heel State.

[From the Statesville Record and Landmark of April 17, 1958]

W. KERR SCOTT

We were present in Guilford County courthouse back in 1936 when W. KERR SCOTT, a nervous dairy farmer suffering from a severe case of stage fright, made his debut into North Carolina politics.

He had, he told the small audience, decided to seek the Democratic nomination for commissioner of agriculture in the conviction that the farmers of North Carolina were entitled to a new deal.

His opponent was William A. Graham, from a family long potent in North Carolina politics, who held all the advantages which accrue from being in office. We were then a reporter on the Greensboro News and did our best to present Scott's candidacy in as sincere a light as possible.

KERR SCOTT appreciated our efforts and told us so; and from that day forward never failed to stop and pay his respects when down in Iredell.

Well, KERR SCOTT went on to win over William A. Graham and winning became something of a habit with him despite the fact that he always had to take on the big ones.

In 1940 he was challenged as commissioner of agriculture by C. Wayland Spruill, who went down in the primary under a barrage of ballots. That fall Scott polled 599,957

votes in the general election, only 9,058 short of the total given that all-time vote getter, Franklin D. Roosevelt.

In 1948 Scott decided to take on the "machine" in the race for governor. During the campaign he addressed an other sparse audience in the Iredell County courthouse. He told the few of us who were there that, if elected, he would let some fresh air in at the top of the State government.

His chances looked rather hopeless. In fact, he trailed Charles M. Johnson by 9,000 votes in the first primary, but led in the runoff by more than 26,000.

Then came 1954. Willis Smith had defeated Frank P. Graham, the man Scott appointed to the United States Senate, and had died in office. Alton A. Lennon had been named to succeed Smith and was up for election.

Again Scott decided to take on the machine. He announced for the Senate. The contest was at its height when the State's senior Senator, Clyde R. Hoey, died suddenly early in May.

Scott arrived in Statesville the day Senator Hoey died and asked us to make reservations for his party at Bolich Motel. That night the main topic of discussion among Scott supporters was how to offset the adverse effect Hoey's death was expected to have on the Scott campaign and it was agreed to use the slogan, "The people ought to name one." And, again, Scott went on to win.

He could win elections, but he met more than his match when disease laid hold of the heart which had beaten so long for the common man.

His death may bring a complete realignment in North Carolina politics. His successor will be named by Gov. Luther Hodges, but he will be able to serve only to January 1. The name which will go on the ballot for the November election will be chosen by the State Democratic executive committee, probably sometime in July. But, whoever is appointed or elected in November will serve only until 1960, when the office will be open for the full 6-year term. A lot of leaves can fall between now and then.

[From the Statesville Record and Landmark of April 19, 1958]

BACK TO BEGINNING

Well, we went down yesterday, a humble vassal, to pay final respects to the Squire of Haw River and found the liegdom crowded with the lords of the kingdom, temporal, spiritual, and political.

It was, in all, a fitting terminal tribute to the man who, propelled by the energy that was finally to burn him out, rose from the fields of Alamance County to the second highest office in the land.

For W. KERR SCOTT, farmer, commissioner, governor, United States Senator, had come at last back to the beginning to be laid to rest in Hawfields cemetery in the presence of 7,000 peers.

It was an impressive funeral, just as the old squire had predicted. Some came in sorrow, some out of curiosity, and a few just to make sure he was dead. But they all knew that a distinctive North Carolina personality had passed on.

All approaches to 100-year-old Hawfields Presbyterian Church were manned by white-gloved, uniformed North Carolina highway patrolmen, directing incoming traffic through the maze of paved roads to the residence or to the church.

More patrolmen, their vehicles lined up with precision to form a passageway to the church, directed traffic on the grounds. The people, black and white, began to gather early. Soon the church was filled and the overflow milled around under the oaks, maples, and ash.

First came the Governor and Mrs. Hodges. Then the Congressional delegation, headed

by senior Senator SAM J. ERVIN, JR. Then the high and low in business and industry. And finally the people, the Branchhead boys who always rallied to the old squire's banner.

The service itself was simple, something of an anticlimax. There was the scripture, a poem, a solo, a few final words. And then at the graveside the closing prayer, "We leave our brother sleeping."

We drove back by the Scott residence. It was quiet, rather small to have housed so large a man. A single flowering plant stood on the porch. Workmen went about their tasks at the huge dairy barn and elsewhere on the rolling farm which bathes its feet in the Haw River.

The river itself, a little muddy but unperturbed, flowed on to the certain sea. And life flowed on into a dawning new age, a little muddy, a little ruffled, and quite uncertain.

[From the Montgomery Herald, Troy, N. C., of April 24, 1958]

KERR SCOTT WAS GOOD FOR NORTH CAROLINA

A farmer came into the Herald office Thursday to renew his subscription. Upon completion of his business, the farmer commented:

"We lost a great Senator yesterday."

He went on to explain how he had met KERR SCOTT one time and how the former Governor always seemed to have the little man's problems at heart.

This comment typifies the feeling of thousands of Tar Heels who mourn the death of the squire from Haw River.

W. KERR SCOTT had thousands of friends throughout North Carolina. He also had enemies. A man does not establish a record as KERR SCOTT did without making enemies.

The tobacco chewing square will be remembered most for his record as Governor of North Carolina. The thousands of miles of "Scott Tissue Roads" have been the object of jokes and criticism, but farmers who now have farm-to-market paved roads find little cause to joke about the Governor's road program.

Determined action by Scott can be credited with the establishment of thousands of rural telephones.

Senator SCOTT was a farmer first, last, and always. He loved the soil and his greatest achievements were pointed directly to benefit the farmer.

He was never more at home than when chatting with small-town folk or farmers at Grange meetings, benefit dinners, or grass-root political rallies. This is where the squire drew his tremendous political strength.

There was never a dull moment when KERR SCOTT was in the thick of a fight. The voice of Haw River is silenced, and the silence from Haw River is deafening.

Yes, KERR SCOTT was a man of action. He made mistakes, true, but in his relentless battle to make the farmer equal he built up a following the likes which have seldom been seen in Tar Heel politics.

The untimely death of W. KERR SCOTT will leave a void in the political ranks of North Carolina for many years to come.

Viewing the career of the Squire from Haw River in retrospect, few people—friends and foes alike—will not agree that KERR SCOTT was good for North Carolina.

[From the Anson Record, Wadesboro, N. C., of April 22, 1958]

SENATOR SCOTT'S INFLUENCE IN ANSON WAS PROFOUND

Senator KERR SCOTT's death last week brought deep sorrow and regret to many Anson County people as well as people throughout the State and Nation—and that

sorrow was felt even among former political opponents of the Senator.

Despite Anson's predominantly rural character this area was never overly enthusiastic in supporting Mr. Scott who was known as the friend of the farmer and whose main support came from what the daily press has described as the "branch head" boys.

But the Governor who later became Senator had a lot of friends and supporters in Anson County and as the years passed he has gained more friends and more respect. A great bulk of the rural people are not likely to forget that it was the former governor's \$200 million rural road program that got them out of the mud; nor are most of our citizens likely to forget the straightforwardness of Mr. Scott in carrying out his political beliefs.

Probably the two most closely contested political races of modern times in Anson County could be directly attributed to the Governor who went against the so-called State political regime in winning the governorship, and whose senatorial appointee, Dr. Frank Graham, was defeated by Willis Smith, in a bitterly contested election.

Scott was a man of action and history will show that he was one of the outstanding governors of this State.

[From the Washington (N. C.) Daily News of April 1958]

GOOD MAN GONE

When one says "a good man is gone," he is not speaking idly when he refers to KERR SCOTT.

This man made a great record of public service as a farm agent, commissioner of agriculture, Governor, and United States Senator. Perhaps more than any other quality, he possessed that one we know as "down to earth." He did not have a lot of big words to use. He did not attempt to be a socialite. He never "put on the dog," so to speak. He was just plain KERR SCOTT, squire of Haw River, devoted public servant, and a man of the soil. He remained that way all through his long and distinguished career as a public servant.

He enjoyed his good "tobacco chaw." He walked with the humble and he talked with the proud, but always he remained the same man.

It is hard to believe that he is gone from us. He made an indelible impression upon many lives in our State. Whether one liked or disliked him as a public figure, one thing stands out. One could always talk to KERR SCOTT whether he was speaking to the commissioner of agriculture, the Governor, or the United States Senator.

North Carolina seems to have a habit of working our Senators to death. In a few years we have lost Senators Clyde Hoey, Willis Smith, Melville Broughton, and now KERR SCOTT in the same manner.

The Scott imprint will remain on North Carolina and its people for generations to come. When politicians gather, oftentimes they will refer to this fellow as a "man of action." He deserves all the fine tributes which we can pay him today. He believed in his people, and he fought his battles with all the energies at his command. And he knew how to fight, and he knew how to generate enthusiasm through his leadership.

KERR SCOTT is not gone. He has merely sailed away. Men like him never go away completely. He will remain long in the hearts and thinking of those who loved him and followed his leadership. Truly, a good man has passed our way.

[From the Waynesville Mountaineer of April 17, 1958]

SENATOR SCOTT: HAYWOOD'S TRUE FRIEND

The passing of Senator W. KERR SCOTT means the loss of one of Haywood's staunchest friends in government.

Haywood will always be indebted to the colorful and forthright former commissioner of agriculture, Governor, and Senator.

It was Commissioner of Agriculture SCOTT that established the Mountain Experiment Station on the edge of Waynesville.

It was Governor SCOTT who appropriated \$1,500,000 for the Pigeon River Road, and gave the project the needed incentive to become a major highway of western North Carolina.

It was Senator SCOTT who went to bat for farmers, teachers, and opposed parkway tolls.

Senator SCOTT held Haywood in high esteem, and this feeling was mutual, although the county did not vote for him as governor when he sought the office. He came here, understood the situation, and asked for support of his rural road program. He was understanding, and as a result, Haywood went all-out for the program.

Senator SCOTT knew of the problems of western North Carolina, and made every effort to work out programs that would make this a more progressive area. This he did well.

When the Pigeon River Road is completed, the dedication program should have a portion devoted to the memory of the man who saw the possibilities for opening the forgotten western part of the State.

[From the West Jefferson Skyland Post of April 24, 1958]

HE SERVED WELL: W. KERR SCOTT, A GREAT AMERICAN

The sudden death of Senator W. KERR SCOTT brought to a close a career of distinguished service. But the results of the efforts of this great American will stand like statues of granite throughout the years to come. Some of these markers are roads and schools, others are in rural electrification, telephones, and improvements in agriculture.

KERR SCOTT had three great loyalties, his home, church, and community and these might be multiplied many times. His interest in home and family life led him in movements to improve conditions in all rural homes. He was a religious man and much of his pride in the rural road program was that it enabled countrypeople to attend church even in the worst weather. Community interests not only included North Carolina, but the Nation and the world.

KERR SCOTT was honest and outspoken, and it was his sincerity which inspired loyalty few individuals merit. There was no pretense in his character and it has been often said that he probably came nearer being a symbol of North Carolina's motto, *Esse Quam Videri—To Be Rather Than To Seem*—than any leader this century has known.

His homespun philosophy and his sense of humor, which earned for him the title of the "Squire of Haw River," set him apart from the average statesman. He was a well-educated man, yet never lost the common touch. He possessed deep-rooted understanding and sympathy for the less fortunate to the extent that many of his programs during his term as governor were directed toward bringing about equal benefits for all of the citizens of this State.

He was a man of independence and a man who, like his father before him, wanted to serve the people of his State to the best of his ability. He was a fighter and to the very end fought for what he believed was right.

There has not been in this century a more colorful, courageous, and popular leader in this State. In him the small people knew they had a champion. A dirt farmer through inheritance, education, and practice, he had a complete understanding of the problems of agriculture. He never forgot there are many farmers and their problems are multiple.

He was a leader, who was not only fired by the desire to serve, but possessed the knowledge to move ahead. There were those who disagreed with this man, but there were more who gave him their loyal support. But even those who did not see eye to eye with him knew where he stood and they could plainly see that he knew where he was going.

He valued tradition, but his mind was open for new ideas. He was independent and had the full courage of his convictions. And this was another characteristic which set him apart in this age when there are far too many conformists.

KERR SCOTT is an important part of the history of this State he loved so well. And as time marches on his greatness will be recognized more and more.

[From the Whiteville News Reporter of April 21, 1958]

KERR SCOTT WILL BE MISSED

The untimely and unexpected death of North Carolina's United States Senator KERR SCOTT last Wednesday cast a pall of sadness over the State. Long a man with his own mind and given to direct action, the late Senator and ex-governor had made some enemies over the years, but even they will admit his greatness as a man and public servant and regret his sudden demise.

The so-called little people of the State, farmers, laborers and many "white collar" people have lost a great friend. Senator SCOTT did not seek his support from machine politics. He took his campaign direct to the people, the "branch head" folk when he sought an election or wanted to build roads. He had a political machine, the best, the confidence of the little people.

All of KERR SCOTT's public life has been spent in promoting what he believed to be the best interests of his beloved people of North Carolina. He genuinely believed that what was good for the people was good for North Carolina. A farmer, he labored, in public life, unceasingly for the farmer and will be remembered for having got him out of the mud and dust onto hard, blacktop roads. He was never defeated when he sought election to an office. He first served the State as Agricultural Commissioner, then as Governor and finally as United States Senator. He was a leader with a folksy personality that made the least of his little people feel "at home" with him.

The whole State will miss KERR SCOTT. It will be difficult for the State to spare his leadership and experience in the Senate at this time. It will be hard to find a successor to measure up to his stature of moderate-liberal thinking and leadership which helped to keep our State in balance.

Senator SCOTT died in his native Alamance county on the eve of his 62d birthday after a week's illness following a heart attack. He and his supporters were looking forward to 1960 when he was expected to seek re-election to the United States Senate. Now he is gone. The Governor will name some one to take his place, but who will represent the "branch head" people of the State, the little people?

By any standard of measure KERR SCOTT's public life was a success. We believe time and history will prove him one of the State's greatest men.

[From the Williamston Enterprise of April 22, 1958]

A RECOGNIZED FRIEND

KERR SCOTT, whose sudden death a few days ago shocked and saddened the people of North Carolina, was a recognized friend of the farmer and the average man. Others may have done as well, and others may have merited the same recognition, but SCOTT's manner, while not acceptable to all at all

times, and his certain stand on all matters just seemed to place him in the little man's corner. The common man in the street recognized him as his governor, his Senator, and his friend.

As governor, he prodded the utilities to action and he called for a showdown when the interest of the people was at stake, but the record will certainly show that he took advantage of no one, that his work was always aimed at a better State for all.

His accomplishments as commissioner of agriculture and governor, especially the extension of the road program to the grass roots, will stand as a monument to his memory down through the years.

[From the Wilmington Morning Star of April 17, 1958]

SENATOR W. KERR SCOTT, COLORFUL LEADER

The death of United States Senator W. KERR SCOTT removes from the State and national political scenes one of the most colorful personalities of recent years.

Most North Carolinians agree that Senator SCOTT was a controversial, resourceful, and determined man. To his friends, he was one of the State's most progressive leaders. And to those who never voted for him he was admittedly a disturber of the status quo in North Carolina politics.

The record of Mr. SCOTT as Governor shows he successfully effected several improvements in North Carolina's life. And while this newspaper did not agree with many things he did, nevertheless it believes he usually acted as a man of strong convictions for what he thought was good for the State.

As a Senator, he showed genuine interest in all North Carolina affairs. From the national viewpoint, he was rapidly becoming a leader of Congressional friends of the farmer.

Throughout his political career, Mr. SCOTT realized and appreciated the farm vote as few North Carolina politicians have. He had an extremely loyal personal following. Yet, he was never able to transfer that loyal following to his political friends when they sought office.

Time and history will be the best appraisers of Mr. SCOTT's permanent value to the State. Meanwhile, as North Carolina mourns his passing, it will realize that he was a political success in that he, with some exceptions, usually did what he personally sought to accomplish.

[From the Wilmington News of April 17, 1958]

STEADFASTNESS

The long career in public life of Senator W. KERR SCOTT ended with his death yesterday afternoon, when it appeared he was on the road to recovery from a heart attack suffered last week.

Senator SCOTT's death is mourned by all North Carolinians and many others throughout the Nation who were cognizant of his service to the State and Nation.

The Squire of Haw River was a colorful and respected political leader. His long years of service in public life made him a controversial figure, also but it is a tribute to him from both friend and political foe that he had the courage of his convictions.

In the field of agriculture in which he was well-qualified and well-suited, being a dairy farmer and a public figure, Senator SCOTT was an outspoken champion of the farmer. He served many years as North Carolina's Commissioner of Agriculture, and when he was Governor of the State he transferred his support of the farmer to that office.

As a United States Senator, he continued to fight for his beliefs in regard to the State and national farm situation. Such steadfastness for any cause is a characteristic which will be missed by Tar Heels in all walks of life.

[From the Wilson Daily Times of April 19, 1958]

THE SQUIRE OF HAW RIVER

W. KERR SCOTT, a colorful, dynamic character, who has shaped agricultural legislation and history for years died yesterday. The Senator from North Carolina also was a potent power in the political picture of this State and Nation.

Senator SCOTT built his fences from the open fields. He prided himself on being the friend of the farmer and a champion of the little man. But so well did he build that the fences soon included the wrought iron examples around the stately city home.

He began on his farm in Alamance county with his first public position that of county agent, from 1920 to 1930. Then he was master of the State Grange, next commissioner of agriculture and from 1948 to 1952, Governor of North Carolina. His election as Governor was a political conquest of the first order. He upset the east-west tradition, the machine and the well laid plans of the king makers.

He was serving his first full term as Senator from North Carolina, when he died. KERR SCOTT was a frequent visitor to Wilson. In fact he has many supporters here. The last time he was in the Daily Times office was during the campaign. He was on his way to Greenville to hear SAM RAYBURN, Speaker of the House, address a political rally.

When he was greeted he was asked, "Senator, how are you, glad to see you in Wilson." He replied, "Yes, just down shaking hands with my friends, building my fences." We stepped around the corner to get Tom Woodward, one of his ardent supporters, and took a picture of the two together. He was also a member of the Chitterling club and could hold his own with the best chitterling eaters.

Wilson county has a constant reminder of Senator SCOTT. The new wing at the Eastern Carolina Hospital is called the Scott building. The money was appropriated while he was Governor and he gave the project his support and he was very proud of the fact that the building was named for him.

Then the black top, from farm to market roads, are called Scott roads. The Squire of Haw River boasted about being elected by the branchhead boys, and he was. In this county there are many of the proclamations declaring the owner a country squire and signed by the Squire of Haw River.

He will be missed, for he was an original. There will never be another like him. You may not have always agreed with him politically, but you always liked him.

One of his Rock Ridge admirers summed up the way his supporters feel when he said, "He was the symbol of the common man in North Carolina." No greater tribute can be given anyone.

[From the Bertie Ledger-Advance, Windsor, N. C., April 24, 1958]

A GIANT PASSES, A STATE MOURNS

W. KERR SCOTT bestrode the first half of the 20th century in North Carolina like a colossus.

No man, not even Aycock, will be judged by history as high. For a moment—but for a telling moment—he brought real Jacksonian democracy to a State ruled through its history by an oligarchy. For ever after him, the common man must get his due in North Carolina.

But for all his public stature, the most memorable thing about Scott was his personal life. He was a gentle, chivalrous Christian statesman. Beyond all the news story paragraphs about his tobacco-chewing and his drawing speech, there was a man whose mind and heart were attuned to the finest things in human experience. Far from being a "down to earth," essentially simple, person, he was a sensitive, finely tuned man

with a deeply wrought vision and the iron will to see the vision through.

His service as Governor for all time etched his name on top of the high pylon of fame. He gave himself best to the State which profited from his giving. Much of his Senate service was mortgaged to health battered by the strain of gubernatorial years and arduous political campaigning.

Hundreds of thousands of North Carolinians weep genuine tears of sorrow, born of love and gratitude at the passing of W. KERR SCOTT, the Squire of Haw River and the fountainhead of North Carolina at its greatest.

We join them in deepest sorrow.

[From the Winston-Salem Journal of April 18, 1958]

KERR SCOTT

KERR SCOTT is dead. And yet he lives. In every nook and corner of North Carolina stand monuments to his life and handiwork. Every rural school, nearly every farm home, has in some way felt the influence of this simple but blunt-speaking man whose life and character so clearly exemplified the official motto of this State: *Esse Quam Videri—To Be Rather Than To Seem.*

Throughout his life KERR SCOTT lived close to the pulsing heart of the State's plain people. He knew their language and spoke it frankly, sometimes with stinging sharpness. He understood as perhaps no other North Carolina leader of his time the needs, hopes, and aspirations of the farmer, the small business man and the worker in overalls. He fully sympathized with and encouraged these hopes and aspirations. With courage and determination he strived as a public official to help his people realize them.

There were those who thought KERR SCOTT acted like a demagog, a brash man who played unashamedly the game of practical politics. Some others regarded him as merely a shrewd country bumpkin with a strong farm following, who was lost more often than not in the political woods. But KERR SCOTT was not a demagog. He was well educated and informed. He made mistakes and took lickings, but he knew his way around in politics and usually came out on top.

The nomination and election of KERR SCOTT as governor in 1948 came as a severe jolt to the professional politicians. Not only was SCOTT a lone wolf and maverick in politics, but he was a farmer in a State which had for generations picked its governors from the ranks of leading State lawyers. But his strength lay in the confidence which the farmers and workers in a still predominantly rural State had in this dairyman, former county agent, State grange master, and commissioner of agriculture. The branchhead boys believed in KERR SCOTT, and there were a lot of them—enough to make him governor and United States Senator.

The high points of accomplishment in the Scott administration included the completion of a \$200 million rural road program, the provision for the first time of a \$50 million State school aid construction fund, and the advancement of the rural electrification and rural telephone programs. A few years ago he told the Journal and Sentinel editorial board in an interview that in his opinion the greatest accomplishment of his administration as governor was the fact that we've made it possible for the country churches to operate in winter.

As United States Senator KERR SCOTT manifested the same dynamic characteristics which marked his activities as public official in North Carolina. He gave much thought and study not only to tobacco and other farm problems affecting this State but also to the national and world problems. His plan for a world food bank, still

in a Congressional committee, is designed both to help reduce American farm surpluses and to provide adequate food supplies for the world's hungry peoples.

KERR SCOTT truly typified the spirit and rugged character of his native State. And few of its leaders have ever served North Carolina more ably, more successfully, or with more single-minded devotion than the farmer from Haw River who has now run his last furrow to the end of the row.

Mr. ERVIN. Mr. President, in closing, I call to mind the words of Goethe: "We are shaped and fashioned by what we love."

KERR SCOTT loved his home and family. As a consequence, he was a devoted husband and father. KERR SCOTT loved his community. As a consequence, he was a good neighbor. KERR SCOTT loved men and women of all sorts. As a consequence, he made his life an instrument of service for all of them. KERR SCOTT loved his church. As a consequence, he had an abiding faith that "all things work together for good to them that love God."

MATTHEW M. NEELY

Mr. HOBLITZELL. Mr. President, I rise today to join my senior colleague in paying tribute to the memory of the late Senator MATTHEW MANSFIELD NEELY.

A native son of West Virginia, he devoted the major part of his adult life to the service of the people of that State as mayor of his hometown of Fairmont, Governor of the State, and a distinguished Member of both Houses of Congress.

In the Senate he served long and faithfully as a member of the Judiciary Committee and the Committee on Labor and Public Welfare, but he is probably best remembered for his work as chairman of the District of Columbia Committee, where he affectionately came to be known as the "Mayor of Washington."

But with all the honor and recognition that were to be his during his lifetime, he remained, above all, a devoted servant of his beloved West Virginia and its people—and this affection was returned in kind wherever he traveled among his fellow mountaineers.

Senator NEELY was one of the great trial lawyers of my State. I remember well, as a student in the university listening to the Senator defend the rights of a poor man in the courts of our State and winning his case. Few men in public life had a greater knowledge of the Bible or a more intense devotion to the teachings of the Master. His whole career was guided by an abiding faith in the Christian spirit. He was a loyal alumnus of our university, and throughout his career maintained a great interest in its welfare, both academic and athletic. He loved to cheer on our athletic teams with the gusto of an undergraduate. I was privileged to be appointed by Senator NEELY as a minority member of the board of governors of our university, and know whereof I speak in this respect.

A shining example of this devotion to his native State was his untiring efforts to secure better safety standards for employees in the coal mines. His

eventual success in this field is probably responsible, more than any other factor, for the sharp decrease in coal mine accidents in recent years.

If there is a single word, which more than any other, seems best to describe Senator NEELY, that word is "courageous." Once he was convinced of the merit of a particular issue, he would fight with all his power in behalf of that issue, regardless of the odds against him. His final dramatic appearance on the Senate floor in a wheelchair just a few scant days before his death was only the last inspiring example of the fighting spirit which was his trademark throughout his political career.

Senator NEELY and I were members of different political parties, and consequently found ourselves in disagreement at times on several issues. But I never failed to be impressed by the conviction and ability with which he put forth his views on any question. He was undoubtedly one of the most colorful and persuasive orators ever to sit in this body. And these differences were, I am sure, merely a disagreement as to method in furthering the same common purpose—the service of the people of West Virginia and the Nation.

I will defer to those Members of the Senate who had the good fortune to serve with Senator NEELY and who can relate, better than I, his many accomplishments in this body. But I can say that even though he has passed now to his final great reward, the effects of his labors here in the Senate will serve as lasting evidence of his efforts to provide, in the way he thought best, a better life for his fellow West Virginians and all America.

Mrs. Hoblitzell joins with me today on this solemn occasion in once again expressing our deepest sympathy to the members of his devoted family.

W. KERR SCOTT

Mr. JORDAN. Mr. President, the day KERR SCOTT died, North Carolina and the Nation suffered a terrible loss. It was a loss that will be felt in many ways and for many years to come.

The many editorials that were written following his death reflected the deep feeling that ran throughout the width and breadth of our State when the shocking news of his death came to us.

Senator SCOTT was a dynamic man of action who, through his untiring efforts to bring about a better way of life for the common man, left an indelible mark on North Carolina. He brought about an era of progress and development in North Carolina unmatched in our history.

In many ways, North Carolina was KERR SCOTT and KERR SCOTT was North Carolina. He spoke the language of the people and at all times demonstrated a keen awareness of their needs.

As a resident of his home county for many years, I was able to observe him closely over a long period of time. My home and his home are only a few miles apart.

There are a few personal references that I feel compelled to make because of relationship and because we were neighbors for many years.

I became acquainted with KERR SCOTT when he was commissioner of agriculture during the depression of the thirties. He made an outstanding record while holding this office, bringing to the State department of agriculture new ideas, new vigor, and improved service.

When he was a candidate for Governor, I worked in his campaign, and under him I served as chairman of the Democratic Party in North Carolina.

During this period of close association he and I worked and consulted together on countless measures, big ones and little ones alike. Naturally there were times when we disagreed, sometimes vigorously. But our disagreements, more often than not, were over method and not purpose, and they in no way affected my appreciation for the greatness of the man, and the cause he served so long and so well.

In every sense of the word, KERR SCOTT was a pioneer. As Governor, he literally put North Carolina on the map. During the 4 years of his administration, our State paved more miles of highways than it had in all the years prior to that. In the same period, North Carolina blossomed with modern schools and hospitals and other facilities that make for a fuller life and a better State. These were moving, momentous years for North Carolina.

KERR SCOTT never knew how to do anything in a slipshod or halfhearted fashion.

When he came to the Senate, KERR SCOTT continued with his traditional vigor and determination. As a member of this body, he showed a great deal of interest in the development of water resources and a more prosperous farm economy. As always, he worked for these things with a refreshing persistence.

Over the long number of years that I knew him, I was always deeply impressed with KERR SCOTT's uncanny ability to look ahead, to weigh and measure the importance of the events and trends of the day in terms of the future. This quality manifested itself repeatedly while he was commissioner of agriculture, Governor, and Senator.

On many occasions, I heard him say: "Where there is no vision, the people perish." This quotation from the Proverbs was his rule, and he lived by it.

KERR SCOTT the man is gone, that is true, but his deeds and his ideas will live for generations.

I know of what I speak when I say he was a big man, a strong man, and a true leader.

His memory will live long in the minds and hearts of all who knew him and the millions who benefited from his labors.

In joining with the other Members of the Senate in paying tribute to Senator SCOTT, I should like to include in the RECORD as a part of my remarks an article by Mr. Howard White that appeared in the Wednesday, July 9, 1958, edition of the Burlington (N. C.) Daily Times-News.

The article tells a very moving story, and all of us who knew Senator SCOTT will find a great deal of inspiration in the message the article carries concerning "Miss Mary," the late Senator's wife.

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

KERR SCOTT 2D BRINGS NEW PURPOSE TO LIFE AND HOME OF GRANDMOTHER

HAWFIELDS.—If the peaceful quiet only would echo the notable sounds of the past, what a difference there would be.

But the KERR SCOTT home here, with one major era in the past so far as North Carolina and the Nation are concerned, now is serving a new day.

The beloved Miss Mary busies herself around her kitchen, for she still finds much purpose to her life. The death of her famous husband in April was a loss beyond expression to her. She was faced with complete readjustment, of moving from Washington and the day-by-day limelight of Government back to the home here into which her husband brought her when they were married in 1919 and which had been their real home through the years, regardless of where they were living.

But while there are sounds inside and under the big Spanish oak tree in the front that can come back through memory, there are some new and real expressions of a new age that are being made inside the home now.

KERR SCOTT 2d was 6 weeks old when his grandfather died. He's now a strapping 4 months old and is staying with his grandmother.

The little boy, the only grandson in the Kerr Scott family, has come through a serious illness that struck him the day his grandfather died of a heart attack April 16. He remained in the hospital for 11 days.

But when Miss Mary completed settling her affairs in Washington late in April and returned home, Kerr 2d was moved from the Robert Scott home next door and has been with his grandmother ever since.

And he's making the sounds that are of a new age. He rests comfortably in his cradle, long in the Scott family, and keeps his grandmother busy.

How has Miss Mary found the passing weeks since Senator SCOTT passed away?

It has not been easy, but she is not one to express herself in the negative. She has kept herself busy, as always when at home, in her kitchen, in the yard among the flowers, and with her friends in the community and at church.

And with Kerr 2d.

It was extremely hard on her at first as she remained at the home by herself, the home that had meant so much to the two of them together.

"I came to find out that early in the morning was the hardest time," she says. "I often wondered how it would feel to sleep late, for KERR always got me up when awake. He always got up early.

"Then I found myself alone on those early mornings when it was possible for me to sleep. Yet I would awaken, and there was not anything for me to do."

That was solved, however, when Kerr 2d came to live with her.

"He is there now in the early morning wanting to be cared for," she says.

And then she adds:

"Honestly, I often think I cannot give him enough to eat. He loves to eat."

That is the way it was with Senator SCOTT. So the day begins and ends now with purpose, not the same she had known for so long but one through her grandson that is genuine and pure and filled with love.

But the sounds are not altogether from the grandson and the rattle of kitchen dishes and pots and pans.

Many people come by to see Miss Mary, people from all parts of North Carolina who knew her as part of the Scott family team in many political campaigns and victories.

And then there is much mail. She spends much of her time answering the many letters that come to her.

For instance, David Lawrence, editor of United States News & World Report, had one of Senator SCOTT's speeches, the one with flowers as its central theme, reprinted from the CONGRESSIONAL RECORD in beautiful pamphlet form. He mailed it out to Senators, Congressmen, and people in high places throughout the Nation and world as a tribute to the Senator's memory.

Yet he did not give himself credit for it. The many recipients of the tribute thought that it had been done by Miss Mary and the family. She is now writing to all who have written to her, thanking them for their kindness in expression and giving credit to David Lawrence for the deed that was done.

Visitors to the home feel as welcomed now as in past years when there were politics to be discussed and strategy to be evaluated, or when there was just plain talk about farming and topics that interested KERR SCOTT.

Miss Mary doesn't engage in political discussions of the day. Instead, she goes about her job, as in the past, as the gracious hostess.

And she'll take her visitors, too, to the living room. It is there that the portrait of KERR SCOTT, as painted by Mrs. C. A. Albright, hangs over the mantel. Mrs. Albright—a longtime friend of the family and now living with her daughter, Mrs. Lloyd W. Pritchett of Burlington—painted the portrait from a picture when KERR SCOTT was governor.

Banking the portrait are his personal flags of the Nation and State which he had when he was governor.

It is a stately and honored scene, one which tells many stories as reflected in the Nation and State.

But there are other reminders, too, of KERR SCOTT the man. On one corner of the mantel is a single rosebud, one that was removed from his grave and now preserved in a plastic cube. On the right of the mantel are two plugs of tobacco which were in his pocket on the day he was stricken, also preserved in plastic.

A rosebud and tobacco—beauty and taste that were a part of KERR SCOTT throughout his political career. They are there, for they represent the man the flags honor.

Throughout the home there are reminders of the past.

A silver service here, a picture there. There's the pen set he used on his desk in Raleigh, as well as the registration book for visitors. Gifts that were given to the Scotts as souvenirs or in appreciation have not been removed. They're a part of the home now, just as in the past.

Outside, on a summer day, the farming goes on.

The dogs bark. The cows are brought in from pasture to be milked.

Cars and trucks move in and out of the driveway as a part of the farming, and the visitors always know that regardless of the traffic there's always room to park to say hello.

Breezes blow through the big oak trees, bringing comfort and ease for the visitor as he looks across the spacious fields that show labors of the past and the present.

KERR SCOTT—the farmer, governor, Senator—doesn't walk into the yard from his fields now.

But he's there just the same.

And Miss Mary still is busy.

Mr. THURMOND. Mr. President, the attribute of the late KERR SCOTT which most impressed me during the time I served with him in the Senate was his unflinching determination to stand for those things which he believed to be right. He was a rugged individualist in the best sense of that phrase.

Senator SCOTT was one of the most vigorous and industrious members of the Senate. I remember well that it was his custom to walk from his residence to the Senate Office Building each morning. I remember, too, that he was among the first to arrive in his office, and he was usually one of the last to leave in the evening.

Senator SCOTT was Governor of the great State of North Carolina at the time when I was serving as the Governor of my State. We came to the Senate at about the same time, and we occupied neighboring offices in the Senate Office Building. I shared with Senator SCOTT the fellowship of the Senate Prayer Group. I respected him for his strength of character, his warm and intensely human personality, his quiet sense of humor, his commonsense, and his naturalness.

As a rugged individualist, he often found himself in the middle of controversies. He did not mind that at all. He was always ready to do battle, when a principle was at stake.

The Senate can never have too many Members with the kind of courage and conviction which motivated the late Senator from my neighboring State of North Carolina.

MATTHEW M. NEELY

Mr. President, the late MATTHEW M. NEELY was a man who commanded the respect and admiration of everyone with whom he came in contact. He was a man of great ability and strong character, and the force of that ability and character enabled him to be an outstanding Senator.

I felt a special personal tie with Senator NEELY for three reasons: First, his daughter, Mrs. Corinne Neely Pettit, is now living in the State which I have the honor to represent in the Senate. Second, I had the pleasure of serving with Senator NEELY in the work of the Committee on Labor and Public Welfare, and there I had ample opportunity to observe his great ability for analyzing and perfecting the legislation which came before the committee. Finally, I attended Senator NEELY's funeral, and, on that sad occasion, I met his devoted wife and family. One could not meet his family without realizing that they were a great help and support to him, and to his career.

The Senate feels his loss greatly, and I feel a sense of personal loss.

Mr. MURRAY. Mr. President—

The PRESIDING OFFICER (Mr. JORDAN in the chair). The Senator from Montana.

Mr. MURRAY. Mr. President, I rise to join my colleagues in paying tribute to the memory of a truly great and distinguished Senator.

In the death of MATTHEW NEELY we have lost one of the most sincere, able, and untiring servants this country has ever had. I served with him in this body back in the days of the great depression, when unemployment, bankruptcy, and economic distress were threatening the foundations of our country. Millions of unemployed were tramping the streets of the Nation seeking jobs, and the very future of our republic was in jeopardy. Senator NEELY supported every honest

effort to find solutions for our economic and social problems. He became recognized as a true friend of labor. He was loved and respected by all his colleagues because of his spirit of cooperation in all the efforts that this body took during those painful years of the depression.

It is not necessary to make any lengthy address covering all of MATTHEW NEELY's good works. His accomplishments in the field of human welfare are on the record and will stand as an enduring monument to his memory down through the years to come.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "MATTHEW M. NEELY," from the Washington Post and Times Herald of Monday, January 20, 1958.

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

MATTHEW M. NEELY

West Virginia's coal miners and organized labor in general lost their most eloquent, untiring, and inflexible Federal servant in the death, at 83, of Senator MATTHEW MANSFIELD NEELY. His fellow Senators lost one of their hardest working colleagues and, for all his barbed prose in a tough campaign, a thoughtful, kind, and courtly peer. Unfortunately the highest tribute which the Senate could pay to MATT NEELY will probably not be paid. But if he could, he would undoubtedly ask that the eulogies be short and that the committee meetings, just for once, all start on time. Never has the Senate had a more determined foe of wasted words and wasted hours.

Senator NEELY was one of the few Members of Congress who have taken service on the generally unpopular District of Columbia committees seriously. He was never known to make light of this duty, as so many of his colleagues do. To him there was nothing at all funny in the spectacle of nearly a million Americans living in complete disenfranchisement. He devoted his major energies as Chairman of the Senate District Committee to legislation for home rule. But failing to win the city a vote, he gave it the best government that he could while this remained his responsibility. He directed the successful law enforcement investigation which ended in the retirement under fire of Police Chief Robert J. Barrett and was responsible for many other reforms in local affairs. Consistently his committee turned out more urgently needed city legislation than it could ever persuade Congress to enact.

Recipients of letters from Senator NEELY will recall that he nearly always closed with the words, "I remain, always faithfully yours." And, to the many good friends and good causes to which he gave his remarkable energies, he was.

W. KERR SCOTT

Mr. MURRAY. Mr. President, during the past 24 years, covering the time I have served in the United States Senate, there have been many other sad and solemn occasions such as we are observing today.

Life is so fleeting and death is so certain, oftentimes striking with the swiftness of lightning to bear away from our presence a colleague whose wise counsel and gentle comradeship is sorely needed.

Never have I risen on this floor to pay tribute to the memory of a departed colleague with a heavier heart or a deeper sense of personal loss than is mine today.

WILLIAM KERR SCOTT, his official biographer wrote 3 years ago, possessed a character as rugged as the sassafras and hickory-covered red hills of his native Alamance County.

Within 3 weeks after his election to this body, Senator **SCOTT** requested that he be assigned to serve on the Senate Interior and Insular Affairs Committee, of which I have the honor of being chairman.

His service on that committee, which lasted for 2 years, was an inspiration to me and our fellow-workers, just as his never-failing good humor, sense of fair-play, honesty of purpose and wise counsel in whatever duty post he filled inspired and left an imprint on the minds and hearts of all those privileged to associate closely with him.

The record shows that during the 4 years **WILLIAM KERR SCOTT** was governor of his State, through his dynamic leadership, more than 14,000 miles of country roads were paved. Asked, when going out of office, what he considered the most important accomplishment of his administration, the retiring governor said:

In past years the rural people of North Carolina, and remember rural folk constitute more than 76 percent of all church membership in our State, were denied regular church attendance and a normal community social life by impassable or near impassable mud-choked roads during many months of each year. Now that blight upon healthy community life has been eradicated, the way cleared for a revitalized life and Christian activities that cannot be measured in terms of dollars and cents.

Of this statement Senator **SCOTT**'s official biographer wrote:

WILLIAM KERR SCOTT, looking backward, measures and evaluates his 4 hectic years as Governor of North Carolina in terms of spiritual and moral values rather than in terms of having guided an unprecedented go-forward program to meet material human needs.

As he proved by his daily coming and going in the United States Senate, there was nothing mean or petty about **WILLIAM KERR SCOTT**. His guiding lights were spiritual and moral values intertwined with his basic political philosophy that it is the duty and function of government to provide the people with those services to which they are entitled.

Gentle and softspoken, **WILLIAM KERR SCOTT** was a fighter—a fighter for the things and issues in which he believed.

We, his colleagues here, miss him, and share a great sense of loss with his family and his beloved "Branchhead Boys" back in North Carolina.

Mr. FULBRIGHT. Mr. President, I wish to join my colleagues in paying tribute to the late Senator from North Carolina, **W. KERR SCOTT**.

Senator **SCOTT** stood for progress. His administration as Governor of the State of North Carolina was one of progress. He constructed \$200 million worth of secondary roads. The State received new schools, new hospitals, and new administration buildings, improvements in health and medical care, and industrial development.

Though he served only a short time in this great body, he gained the respect and admiration of all. His lifelong in-

terest in agriculture was advanced and climaxed by his distinguished service on the Senate Committee on Agriculture and Forestry.

He deserves well the many tributes that have been paid him throughout the land.

I join my colleagues in extending heartfelt sympathy to his family.

MATTHEW M. NEELY

Mr. HILL. Mr. President, when **MATTHEW MANSFIELD NEELY** passed out of the company of living men, our hearts were sad, for we knew that we had lost a dear friend and a remarkable man.

He is the only West Virginian in the history of the State to be elected to the United States Senate five times. He is the only West Virginian in its history to serve as Representative, Senator, and Governor.

His rise to fame was typically American. He was born in a log cabin. He taught school for \$35 a month. He worked his way through college. He came from a sturdy line of Revolutionary patriots. His father was a country doctor who healed the sick and helped the poor for miles around, but never sent out any bills. His mother was a relative of **Bobbie Burns**, the **Cotter King**, who lived and died in Scotland, but is honored and loved in every land. His kinship with **Bobbie Burns** may well account for **MATT NEELY**'s love of poetry and his deep devotion to the welfare of the common people. His speeches were brilliant. They were studied with lovely jewels from the Scriptures and from quotations from the choice and master poets of the ages. He was as familiar with **Homer** and **Virgil**, with **Ovid** and **Livy** as he was with **Shakespeare**, **Sir Thomas More**, **Tennyson**, and **Walt Whitman**.

MATT NEELY was, above all, a humanitarian, dedicated to the best interests of all the people, whom he served so unselfishly. He was one of the ablest lawyers in the Senate and always cherished and exemplified the highest and noblest traditions of his chosen profession. **MATT NEELY** was one of the last of the old-school orators in the Senate. His eloquence, his nimble wit, his dramatic delivery, his powerful logic marked him as one of the greatest among the many great to sit in this body. Who that was privileged to hear him speak can ever forget him?

MATT and I served together on the Senate Committee on Labor and Public Welfare. There he was always the spokesman for the people, the champion of the underprivileged and the disadvantaged. When a representative of the forces of reaction sought in the name of the Constitution to stop some much-needed forward movement, **MATT** would cry out in the words of **Woodrow Wilson**, "The Constitution is a vehicle of life, not an instrumentality of death."

I wish I could tell the whole story of **MATT**'s work. He was ever the warrior for those who labor and toil—the coal miner in the dark and the damp, the steelworker before the blazing furnace, the railroad worker walking the heavy cars in the darkness of the night, the farmer toiling in the field. Always he served the aged, the blind, the needy and

dependent children. He declared: "Our system of free education is indispensable to the maintenance of all the good that we have accomplished in the past, and all the best that we hope to achieve in the future." Again and again he proclaimed the words of **Edmund Burke**: "Education is the cheap defense of nations," and he applauded the wisdom of **Horace Mann** when he said, "Education is our only political safety. Outside of this ark all is deluge."

MATT NEELY was a valiant fighter for the health of our people. He waged a persistent battle against cancer, which he described as "the most terrifying, agonizing foe of the human race." More than 25 years ago he passed through the Senate the first bill ever introduced in either House of Congress for the purpose of providing Federal funds with which to finance medical research for the extermination of cancer.

In the last conversation I had with him, before he was taken ill and had to be carried to the **Bethesda Naval Hospital** for his long and fatal illness, he told me that he wished to come before the subcommittee of the Senate Appropriations Committee, of which I am the chairman, and which handles the funds for medical research, to make a plea for an appropriation of \$100 million to carry on the battle against cancer. He said to me, "Medical science has conquered yellow fever, diphtheria, typhoid, and smallpox, and robbed leprosy and tuberculosis of their terrors. But, in spite of all that physicians, surgeons, chemists, biologists and all others have done to destroy or restrain this monster, it still remains the constantly advancing defiant, devouring foe of the human race." We arranged for his appearance, but before he could come, tragic to say, dread cancer struck him low.

We can well say of **MATT NEELY** that which he said of **Alben Barkley**—"For his meticulous patriotism we extoll him, for his matchless eloquence we laud him, for his unfailing humanitarian service we love him."

In a moving address on the floor of the Senate on October 6, 1939, **MATT NEELY**, in calling for repeal of the **Embargo Act**, gave what I have often thought to be his credo. If he could speak to us at this hour, I believe he would speak to us in the words with which he closed his address—

Let us have faith to believe that sometimes the sun of righteousness will rise with healing in His wings and illumine every highway—that the hands of the Infinite will ultimately make every crooked path straight; and that the pure white light of the crucified Christ streaming down from the ineffable throne of God will at last dispel the midnight darkness that obscures our vision, stays our progress, and envelops our little lives; and that the holy peace that passeth all understanding will become the heritage of every human heart forever and forever.

Our fathers' God, from out whose hand
The centuries fall like grains of sand,
We meet today, united, free,
And loyal to our land and Thee;
We thank Thee for the decade done,
And trust Thee for the coming one.
Oh, make Thou us, through centuries long,
In peace secure, in justice strong;

Around our gift of freedom draw
The safeguards of Thy righteous law;
And cast in some diviner mold,
Let each new decade shame the old.

This man was my warm and personal friend.

With the deepest gratitude for MATT NEELY's sympathetic heart, his lofty statesmanship, and his never-failing devotion to duty, his name is written high on the scroll of those who have lived to serve our country and to bless mankind.

W. KERR SCOTT

Mr. HILL. Mr. President, I wish now to pay a word of tribute to another departed colleague. Our hearts have been profoundly saddened by the loss which the Senate, the State of North Carolina, and the Nation suffered in the untimely death of our beloved colleague, Senator KERR SCOTT on April 16 last.

We have lost a dear friend and America has lost a dedicated public servant, but this generation and the next and the next will continue to hold dear the example of his good works, of his inspired leadership, and of his consecration to democratic principles.

KERR SCOTT's philosophy of life and of government was largely based on his conviction that what is bad for any large segment or group of the people is bad for all the people. Born and reared on a farm, a farmer all his life, he made the men and women who till the soil his special charge. He loved living close to nature and nature's God, and he never forgot that the farm homes of America have given us the great reservoir of the manners and the spirit, of the moral and spiritual values that have preserved the vigor of our Nation and the foundations of our freedom and our enterprise.

Throughout his lifetime—and he was farmer, soldier, farm agent, Master of the North Carolina State Grange, Regional Director of the Farm Debt Adjustment of the Resettlement Administration, State Commissioner of Agriculture, Governor of his State, and United States Senator—KERR SCOTT's services and his contributions reflected his deep conviction that America's greatness has been builded not so much on material wealth, but far more importantly, upon the initiative, the independence, and the love of God that have flown from the farm homes of America into the moral fiber of the Nation's life. "The Squire of Haw River," as he was affectionately known, made his Presbyterian convictions of the integrity and the equality of every man before his God a vital part of his everyday life. Men, women and children throughout the land and in every walk of life have benefited from this depth of his religious beliefs, which in such large measure, was the fountainhead of his political philosophy. His quaint and homely humor, rich and always kindly, kept him close to the people he loved and served so well.

KERR SCOTT beautifully stated the quality of mind and spirit that made him great when he declared:

The true concept of freedom is that of "Freedom under God" upon which our own Nation has been founded and from which has resulted what we, as a people, like to

call the American way of life. It has within its warp and woof the eternal truth of the New Testament that man and woman should do unto others as they would have others do unto them. It recognizes the rights of others, and thereby affords the only possible assurance of the rights of self. It is a kind of freedom which can never be crushed.

We who enjoy this freedom can stay free and will stay free only by keeping alive the consciousness that to be free we must do unto others as we would have them do unto us. Through this eternal truth we can stay free.

Today we give our thanks for KERR SCOTT's patriotism, his leadership, and his statesmanship, and we know that the example of his life, his service, and his character has written for him the immortal epitaph, "Beloved statesman, friend of mankind, and servant of God."

To his devoted wife and to the members of his family, I join in extending my deep sympathy in their great loss.

MATTHEW M. NEELY

Mr. MANSFIELD. Mr. President, it is a sad duty to participate in an occasion of this kind. However, we would not be beholden to ourselves if we did not say what we thought about some of our departed colleagues.

I recall first making the acquaintance of MATTHEW NEELY when I served in the House of Representatives. I know the type of fine man he was. The thing I remember most of all is his appearance before a committee on which I served in the House when he requested an appropriation of a large sum of money to fight cancer, the disease which, over the years, has afflicted so many of our people.

This was not a new idea with Senator NEELY, because, as has been indicated this morning, for more than 25 years in both the House and the Senate he endeavored to do all he could in behalf of striking back at this disease which has taken the lives of so many of our people.

Much of the success which has been achieved in the Federal Government's part in the fight against that disease is due, in my opinion, in large measure to the efforts put forth by Senator NEELY.

Senator NEELY had a distinguished career as a soldier, as Governor, as Representative, and as Senator. He always was a fighter. It is true that at times he compromised. But he compromised not because he wanted to, but because the force of events forced him to do so.

He was steadfast in his opinions. He was a great statesman. He fought always for the best interests of his State and country.

W. KERR SCOTT

Mr. President, in the person of Senator W. KERR SCOTT, we of the West, and especially of the State of Montana, had a friend on whom we could depend at all times. We looked upon him as the third Senator from Montana, because, while he was from the South, this squire of Haw River showed an unusual interest in factors affecting the development of the Rocky Mountain portion of our country.

He served with my distinguished senior colleague [Mr. MURRAY] on the Committee on Interior and Insular Affairs.

I can say without contradiction that every measure which affected the welfare of the West had the full and unselfish support of Senator SCOTT.

As the majority leader has pointed out, he always wore a rose in his lapel. That rose, a gentle flower, seemed to typify the gentle man. KERR SCOTT was not only gentle, but he was also understanding and he was tolerant. We will miss him because of the many contributions he has made, not only in the Senate, but to his State and country as well.

MATTHEW M. NEELY

Mr. BIBLE. Mr. President, through the years the walls of this historic Chamber have reverberated with the stentorian tones of many famous orators. High on the list of this illustrious group stands the name of MATTHEW M. NEELY, who had represented his native State of West Virginia for a total of 25 years in the United States Senate at the time of his passing earlier in this session.

As I look back to January 11, 1955, the date on which I was assigned to the Senate Committee on District of Columbia, there comes to mind vividly the picture of MATT NEELY presiding over our deliberations. He was a veritable storehouse of knowledge, and he delighted in sharing with his colleagues the benefits of his wisdom and his wit. I can recall his wry, yet sage, advice to persons appearing before a committee for confirmation of their particular appointments that many a lawyer had lost his case by overpleading.

Frequent mention has been made today of the classical store of learning possessed by Senator NEELY. There is a selection from the Shakespearean tragedy, *Coriolanus*, which I believe fits him, and it is one he undoubtedly knew and cherished. The occasion of the quotation was a discussion between two citizens prior to the election of a consul, the highest office in the gift of the ancient city. In speaking of the candidate, one man said:

He hath deserved worthily of his country; and his ascent is not by such easy degrees as those who, having been supple and courteous to the people, bonneted, without any further deed to have them at all into their estimation and report; but he hath so planted his honors in their eyes and his actions in their hearts, that for their tongues to be silent and not confess so much, were a kind of ingrateful injury; to report otherwise were a malice that, giving itself the lie, would pluck reproof and rebuke from every ear that heard it.

Senator NEELY was a fighter for his people. The mountains of West Virginia are peopled by a brave and frugal folk who are on constant speaking terms with hard work. The middle-aged couple, in clean but worn clothing, who passed in silent reverence before his bier, symbolized the deep respect held for him by thousands of others who stood there in spirit. So, too, were the mine workers coming off shift, who lined the streets as he was borne to his final resting place overlooking the city and the hills he loved so much. These miners were a symbol of the millions of American working men and women who owed to Senator NEELY a debt of everlasting gratitude.

His oratorical brilliance was a byword in the Senate, where he used it to sparkling advantage on numberless occasions. He probably rose to his greatest forensic attainments, however, during the heat of the political campaigns he so thoroughly enjoyed.

I recently came across an example of his campaign oratory in a copy of a satirical editorial aimed at him during his initial Senate bid in 1922.

Quite naturally, Mr. President, Senator NEELY's needling drew the editorial wrath of a *Huntington, W. Va.*, newspaper, which pointed out that he had been dubbed the "Billy Sunday" of politics, an appellation which Senator NEELY later said was pinned on him by Senator W. E. Chilton. It is interesting to note that, despite the newspaper's caricature of him, he won his Senate seat that year and, with only one setback, was a dominant figure in public life for more than half a century, holding at one time or another the offices of mayor of his hometown, Representative in Congress, Governor, and United States Senator.

Today, Mr. President, we are gathered to pay final homage to that fighting man, who has won the final victory, an honored death in the service of his friends and countrymen.

W. KERR SCOTT

Mr. President, we were saddened beyond measure on April 16 of this year when we learned of the untimely passing of our beloved colleague, Senator WILLIAM KERR SCOTT of North Carolina. For him I shall always feel a warm kinship because he preceded me in taking his Senate seat by only 3 days, on November 29, 1954; so we were really contemporaries in the fullest meaning of the word.

In addition, Senator SCOTT and I were baptized together into the mysteries of work on Senate committees when we simultaneously became members of the Committee on Interior and Insular Affairs. Although Senator SCOTT eventually transferred to the Committee on Public Works, he stayed on Interior and Insular Affairs long enough to take an active part in its work and, more personally to me, to attend a hearing with me in Boulder City, Nev., as a member of the subcommittee handling proposed legislation designed to change the status of this community from a Federal city to an independent municipality. Senator SCOTT, on that occasion, proved most delightful to the people of my far west, and in turn he was keenly interested in this desert area which sharply contrasts with his beloved North Carolina farmlands. This very afternoon, Mr. President, there is scheduled a conference on this same measure; and I cannot escape the feeling that Senator SCOTT, if he were here, would be exceedingly happy that our efforts are coming to a successful conclusion after many, many years of hard work.

Perhaps where I came to know the real Senator SCOTT best, however, was during the weekly prayer meeting which have become a traditional service every Wednesday for several Members of this body. A deeply religious man, Senator SCOTT brought to those meetings the

full resources of his great spiritual depth and an abiding reliance upon a divine providence.

As a member of the Senate Committee on Agriculture and Forestry, he demonstrated a grasp of farm problems born of long experience, ranging from his formative years as a county agent to his fine service as commissioner of agriculture in North Carolina and later as governor of that great State.

Senator SCOTT's contributions were many, and he has left his imprint not only in his native State but in the Halls of Congress where he served so faithfully and so well.

MATTHEW M. NEELY

Mr. TALMADGE. Mr. President, I wish to associate myself with the expressions of my colleagues in lamenting the passing of Senator MATTHEW M. NEELY, of West Virginia.

While I did not have the privilege of knowing Senator NEELY intimately, I always admired the brilliance and dedication of his service and the magnitude of his accomplishment.

As a scholar and a thinker, as a moving and persuasive orator, as a courageous champion of the workingman and as a devoted servant of all the people, he had no peer.

His memory will serve as an inspiration to all who follow in his footsteps.

W. KERR SCOTT

Mr. President, I also associate myself with my colleagues of the Senate who have paid tribute to the life and service of W. KERR SCOTT, late a Senator from North Carolina.

I had the good fortune to maintain a close and intimate friendship with Senator SCOTT for a period of almost 10 years. He visited in my home and I visited in his. We both served as governors of our respective States at the same time. I had the good fortune to serve with and to sit next to him on the Committee of Agriculture and Forestry.

He was a man of rugged independence and great determination. His heart beat in sympathy with the underdog. He constantly tried to help those who could not help themselves. He fought for the interests of the little people, the working people, and the farmers.

He was a man devoted to his country, devoted to his State and Nation, devoted to his church and his God.

I was one of those Senators who attended his funeral at the country church in his home county. Several thousand people from throughout North Carolina were there. Most of them were humble, hard-working people who tilled the soil, worked in the factories, and made up the bulk of his loyal followers.

The Senate will miss him in years to come. His State and his Nation will miss him, and I mourn the loss of a warm personal friend.

Mr. MORSE. Mr. President, I am moved to pay heartfelt tribute to 2 great Senators, KERR SCOTT and MATT NEELY, who have been called to their eternal home. It is with humility and a sense of inadequacy that I speak of their wonderful human qualities.

The late Senator from North Carolina was a great, a good, and a simple

man, whose simplicity sprang from deep understanding of the needs and desires of his fellow men.

As a farmer and dairyman, through personal experience in applying the knowledge gained in college, he became successful in his private enterprise, but of greater importance to him was the fact that he was able, through his knowledge, to help his neighbor. Ten years as a county agent and service as Commissioner of Agriculture enabled him to be of ever-widening influence for agriculture in his State.

When he emerged to the larger stage of public service, first as governor, then as United States Senator, he brought with him a knowledge, an understanding, and, above all, a love for people and a desire to help them to help themselves. These characteristics of a wise and gentle nature stand as a memorial to Senator KERR SCOTT.

Senator SCOTT was a great southern liberal, who recognized that the purpose of our American system of self-government is to promote the welfare of people. He was a deeply religious man, who never forgot that people are the children of God.

Mr. President, the passing from the stage of political life of such a man in the fullness of his service, crowned with the bay of achievement and the laurel of distinction, must give to each of us pause for reflection. We remember our fellowship with him who has gone, and taste alone for a moment the bitterness that comes from separation.

Too often, in the selfishness of our own sorrow, we forget that, to those of his own family who were left behind, anguish springs from deeper roots. We have lost a comrade, they have lost husband and father. We pay tribute to the public image of a man; they mourn the man himself.

Many are the tributes which will be paid today to KERR SCOTT. He has earned them tenfold over by his life and work; but, rather than tribute to the public man and his great record of liberal legislation, I think it is perhaps fitting to address, instead, the following passage of consolation to those who were so close to him. The reference is to a passage which may be found in a magnificent apocryphal book, *The Wisdom of Solomon*:

The souls of the righteous are in the hand of God
And no torments will ever touch them.
In the eyes of the foolish they seem to have died
And their departure was thought to be an affliction,
And their going from us to be their destruction;
But they are at peace.
For though in the sight of men they were punished, their hope was full of immortality.
Having been disciplined a little, they will receive great good,
Because God tested them and found them worthy of himself.

MATTHEW M. NEELY

Mr. President, earlier in the session I paid heartfelt tribute to the memory of MATT NEELY. In the intervening months, I have grown to feel even more keenly the loss of that great, free,

humanitarian spirit. His was the honesty and candor that is the salt of the Senate, which gives savor to our legislative work, and preserves us from the tame acceptance of expedient and unprincipled legislation. The sham, the tawdry, and the second rate would shrivel like the salted garden snail, when his corrosive tongue and brilliant mind exposed them in all their inadequacy; and for this, we are indebted to him in the past and for as long in the future as those of us, who knew MATT NEELY, and loved him, remain here on the floor of the Senate, which he loved so passionately and well.

To understand the notable political career of MATT NEELY, one must understand the Populist movement in American history. He was one of the last remaining Populists on the American political scene. He was the great exponent of human rights. He was dedicated to the preservation of civil liberties and constitutional rights. He was a true crusader for the civil liberties and the constitutional rights of the American people. He believed in the democratic process. He recognized the precious right of the ballot as the rod of deliverance of the people from political malfeasance and betrayal of public trust by partisan and expedient politicians. He was, for years and years, the leader in the Senate in the fight for home rule for the people of the District of Columbia and for the enactment of a home-rule bill which would permit the people of the District to elect their own mayor and to enjoy all the voting rights of freemen.

Mr. President, I did not mean to speak again, to expand on what I had previously said about our beloved colleague; but on this day of memorial and tribute, it seemed but fitting to add this final word to the memory of MATT NEELY.

I ask unanimous consent that my remarks of January 27, 1958, which may be found on page 1040 of the CONGRESSIONAL RECORD, be printed at this point in the RECORD, as the conclusion of my remarks today.

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

TRIBUTE TO SENATOR MATTHEW M. NEELY

Mr. MORSE. Mr. President, I now renew my request to speak for not more than 5 minutes in tribute to the late Senator MATT NEELY.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Is there objection? Without objection, the Senator from Oregon may proceed.

Mr. MORSE. Mr. President, a few minutes ago all of us were proud to join in honoring the seating of a new Senator from West Virginia, one of the most distinguished citizens from that great State. For some time I have planned to pay this tribute today. I am sure that West Virginia's new Senator will be pleased to have me say these few words about my very dear friend, Senator MATT NEELY.

Mr. President, in the words of Job, chapter 30, verse 31, today my harp also "is turned to mourning, and my organ into the voice of them that weep," as I give this brief tribute to MATTHEW MANSFIELD NEELY, late senior Senator from the State of West Virginia, to whom as man, friend, preceptor, and fellow political warrior I owe a debt of gratitude that cannot be repaid.

Since he was first elected to public office as mayor of Fairmont, W. Va., in 1908, MATTHEW

NEELY's energies, his intelligence, and his facile tongue have been devoted to furthering the political and economic freedoms of all Americans. Although his forebears were among the Revolutionary fathers, and his maternal grandfather served the Union, only to perish in Andersonville prison, Senator NEELY was one politician who never needed to call down the heroism of his ancestors in his own behalf. His reputation among the great liberals of the 20th century is well fixed in American history. The workingman, the housewife, the struggler against prejudice and injustice—all found a champion in MATTHEW NEELY.

It is said that a man is known by the company he keeps and by those he chooses to emulate and admire. In 1942, Senator NEELY paid tribute to Senator George Norris at a testimonial dinner. "Thomas Jefferson," Senator NEELY said, "Abraham Lincoln, William Jennings Bryan, 'Battling Bob' La Follette, Woodrow Wilson, Franklin Delano Roosevelt, and George Norris constitute the most brilliant stars in the brightest constellation of America's humanitarian statesmen." Surely Senator NEELY deserves to be included among them in the pages of this country's history. I believe he will be.

There is one certain test, Mr. President, and it is an acid one, of a man, and it is the degree to which he is capable of arousing devotion and loyalty in those who work for him. Measured by this standard, MATTHEW NEELY stands paramount. The devoted service given him by Leo Casey, Chief Clerk of the Senate Committee on the District of Columbia, was a dedicated and moving demonstration of the love and affection he evoked from those close to him. Evelyn Nolan, his personal secretary; and George Arnold, his administrative assistant, have also borne witness, through their unstinting service, to the high quality of greatness that he so well exemplified.

I expect that his friends and colleagues will remember MATT NEELY best for his unquenchable zeal and penetrating phrase for exposing the hypocrisy in American life—not just in politics, I may emphasize, but in all American life.

Candor in politicians is not always counted as an asset by some, but Senator NEELY's life exemplified the fact that truth eventually emerges from even the most carefully contrived welter of misrepresentation and accusation. He might well say with Caesar—and I have no doubt that the quotation was included in his well-furnished store of Shakespearean learning—

"There is no terror, Cassius, in your threats;
For I am arm'd so strong in honesty,
That they pass me by as the idle wind
Which I respect not."

That Senator NEELY was a deeply religious man was brought home again to me upon the occasion of one of my visits with him at the hospital, when, in speaking of his illness, he likened himself to King Hezekiah, and he quoted the first two verses of chapter 38 of the book of Isaiah. I remember the incident well, because at that time he said to me, "WAYNE, I do not know if I will be back with you in the Senate." Then he called my attention to this great, old biblical story, and quoted the following from the book of Isaiah:

"In those days was Hezekiah sick unto death. And Isaiah the prophet, son of Amoz came unto him, and said unto him, Thus saith the Lord, set thine house in order: for thou shalt die, and not live.

"Then Hezekiah turned his face toward the wall, and prayed unto the Lord."

Senator NEELY then told me the old Bible story about King Hezekiah praying for more time to complete his unfinished work.

The additional 15 years of the biblical story was not granted to Senator NEELY to complete his work. In the largest sense, his work to achieve justice, to eradicate from our

society the evils of sickness and economic insecurity, and to bring to the afflicted compassion is never completed. Each of us, Mr. President, should count ourselves most fortunate, if when the time comes, it can be said of us that we had accomplished a small portion of the great legislative work that stands as the enduring tribute to MATT NEELY. I thank God for the life of Senator MATT NEELY.

Mr. SMITH of New Jersey. Mr. President, MATTHEW M. NEELY—or MATT, as all of us called him—was one of the rare persons who constantly grow in our affections as we come to know them better through the years. MATT NEELY was elected many times to the House of Representatives. He was elected to the Senate, defeated, and elected again. He resigned from the Senate to become Governor, and later returned to the Senate again. I had the great privilege of coming to know him intimately, because, after his last election to the Senate he was a member, with me, of the Committee on Labor and Public Welfare, where he served with real distinction and with the reputation of always fighting for what he believed in.

He was a great representative of labor, and his loyalty to that cause was outstanding. On many occasions he and I were on opposite sides of the fence in the committee, but when, in 1953, through a change in the administration, I became chairman of the committee, MATT was an absolutely loyal and wonderful supporter, and gave me the maximum of support and aid.

We became warm friends, because both of us had a strong feeling that committee meetings should begin on time. I remember well that, because of his insistence on this principle, I was put to it, as chairman, to get to the committee meetings at least as soon as he did. We developed quite a competition, based on a growing affection.

I was deeply moved at his human interest. At a time when my own beloved wife was quite ill, he used to ask me daily how she was, and told me that he prayed each day for her recovery.

I recall that, during the closing days of his life, many times he left the hospital and came to the Senate, in loyalty to his party, when he felt that his vote was needed. In the passing of MATT NEELY, both Mrs. Smith and I have lost a warm personal friend, and we extend to his wife and family the deep affection that he always showed to us.

W. KERR SCOTT

Mr. President, WILLIAM KERR SCOTT, our beloved colleague, who passed away on April 16, was with us here in the Senate only since November 1954. He was first elected to fill the unexpired term of his predecessor, Senator Willis Smith. In the short time he was with us, KERR SCOTT endeared himself to all who knew him.

His background was really one of an agricultural expert, and this led him into government opportunities. He served with outstanding distinction as a farm agent, master of the North Carolina State Grange, regional director of the farm debt adjustment program of the Resettlement Administration, North

Carolina State commissioner of agriculture, Governor of his State, and, finally, in the United States Senate. In World War I, he served in the United States Army, in 1918, when he was only 22 years of age.

I had the great privilege of knowing him intimately, through our association with our Wednesday morning breakfast group, which he attended regularly during all the time he was here. He participated in the ablest way in our discussions of the spiritual foundations of our country, which is the purpose of the group.

One of his outstanding contributions was a wonderful talk he gave his colleagues on the subject of flowers and the relation of flowers and other natural beauties to the guiding hand of God in our universe. The Senator from Mississippi [Mr. STENNIS] had this wonderful essay printed in the CONGRESSIONAL RECORD at the time when it was delivered. This presentation was an eloquent testimonial to his own character, which was appreciative of the true values of life, and especially our deepest spiritual heritage.

I shall always treasure my acquaintance with KERR SCOTT and the inspiration I felt from his warm friendship, his kindly humor, and, above all, his dedication to the things in which he so profoundly believed.

KERR SCOTT's passing has been a great loss to all of us, on both sides of the aisle in the Senate. Mrs. Smith and I extend our affectionate sympathies to Mrs. Scott and their family.

Mr. ROBERTSON. Mr. President, four times during my 11 years of service in the Senate, death has deprived North Carolina of a chosen representative in this body.

In expressing sympathy to the people of my neighbor State, because of their loss of WILLIAM KERR SCOTT, I must say again, as I said after the passing of Len Broughton, Willis Smith, and Clyde Hoey, that I share their grief because I have lost a friend.

At the same time, however, I must express my admiration for the human resources of a State which has been able to fill so many Senate vacancies in so few years with men of such ability—including, of course, the present North Carolina Senators, who champion so effectively fundamental principles cherished by Virginia and every other Southern State, including North Carolina.

KERR SCOTT and I did not agree on every bill or every issue which came before the Senate; but regardless of whether we were on the same side, I respected the integrity of his attitude, and knew we were seeking, in our own ways, to serve the same ends.

His Scotch Presbyterian ancestry was similar to that of the people who settled the Valley of Virginia, where I have spent most of my adult life. He has a farmer, and was qualified to represent the viewpoint of rural people. I served in the Virginia senate and, for 14 years, in the House, as a representative of a fine agricultural area; and, therefore, I felt that I, too, knew, and could speak for, farm people.

Construction of a State system of paved farm-to-market roads was a major project of KERR SCOTT, when he was Governor, just as, when I was in the Virginia State senate, my interest in that type of road led me to sponsor the first Virginia law providing State aid for roads.

We also had in common a desire to promote rural electrification in our respective States, appreciation of the value of port facilities, and a continuing interest in better health and educational facilities. We shared, too, a love for out-of-doors life and an appreciation of the spirit of the poet who wrote:

To him who in the love of nature holds
Communion with her visible forms, she
speaks

A various language; for his gayer hours
She has a voice of gladness, and a smile
And eloquence of beauty, and she glides
Into his darker musings, with a mild
And healing sympathy that steals away
Their sharpness ere he is aware.

KERR SCOTT was the first farmer in half a century to be elected Governor of his State; and when he came to this body, as a representative of the people of an area who had sent, before him, distinguished members of the legal profession, he still was proud to call himself a farmer. I do not know that he ever had occasion to justify his place in public life, as related to that background; but, if he had needed to do so, he could have cited distinguished precedent.

The greatest political philosopher our Nation has produced, in my opinion, was Thomas Jefferson, and Jefferson is recorded as saying:

When I first entered on the stage of public life (now 24 years ago) I came to a resolution never * * * to wear any other character than that of a farmer.

In Jefferson's day, as in our own, there were other pursuits which yielded, for the effort put forth, a better financial return than farming, particularly for men with a college education, but the author of the Declaration of Independence frequently referred to farmers as the backbone of the Republic and of our democratic institutions.

Those who love the land and take their living from it are natural defenders of individual liberties, as has been recognized by Communist and other dictators who have found that dispossession of farmers is one of the first steps they must take in establishing a totalitarian regime.

Conversely, working, as KERR SCOTT did, to bring more of the conveniences of modern life to farm homes and to promote easy movement between urban and rural areas by improving roads strengthens the basis of our democracy, in addition to protecting our economy.

Our late colleague, who borrowed money at the end of his World War I service to buy a farm consisting largely of uncleared land, which he then set about improving, did not mind long days of physical toil devoted to building for the future. In his public career he exhibited the same energy and willingness to swing his axe at the root of tough problems.

If he had not exerted himself so greatly, perhaps he might have lived longer; but to give himself fully to a task he undertook was his nature, and his career is not measured in years, but by the things he accomplished.

To have as his epitaph the term by which many called him during his lifetime, "North Carolina's Builder Governor," would be for KERR SCOTT ample reward for his lifetime of endeavor.

MATTHEW M. NEELY

Mr. President, those who were privileged to serve in the Congress with our late colleague, Senator MATTHEW MANSFIELD NEELY, will long remember what an unique and colorful figure he was in the public life of his native State of West Virginia and of America.

His public career was unique by reason of the fact that, commencing with his election as mayor of his home town of Fairmont, he served continuously for a period of 50 years in the highest offices within the gift of the West Virginia electorate, and did so regardless of whether the State was controlled by the Republicans or the Democratic Party. Not in modern times has anyone served first in the House of Representatives, then in the United States Senate, then as Governor of his home State, again in the House of Representatives, and finally to fill out his 50 years of public service by election to the United States Senate for a 6-year term beginning January 3, 1949, and reelection for another 6-year term beginning January 5, 1955.

Senator NEELY's service in public life was colorful in that he served his State with unabated zeal, he espoused the cause of the underprivileged with undaunted courage, and he reconciled his political activities with a high code of Christian ethics.

Mr. President, it was my privilege to know Senator NEELY as a Member of the Senate prior to his resignation on January 12, 1941, to become Governor of West Virginia. It was my subsequent privilege to serve with him in the House during the 79th Congress. It was during that service that he and I formed a warm personal friendship which never was abated during the following years, even though he and I did not always see eye to eye on all the economic issues confronting our Nation.

When Senator NEELY returned to the House at the commencement of the 79th Congress, he was technically a freshman, and as such not entitled to assignment to any of the top ranking committees. It will be recalled that on the House side the Democratic members of the Ways and Means Committee are nominated in a caucus of the entire Democratic membership, and those Democratic members of the Ways and Means Committee are the committee on committees, comparable to the steering committee of the Senate, for the committee assignment of other Democratic colleagues.

Since I served on the Ways and Means Committee, and West Virginia had no member on that committee, it was my privilege to nominate for committee assignment colleagues from West Virginia as well as from my own State. Former Senator NEELY, since, technically, he was

a freshman in the House, appealed to me to get him assigned to the Appropriations Committee, generally regarded in the House as the most important committee next to Ways and Means. When I was successful in that undertaking, Senator NEELY not only expressed his appreciation, but through the years continued to express his warm friendship, which I fully reciprocated.

As is well known in his home State, Senator NEELY was an able lawyer and a brilliant and effective advocate before a jury. He was an eloquent and resourceful speaker, as much at home on a memorial occasion as in the political forum. But no tribute to his service to his generation will be complete without a reference to his vast knowledge of the Bible and the many passages therefrom which he could quote from memory. I hope someday, Mr. President, that a future historian will examine the speeches made both in the House and the Senate and cull therefrom the many quotations from the Bible which Senator NEELY used, because they will reflect better than any feeble words of mine the true character of a colleague whom we all loved and whom we all still greatly miss.

Mr. COTTON. Mr. President, I cannot refrain from joining my voice to those of other Senators who have spoken in tribute to the memory of the late Senator NEELY, of West Virginia, and I have a special reason for so doing. The memories and impressions which abide with us the longest and make the deepest imprint upon us are the memories of our youth. Strange as it may seem, though I have served in this body only a few years, more than 30 years ago, as an employee of this body, I used to sit on the divans which are located in the rear of this Chamber, and listen to the great Senators of those days. So my first recollection of MATTHEW NEELY was when he was a comparatively young man, serving his first term in the Senate of the United States.

Sitting on the other side of the aisle, surrounded by men like Oscar Underwood, Joseph T. Robinson, John Sharp Williams, and some of the giants of that day, I remember him in the power and the vigor of his young manhood, when his fiery eloquence was reinforced by a ringing voice and a spirited delivery.

As a young man, I remember some of his philosophic speeches. One that I particularly recall was given by him in Statuary Hall, at the dedication of the statue of one of the Southland's great heroes.

I need no notes to remind me of the opening of that speech, for I never forgot how Senator NEELY began his remarks:

When God made Dixie He must have been in a particularly happy frame of mind, for with one gesture of His generous hand He unfurled a thousand square miles of blue sky like a scroll from the Ohio to the Gulf and from ocean to ocean. He lighted it with the same smiling sun that shed its brilliant rays over cultured Athens and the golden age of Pericles and shone over happy Italy when Horace sang of the field and of the vine.

Mr. President, more than 30 years later I had the honor of coming to this

Chamber as a Senator. When I returned only two men sat in the Senate whom I remembered when I was an employee here. One was the late Senator Walter George, of Georgia, and the other was Senator NEELY. Although time and the years had somewhat muted his voice, and although it was only occasionally he burst forth with the flashes of the fire, of the eloquence and of the power of the years gone by, time had not dulled his devotion to principle, the fineness of his character, or his dedication to the public good as he saw it. So it was a peculiar honor for me to be able to serve as a very junior and a very humble colleague in the closing days of a great career.

W. KERR SCOTT

Mr. President, I wish to join those who have spoken of the late Senator KERR SCOTT. I came to the Senate just about the same time he became a Senator. We were both elected in the same election to fill out unexpired terms. We were both assigned, among others, to the Committee on Public Works. On that committee I served with him throughout all the years of his service in the Senate.

Mr. President, I hope it will not be misunderstood or misinterpreted by his colleagues and his loved ones if I say that KERR SCOTT, although a devoted southerner, had a little bit of New England in his personality, too, because, like some of us in New England, he had a slight reserve, a quiet shyness, which sometimes is misunderstood for coldness, which makes it a little more difficult to come to know a person quickly. During the first months of my service with him it seemed to me that KERR SCOTT was a rather quiet and reserved person, and I did not get to know him very well until some time had elapsed. Then I found that no warmer or finer personality, no more devoted Senator than KERR SCOTT could possibly have ever served in this body. I used to talk with him about his memories, his life and his service in North Carolina, as well as his interests in this body.

It was very fitting, Mr. President, that the man who had given to the great State of North Carolina the system of highways which opened up every area of the rural communities of the State to everything that is good and fine in our progressive and progressing world should have been a member of the great Committee on Public Works and should have helped to formulate the monumental legislation designed to lay the foundation for the new highway system of this great land. He took a very important part in the framing and the enactment of that highly important legislation.

One thing I learned about KERR SCOTT above everything else—above his statesmanship, above his stalwart, unyielding, and inflexible principles, and above all the other aspects of his service—was that he was a man who loved the land. As has been said already this morning, like George Washington and Thomas Jefferson, no matter where he went or how high his pathway led, he was always looking back to the farm, back to the land he loved so much. It is highly fitting that is so, and it is highly fitting

that he sleeps amidst the scenes which were more dear to him than even these stately halls could be. So in closing, I should like to leave with the Senate the words of a poet which to me speak more eloquently of KERR SCOTT than of anyone I have ever known. These are the words:

He who has sown a field, * * *
* * * Shall never find

Rest in a city. He may never know
Peace when he leaves those lands where
are his kind.

He who has reaped, although he reaped in
sorrow,

Shall yet be hungry, when the spring comes
back,

For a wide field grown bright with new
tomorrow,

And smell of rain, from furrows sweet and
black.

Although he turns away through his own will
From fields, and takes the ways of roads
and towns,

He shall know longing for one well-loved hill
Clad in the autumn's russet-reds and
browns.

And, when he dies, his ghost shall seek those
lands

He plowed and sowed, and tended with his
hands.

MATTHEW M. NEELY

Mr. CARLSON. Mr. President, as we pay tribute today to the memory of Senator MATTHEW M. NEELY, I am reminded of my many years of pleasant association with him. I was a Member of the House of Representatives in 1936 when he was again returned to that body where he had served in earlier years. We became closely associated at that time, and, because of his great experience in the legislative field, he was of much help to me.

Senator NEELY was a friendly man, easy to become acquainted with, and pleasant to work with.

Both of us left the House of Representatives to serve as Governors of our respective States, and later both of us had the privilege of serving again together in the Senate of the United States.

With this background, it was only natural that we should become closely associated in our work together in the Senate.

It was a privilege to serve on the Senate Post Office and Civil Service Committee with Senator NEELY during his entire service in the Senate. It can be truly said that the Federal employees of our Nation never had a more loyal or truer friend than Senator NEELY.

I think I should mention that Senator NEELY is one of 89 of our Nation's citizens since the beginning of our Nation who have had the honor and privilege of serving in the House of Representatives, as governors of States, and in the United States Senate.

It was my privilege to attend Senator NEELY's funeral services at Fairmont, W. Va. Here again one could observe the great respect and the high regard in which he was held by the people of his State and particularly the citizens of Fairmont. As evidence of this it was most noticeable that as the funeral procession moved through the streets of Fairmont to the cemetery, the citizens were lined on both sides of the street with hats removed and heads bowed, giving expression of the respect and kindly feeling they had for a citizen who had gone to his great reward.

The State and Nation have been greatly enriched by the life and services of Senator NEELY.

W. KERR SCOTT

Mr. President, Senator KERR SCOTT was a very personal friend of mine. It seems only natural that we should be drawn close together, in view of our many mutual interests.

We both had rural backgrounds. Both of us were farmers in our own right, and, therefore, took an active interest in the problems of agriculture. We both has served as Governors of our respective States, and therefore, we were familiar with the problems which confront the States of our Nation. As laymen, we were both interested in our own church and actively participated in a small and humble way in religious work. As I stated earlier, it was only natural that Senator SCOTT and I should become close friends.

Senator SCOTT grew up in an era in which the rural background played a most important part in the growth and development of our Nation. It is an era that seems to be passing out of the picture, which I regret sincerely, as I firmly believe that the Nation will lose much in the way of fundamental strength and stability when this era passes on.

It was an era of the farm home, the country schoolhouse, and the rural church.

As I had the privilege of attending the funeral services of Senator SCOTT in his home community, I had an opportunity to visit his farm home and attend the services which were held in a rural church, to which he had given much of his time and great financial assistance.

It was one of the largest funerals I have ever attended and people from every walk of life were in attendance, from the Governor of the State down to the most humble citizen. It was a tribute he well deserved, as Senator SCOTT was truly a man of the people and a great humanitarian.

My life has been enriched by working with and knowing Senator SCOTT.

MATTHEW M. NEELY

Mr. STENNIS. Mr. President, I was not privileged to serve with the late MATT NEELY during his first tenure in the Senate. I came here during his absence. I remember quite well his bright, cheery disposition, his great capacity to make friends quickly, and the very fine way in which he executed his duties when he came back to the Senate following the elections of 1948.

I did not have the privilege of serving on a committee with him while he was here, and we were not thrown together to any great extent in the work of the Senate, except for such business as was transacted on the floor.

He had a fine sense of justice, and the very highest sense of obligation in carrying out his public mission, as he saw it.

Another outstanding attribute of his, which will abide with us, and I think will live as a model to the country, was his very earnest and sincere interest in what was the public good and what was, after all, best for the people.

That was his main guideline, his main measuring stick. When he had made

that determination, he never swerved. In my opinion, no public servant exhibited a greater courage in the performance of his duty. I admired that very fine quality in him.

I should like especially to be associated with the eloquent tributes paid by his long time colleagues, the Senator from Alabama [Mr. HILL], the Senator from Virginia [Mr. ROBERTSON], and other Senators. They outlined the fine qualities of this truly wonderful public servant, because they knew him from long association. My acquaintance with him extended over a much shorter period, but I found in him the same qualities which other Senators have so well set forth.

W. KERR SCOTT

Mr. President, with reference to our other departed colleague, it was my good fortune to be closely associated with the late Senator KERR SCOTT, of North Carolina. Along with my colleagues, I had a deep appreciation of his wonderful character, and what he meant to us here, as well as his contribution to public life.

Measured in terms of what is ordinarily thought of as a senatorial career, his term of a little less than 4 years was very brief. However, his influence during his time of service was exceedingly great.

It is not an easy task for a new Senator to become started on a course whereby he can make a constructive contribution to the work of the Senate; yet KERR SCOTT rapidly gained in influence, and the sphere of his influence was very definitely increasing day by day. His stature continued to grow day by day, week by week, and month by month. His influence was not due to any extraordinary qualities as an orator or speaker, although he certainly was adequate as a speaker. His speeches were always those of substance. Nor was his influence due to what is ordinarily referred to as political genius, although he fully understood the political aspects of public problems. Nor were his achievements here due to an extraordinary drive, which some men possess. Nor were they due to a sweeping and overpowering personality. The influence of KERR SCOTT and his stature here were based upon his high integrity, his utmost sincerity, and his depth of understanding of the daily problems of his people in North Carolina and the people of the entire Nation.

All that he said and did was prompted by high moral purposes. All that he said and did was prompted by an understanding heart. All these qualities were built on the solid foundation of his abiding faith in God and his personal courage.

KERR SCOTT was a man of great spiritual convictions and spiritual powers. Those convictions were infused into all he said and did. They were felt, too, by his associates. On the occasion of the funeral services his minister aptly appraised his wonderful life when he concluded with a brief one-sentence summary in these words:

He was a man of God, a man of his family, and a man of the community.

Mr. President, it is estimated by reliable sources in his State that 15,000 people attended the service at the grave

or in the church to pay their respects to this fine man. One of the greatest experiences I have had was to look into the faces of those people at the funeral. I arrived early. I walked among them at the cemetery without their knowing who I was or where I came from. There might have been a few who came there through curiosity but I believe that 99 out of every 100 were there because of their utmost respect, their great appreciation, and their sincere grief.

They had faith in KERR SCOTT, and their faith was well founded. As he was laid to rest in the red hills of North Carolina, which he loved, I thought of the words of that great American, Benjamin Franklin, who said:

I had rather it be said of me that I lived usefully, than that I died rich.

KERR SCOTT lived usefully and died rich in the love and appreciation of his fellow man. Truly, then, as one of the prophets of old said:

He lived humbly, did justly, and walked reverently with God.

I am sure his soul rests in peace and that he enjoys the rewards he has so well earned.

Mr. President, a great deal of the personality, the beliefs, and the ideas of KERR SCOTT are incorporated in a short talk he made to a group of us at a breakfast meeting. I had the privilege of inserting that talk in the RECORD a few days after it was uttered. They are entitled "Don't Park Here." Since they reflect so much of his philosophy and his sound ideas, I ask unanimous consent that they be printed in the RECORD at this point in my remarks.

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

ADDRESS DELIVERED BY HON. W. KERR SCOTT, OF NORTH CAROLINA, AT A BREAKFAST GROUP MEETING OF SENATORS—EXTENSION OF REMARKS OF HON. JOHN STENNIS, OF MISSISSIPPI, IN THE SENATE OF THE UNITED STATES, MONDAY, JUNE 27, 1955

Mr. STENNIS. Mr. President, recently I requested our colleague, the Senator from North Carolina [Mr. SCOTT] to lead the discussion at a breakfast group meeting of Senators. Preparation time was brief indeed, but Senator SCOTT greatly impressed all his hearers with his practical common-sense, his sound advice and counsel, all of which served as a challenge as well as an encouragement.

I think his words of wisdom and counsel carry a splendid message to the people of America. I believe they convey a special message of inspiration and guidance to the youth of our country and I therefore ask unanimous consent that Senator SCOTT's remarks be included in the CONGRESSIONAL RECORD. Further, I wish to commend him for his noble thoughts and the practical guidance of his counsel.

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

"DON'T PARK HERE

"Many years ago, an inspired poet wrote the immortal lines:

"Heaven is not reached at a single bound;
But we build the ladder by which we rise
From the lowly earth to the vaulted skies.
And we mount to its summit round by round."

"And as we consider the words of the poet we should also recognize that it seems to

be a trait of human nature to be eternally on the lookout for a place to park—not only one's automobile but one's self. As we ride through the streets of our cities today we repeatedly face the words 'don't park here.'

"We find them in the business and residential sections and on the side streets.

"They stare at us from the fire hydrants, from in front of the theaters, the bus and streetcar stops, from public buildings, and numerous other places.

"As we ride along the lonely places of country highways we are constantly admonished to 'keep off the shoulders' and we are told not to park on hills, curves, or highways.

"In the parks we are told to 'keep off the grass' and at the intersections the policeman tells us to 'step lively.'

"Restrictions, admonitions, and exhortations are to be seen and heard on every side touching every facet of life.

"It is well that we should thus be warned," for as the German proverb runs: 'If we rest, we rust.'

"And remember, if water rests, it stagnates; if a tree rests, it dies; if our lungs rest, we cease to breathe, and if our hearts rest, we die.

"Only yesterday (June 21, 1955) Senator ALEXANDER WILEY introduced in the Senate a bill which I commend to your attention for it recognizes that many people who are forced by provisions of the Retirement Act to retire are still mentally and physically very much alert. It recognizes that these people do not want to park but rather want to continue making their contribution to society.

"Yes, 'don't park here's' are found in nature, science, and human life and they are designed for our own protection. Yet in spite of all such warnings and exhortations, man still continues to park in many places where he should not.

"As we read in Pilgrim's Progress, Christian on his way from the City of Destruction to the Celestial City was frequently tempted to turn aside and park awhile, especially in the Town of Vanity Fair. Christian resisted the temptation and successfully reached his journey's end. This cannot be said of all, and, as a consequence, we find today that men and women too often are parked at various places along the journey of life.

"To some of these places I would call your attention.

"Some men and women park beside their failures.

"Some youths study hard in school. Examinations come and they fail. They accuse the teacher of dishonesty and prejudice to cover their own failures, quit studying, quit school, and park idly beside the highway of intellectuality.

"I recall how impressed I was as a freshman in college with the fact of how ill-prepared I was, as well as many other farm boys were, for college training. I observed that the boys who came from prep schools and highly organized city schools were much better prepared than we farm-bred boys were. I particularly recall two boys I have never seen since my college days who were well prepared for college training but who never graduated. They loafed along waiting for the rest of us to catch up, and as a result of their parking, they failed in their examinations and dropped out of school. Parking can be dangerous.

"For others a broken home is the excuse for parking along the highway of life.

"For others, business becomes dull, crops fail, banks burst, and all is lost. That is, all that is material at the moment and the victim gives up and parks beside his failures or disappointments.

"What a tragedy it is to find a boy or girl, a man or woman parked beside some failure or handicap and thus missing the

best things of life and losing the spirit to contribute to the welfare of others. At an early age, Theodore Roosevelt was an invalid and had to be carried from place to place in his father's arms. Refusing to park beside such a handicap, he took his doctor's advice and daily, enduring much pain and anguish, he exercised his body, and later became the leader of the Rough Riders and President of the United States.

"Remember what happened to Brer Rabbit when he parked for awhile. Mr. Terrapin won the race.

"Have you been tempted to park beside some failure or handicap? If so, then take to heart the lesson taught Robert Bruce by the spider. Robert Bruce was King of Scotland during the 13th century. He was a brave fighter, an ardent patriot, and he carried the fortunes and misfortunes of his beloved Scotland in his heart. Late in life he was defeated on the field of battle. Fleeing for his life, he came to an old cave in the mountains. Across the entrance of it a spider had woven a web. Brushing the web aside, Bruce entered to await the end. As he sat facing the entrance he noticed that the spider was again weaving her web and within a few minutes she had completed it. Just then the pursuers of Bruce came and one of them said, 'Let's look in this old cave.' 'No,' said the leader, 'No one could have entered there without destroying the spider's web.' So on they went.

"Bruce had entered the cave defeated in battle, broken in spirit, discouraged and ready to give up. But as he sat there and watched the spider quickly adjust herself to her misfortune and begin all over again, he said, 'If a spider, without an immortal soul, having the foundation knocked completely out from under her, can begin all over again, by the grace of God, Robert Bruce can come back, too.' Slipping beneath the web, he went forth again and freed Scotland from her enemies.

"In early January of this year I had one of my dairy barns, which housed 100 head of cattle, burn to the ground. This building had been used successfully for 35 years and I had gotten my money out of it insofar as I was concerned.

"I was confronted with making the decision of whether to build a new barn or sell the cows.

"My family, because of my age, urged me to sell the cattle and start restricting my activities and take it easy. I pondered long with the realization that I had been born and reared in a dairy-farm family and that most of my life's experience had been in turning worn out agricultural land into lush pastures and in producing milk, which is nature's most complete food. I was reminded of the philosophy of the Chinese which goes something like this: If an idea is good even if it takes 300 years to bring it to fruition, go ahead and do your part if you can and pass it on to others to complete.

"I felt that my knowledge in this field and that handed down by my forebears for five generations who had lived on this same land justified, yes, demanded, that I pass on to my sons those things which I had gained through experience and frugal living.

"I became convinced that I had no right to coast out the balance of my life and that I had no right to park but that I should go ahead and build back the barn even though I might never receive material benefit from what it would cost me to rebuild it.

"O my friends, whatever you do, don't park beside your failures and losses.

"Then there are those who park beside their successes.

"Such people study hard; become the honor men of their class; become captain of the football team or the star of the basketball team; deliver the valedictory, and full of pride, finish school to rest beside past glories.

"Others may park after wooing and winning, becoming happily married, having a lovely home, beautiful children, and then sit back and let the rest of the world go by in the belief that they have done their bit for society.

"Others establish businesses, outstrip their competitors, become wealthy, and then contentedly pat themselves on the back and proceed to park beside their successes.

"An examination of the biographies of the 400 exclusive millionaires of New York society shows that 380 began life as poor boys—boys who refused to park beside their first, second, or third, or any other success.

"But of all the parking, there is none more devastating in the lives of men than the parking beside the successes and failures of a man's spiritual life.

"If ever a man had justification to park beside either success or failure, the apostle Paul did. But standing steadfast, Paul said:

"Brethren, I count not myself to have apprehended—but this one thing I do, forgetting those things which are behind, I press on toward the mark for the prize of the high calling of God in Christ Jesus.

"This one thing I do," says Paul, 'I am reaching forth. I am pressing on. It is true that I have had failures, I made a mistake in Athens, I persecuted the church. I have been the chiefest of all sinners. But those things are behind. Christ has forgiven those. So I have forgotten them. And then too I have had success. Why? I have seen Christ. I have fought a good fight. I have finished my course. I have kept the faith. I have already won my crown. Yet I haven't time nor the inclination to park beside any of these things. But on the contrary—this one thing I do—I am reaching forth. I am pressing on. Toward the mark for the prize of the high calling of God in Christ Jesus.'

"The lesson taught here is that if we, as Christians and as church members, are to reach the mark and win the prize there can be no parking in the individual's or church's program.

"Another great lesson is to be found in the history of the erection of a statue of the immortal Gen. Robert E. Lee in the city of Richmond, Va.

"When the news reached Richmond that the statue of Gen. Robert E. Lee, now standing on Monument Avenue, was at the depot, someone said, 'My, it will take a lot of horses to pull all those tons of metal up-town.' And someone (it must have been a blessed woman) replied, 'Horses, oh, don't let horses pull General Lee—let's pull him ourselves.'

"The idea caught like wildfire and swept the city. The newspapers were full of it. The day was set. The schools declared a holiday. Flags, bunting, popcorn, peanuts, and red lemonade were everywhere. The sidewalks, stoops, porches, and windows were filled with happy throngs.

"Out there in the middle of the street were three large trucks tied together, with a drawing cable a block long. Pulling on the cable was one of the motleyest crowds ever gathered together. An ex-governor was there with several millionaires. There were rich men, poor men, fat men, lean men, white men, black men, school girls chewing gum, and society ladies tripping about on their spool heels pretending that they were pulling. Amid the laughter and tears, songs and cheers, they drew the general in triumph to the place where he sits today on Traveler, looking ever toward his beloved Southland.

"As soon as they reached their destination every man drew his pocketknife and cut off a little piece of the great rope and put it in his pocket. For days after, everywhere in the city, a man would pull out his little piece of hemp, hold it up, and with great pride say to his friends, 'I had hold of the rope. Did you? Did you?'

"The mission of the church is to bring the throne of our Saviour to its rightful place in the hearts of men. I am hoping with a mighty hope that when that task is brought to its triumphant end there will not be a single Christian who will not be able to look up into the face of the King and say: 'Master, I had hold of the rope. I had hold of the rope. I did not park.'"

Mr. CHURCH. Mr. President, my sorrow in the passing of our beloved colleague, W. KERR SCOTT, has not been assuaged in the months since that unhappy news came to us.

Last April, being deeply moved by it, I inserted in the RECORD an editorial from a newspaper of KERR SCOTT's home State. A fellow Carolinian therein summarized the essence of the man as I had come to know and love him, saying:

He is as near a symbol of a plain-spoken State's motto—"to be rather than to seem"—as we have had in this century.

Our hearts go out to his good wife, "Miss Mary." Her loss we share, as does the country.

Mr. SALTONSTALL. Mr. President, I am very glad that the Senator from Mississippi [Mr. STENNIS] included in the RECORD the brief remarks Senator SCOTT made at a breakfast meeting. I, too, have read those remarks, and I have the same feeling about them the Senator from Mississippi has expressed.

As a former Governor, KERR SCOTT and I had many conversations about our States and about our feelings toward the people of our States. I know he loved the people of his State and I know that they respected him, because they always felt that he was working in their behalf and thinking about them in everything he did. That applies also to his patriotism and devotion to his country. He loved the United States, and he wanted always to do the best he could in serving it. He was conscientious in his service, and he was diligent in the performance of his duties.

Quiet by nature, he loved to talk to people when he met them informally.

I miss him here on the Senate floor. He was a good Senator.

MATTHEW M. NEELY

Mr. President, I should like to say a few words about the late illustrious Senator from West Virginia, MATT NEELY. I first knew him when he came to Massachusetts as the Governor of his State, when I was the host at the governors' conference. We formed a special friendship then, which continued through the years in the Senate. While I did not always agree with everything he said on the floor of the Senate, I always felt that what he said arose from the convictions of his spirit. He always stated his beliefs in clear and unmistakable terms.

We will miss both of these men. I wanted to add these few brief remarks of mine to the many commendatory statements which have been made about these two Senators this morning. We want more good men like them to serve with us.

W. KERR SCOTT AND MATTHEW M. NEELY

Mr. AIKEN. Mr. President, while there is little one can add to what has

been said about our departed colleagues, I would not want this occasion to pass without paying homage to two men whom I was privileged to call friends.

I served on committees with both of these men, and learned much from their wisdom and from their love of their fellow beings.

I knew KERR SCOTT first when he was the master of his grange, later as commissioner of agriculture and as Governor, and finally, when I was glad to welcome him to the Senate. KERR SCOTT was as devoted to agriculture and the people who lived in the rural areas as any man I have ever known. He understood them. His heart was always with them. He constantly worked for them throughout his entire public career. He was a real champion of the rural life. The rural people of the United States have lost one of their foremost friends.

Mr. President, I was privileged to serve on the Committee on Labor and Public Welfare with Senator NEELY for many, many years. As Senator KERR SCOTT was devoted to the farming and rural population of this country, so Senator NEELY was devoted to the laboring people and, in fact, to the rural people and all the people. He worked for them very fearlessly all the time he was a Member of the Senate. He believed that what was good for his people was good for the country as a whole. In fact, he was right about that. He was not inclined to be overawed by strong opposition. In fact, I believe the greater the opposition, the more he welcomed it. He was particularly able to hold his own when he was in a fight in behalf of what we call the little people, the ordinary people, those who may not have so much in worldly goods and in opportunity as others have. They have lost a real friend and champion in the death of MATTHEW NEELY.

W. KERR SCOTT

Mr. SPARKMAN. Mr. President, I wish to join my colleagues in paying brief tributes to our late friend KERR SCOTT. I first came to know KERR SCOTT when he was secretary of agriculture of North Carolina. Later I had occasion to observe his work as Governor of North Carolina, and to see the many good things he did for that great State. Still later I had the pleasure of associating with him in the Senate. I came to admire the man, and I had a great deal of affection for him. I felt that he was a man of great sincerity. He was soft of voice, but he could be sharp and firm when the occasion demanded. He was a delightful person to work with and to be associated with.

On one occasion Senator KERR SCOTT made a talk to a small group of Senators at a breakfast in the Capitol. He spoke on the subject of flowers. The Senator from Mississippi [Mr. STENNIS] had that talk printed in the CONGRESSIONAL RECORD. I believe it ought to be a part of the memorial services in which various Senators are participating today. So I ask unanimous consent that the address be printed in the RECORD at this point.

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

IN MEMORY OF WILLIAM KERR SCOTT, UNITED STATES SENATOR FROM NORTH CAROLINA, NOVEMBER 29, 1954-APRIL 16, 1958

HON. JOHN STENNIS, of Mississippi, in the Senate of the United States. Mr. President this morning it was my privilege to hear a short talk made by the distinguished Senator from North Carolina [Mr. SCOTT]. The Senator from North Carolina has a fine appreciation for the enduring values, including things of the spirit. He has a great understanding of human nature, as well as things of nature. His remarks are always helpful to others. I ask unanimous consent that his remarks be printed in the RECORD.

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

TALK BY SENATOR W. KERR SCOTT BEFORE THE SENATORS' BREAKFAST GROUP, UNITED STATES CAPITOL, MAY 9, 1956

"Friends:

"One is nearer God's heart in a garden Than anywhere else on earth."

"So wrote the poet enthralled by the new-found discovery that flowers, even if not possessing a soul, are a part of the spiritual values with which the Creator has surrounded us and our lives.

"Edward William Bok, a great American editor and public benefactor, recognized the spiritual value of flowers and man's need for their comfort and relaxing power when he built and endowed that famous beauty spot known as Mountain Lake Sanctuary, or Bok Tower, near Lake Wales, Fla.

"He turned a barren, sandy wasteland into a garden of 53 acres of flowers and trees—and trees are only massive flowers—that has relieved the tensions and refreshed the souls of the hundreds of thousands of visitors who have passed through it.

"And Luther Burbank, the great naturalist who spent his life skillfully blending the colors and other characteristics of flowers into even more splendid beauty, also found inspiration in the words of the poet, words inscribed on a plaque at Bok Tower.

"The kiss of the sun for pardon,
The song of the birds for mirth,
One is nearer God's heart in a garden Than anywhere else on earth."

"Flowers, and the love and devotion they symbolize, are an integral part of the joys and sorrows of the most moving moments of life—of courtship, marriage, birthdays, illness, and even death.

"They walk with us, and we among them, finding in them pleasure and solace all the days of our lives.

"A wedding without a bridal bouquet would be like food without salt.

"Death of a loved one calls for banks of flowers, a tribute to the goodness of his life and to ease the sorrow we feel at his or her passing.

"Flowers even have a language of their own. Lovers and sweethearts know it and speak it to each other throughout courtship and marriage.

"On Mother's Day we wear a red rose if the one who gave us life is still living, a white rose if she has passed on into the great beyond prepared for us by the Creator and from which no traveler returns.

"In ancient days the warrior going forth to battle carried close to his heart a pressed flower, a talisman of love and devotion from his beloved designed to bring him home safely. And when the hero returned from the wars, a garland of flowers was placed around his neck by an acclaiming populace.

"After a loved one dies we return, time and time again, to lay an offering of flowers on his grave—a silent tribute that speaks its own message.

"And who, I ask, can look upon the splendors of a rose or the delicate face of a pansy and say with certainty that flowers themselves do not possess a soul?

"Joyce Kilmer, after a solitary walk in the forest—surrounded on every hand by wild flowers shyly peeping toward the sun while protected from the raging winds by their big brothers, the trees—became pensive and wrote:

"I think that I shall never see
A poem as lovely as a tree.
A tree that may in summer wear
A nest of robins in her hair.
Poems are made by fools like me,
But only God can make a tree."

"Consider the lilies of the field," we are told by the Master in Luke 12:27, "how they grow; they toil not, neither do they spin: And, yet, I say unto you, that even Solomon in all his glory was not arrayed like one of these."

"Yes; it is true, flowers neither toil nor spin, but Solomon in all his glory was not arrayed like one tiny flower created by God to sustain man in his deeper emotional and spiritual moments.

"The conclusion is inescapable that divine approval, if not guidance, has been given for our entwining the beauty, innocence, and purity as symbolized by flowers—and the inspiration, comfort, and pleasure they give us—into the fabric of our daily lives and our acceptance of the darkness of the grave.

"In the Song of Solomon, which depicts the love of Christ for the church, we read:

"I am the rose of Sharon, and the lily of the valley," and, "For lo, the winter is past, the rain is over and gone; the flowers appear on the earth; the time of the singing of birds is come."

"As I reflect upon the words, 'the flowers appear on the earth,' I am aware of the fact that the flowers appear in this worship garden spot each time we meet here through the devotion and thoughtfulness of Mr. Bellamy, the only non-Senator member of our group who regularly attends. He has captured and faithfully nurtures the consciousness that flowers symbolize the love of man for man, the love of man for God, and the love of God for man.

"Flowers truly are the currency of love, honor, and adoration. What boy raised in the country has not sought out in the early spring on sunny hillsides delicate, pale, dancing forget-me-nots to shyly lay a tight little bouquet in his mother's lap? What boy raised in the country has not searched the shady forest nooks for violets—those 'purple teardrops that live betwixt heaven and earth, but closest to earth—to honor that selfsame mother?

"Our Father in heaven, in casting the important scenes of His divine plan, has chosen flower bedecked gardens as the stage for most of them.

"And the Lord God planted a garden eastward in Eden," we read in the second chapter of Genesis.

"Centuries later it was in the Garden of Gethsemane that our Saviour fell upon His face, and the man side of His nature cried out in anguish, 'Oh, My Father, if it be possible, let this cup pass from Me.'

"But, even then, winding along the garden paths, came the traitor Judas to betray Him to the multitude armed with swords and staves who demanded His crucifixion.

"And when the shameful trial had ended, and He had died on the cross, it was to a nearby garden that His sword-pierced body was taken for entombment.

"It was from that spot, a garden where tiny early spring flowers were bravely lifting their heads toward the warmth of the sun, that the Saviour who died for the sins of all men arose on that first Easter morn to take the place prepared for Him on the throne of the Lord God of Creation.

"Yes, one is nearer God's heart in a garden than anywhere else on earth.

"It is only after the shouting and tumult has died, and our friends and loved ones left behind have bedecked our grave with flowers of remembrance, that we can get closer to the heart of God than we can in a garden where flowers grow.

"In closing I would leave you with the Song of the Roadside Flowers:

"We are the roadside flowers,
Straying from garden grounds;
Lovers of idle hours,
Breakers of ordered bounds.

"If only the earth will feed us,
If only the wind will be kind,
We blossom for those who need us,
The stragglers left behind.

"And, lo, the Lord of the Garden,
He makes His sun to rise,
And His rain to fall like pardon
On our dusty paradise.

"On us He has laid the duty—
The task of the wandering breed—
To better the world with beauty,
Wherever the way may lead.

"Who shall inquire of the season,
Or question the wind where it blows?
We blossom and ask no reason,
The Lord of the Garden knows."

Mr. SPARKMAN. Mr. President, I may say that the junior Senator from Mississippi [Mr. STENNIS] placed in the RECORD another talk which Senator SCOTT made at one of the breakfasts, entitled "Don't Park Here." Following that, I asked the Senator from Mississippi if he had placed in the RECORD Senator SCOTT's talk on flowers. He said he had not. I then said that I would do so. I believe it should be in the RECORD for all to read. It was a very fine discourse, one which shows the sense of appreciation which the man had for the beautiful.

We shall greatly miss KERR SCOTT as a Senator. The people of his State and the people of the country will miss one who rendered great and fine services as he did.

Our sympathies and our best wishes go to the members of his family and to his loved ones everywhere.

MATTHEW M. NEELY

Mr. President, I speak now about our late friend, Senator MATTHEW M. NEELY, of West Virginia. To me, Senator NEELY always was a most interesting person. I knew him first when he was a Member of the Senate, later when he was Governor of his State, later when he was a Member of the House of Representatives, and still later when he again became a Member of the Senate.

I was with him in his home State of West Virginia, campaigning through the hills and mountains of that State. I was with him in his home area, and spoke on the same platform with him.

In watching him work in the Senate, I observed his tremendous drive and enthusiasm, and the vigor which he gave to every job to which he devoted himself.

To me, he was a remarkable man. I have often referred to him as the "old war horse." He was a war horse in the cause of the Democratic Party in his State, and in any cause which he undertook to support on the floor of the Senate.

As the Senator from Vermont [Mr. AIKEN] has so well said, Senator NEELY was a scrapper. He was unafraid. The greater the challenge, the more firm and determined he became. The greater the obstacle, the more of a challenge it was to him. We shall not see his like soon again. We miss him now, and we shall continue to miss him.

Our sympathy goes to the members of his family, his loved ones; and our condolences go to the people of his State, whom he so well served throughout so long a time.

W. KERR SCOTT

Mr. NEUBERGER. Mr. President, I join in the tributes being paid to the late Senator W. KERR SCOTT, of North Carolina. Rather than to voice my own opinion of Senator SCOTT, I shall describe a trip which I made through the State of Oregon with Senator SCOTT in 1955. We both were members of a Special Subcommittee of the Committee on Interior and Insular Affairs to study the lumber industry in general, and to inquire into the so-called Al Sarena case, in particular.

While Senator SCOTT and I were together on a visit to Portland, which is the main metropolitan center of Oregon, and to such great lumber-producing communities as Roseburg and Eugene, which are in the heart of the greatest timber belt in our country, Senator SCOTT met hundreds of our people personally. He made upon them a profound impression. His sincerity, his integrity, his rugged honesty—all those things elicited favorable comments from my friends in Oregon.

I remember, several years later, going back to Eugene and hearing an illustrious professor at the University of Oregon saying that Senator SCOTT reminded him of the peasant type, direct from the soil, in the very best sense of the term.

I was particularly interested, also, to hear how our farmers in those areas responded to Senator SCOTT. I think they knew immediately that he was a genuine article; that there was nothing about him which was phony or synthetic or insincere. They knew at once that he was familiar with their problems; that he had tilled the soil himself; and that the genuine attention which he gave to the matters which they presented to him came from his heart.

I think Senator SCOTT was one of the most unselfish men I have ever known in the Senate. A time came when it was necessary, at least in the opinion of some Members of the Senate, to have the rather controversial Hells Canyon bill reported by the Committee on Interior and Insular Affairs. A vacancy existed on that committee. The majority leader was trying to find a Democrat who would sacrifice his seniority on some other committee, in order that

he might join the Committee on Interior and Insular Affairs and vote to report the Hells Canyon Dam bill to the Senate, where it could be debated, discussed, and encounter such votes as might be determined by the majority of the Senators. Some Senators—and they certainly acted within their rights—rejected the request which was made of them. But when the majority leader asked KERR SCOTT if he would accept the assignment, Senator Scott accepted unhesitatingly and sacrificed much seniority on the Committee on Public Works so as to become a member of the Committee on Interior and Insular Affairs, and to enable the Hells Canyon Dam bill, which was then before that committee, to be reported by a majority vote. I think my colleague, the distinguished senior Senator from Oregon [Mr. MORSE], will bear me out when I recount this episode. Certainly, not every Senator will sacrifice his seniority on an important committee in order to transfer to another committee where inevitably, he will sit at the bottom of the ladder, at the very end of the table—in order that he may help a cause to which he is dedicated.

I think Senator W. KERR SCOTT acted as he did in that instance not out of any personal affection or friendship, but because, as a leader in the rural electrification movement in his own State of North Carolina, he believed profoundly in the cause of maximum development of our water-power resources.

I know I express the sentiment of the people of the State of Oregon when I extend to the widow of Senator KERR SCOTT and to all the members of his family profound sympathy in the great loss they have suffered.

Our sympathy also goes to the associates of Senator Scott who are now in the Chamber, the distinguished senior Senator from North Carolina [Mr. ERVIN] and the distinguished junior Senator from North Carolina [Mr. JORDAN]. Our condolences go to all the people of the State of North Carolina, because it is their loss, particularly, which has been felt in the passing of a man of great sincerity and integrity.

MATTHEW M. NEELY

Mr. President, I did not know Senator MATTHEW NEELY so well personally as I was privileged to know Senator KERR SCOTT. I did not serve with Senator NEELY on any committees; therefore, I cannot claim the intimate, personal friendship with him that I believe I had with Senator Scott.

But what impressed me about Senator MATTHEW NEELY was the courage with which he faced death.

I believe Senator NEELY was the first Senator in modern times, either in the Senate or the House, to advocate the spending of \$1 billion for cancer research. He, ahead of any other Member of the Senate, stood in this Chamber and advocated many times the spending of unlimited funds with which to investigate and ascertain the causes, and then possibly the cure, of the most sinister series of diseases plaguing mankind; the malignant diseases which are known under the general head of cancer.

Of course, Senator NEELY was joined in this effort by such other distinguished Members of this body as the Senator from Alabama [Mr. HILL], the Senator from Maine [Mrs. SMITH], the Senator from Washington [Mr. MAGNUSON], and others who shared Senator NEELY's interest in medical research. But Senator NEELY stood first in this respect. This indicates that he knew full well what cancer is and all of its grim, sinister, mysterious implications.

Yet, stricken though he was with cancer, he was brought to the Senate floor on many occasions on the arms of members of his staff or in a wheelchair, so that he could participate in crucial votes and causes in which he was interested, and to which he was dedicated.

I think every one of us came to have new respect and admiration, if that were possible, for Senator NEELY when he demonstrated this type of true valor, when he was facing the grimmest antagonist which any human being can encounter.

We talk a great deal about courage when someone casts an unpopular vote on this or that issue, but what is that compared with the type of courage demonstrated by Senator NEELY as he faced his last great encounter on earth?

In speaking of MATT NEELY, I can only say that fortunate indeed is the State whose representatives serve without selfishness and without fear.

W. KERR SCOTT

Mr. REVERCOMB. Mr. President, it was not my privilege to know Senator KERR SCOTT, of North Carolina, for a great length of time. I first became acquainted with him in January 1957, when I returned to the Senate, after an absence of several years. But I knew him long enough to form for him a very high admiration, both as a Senator and as a man.

We served together, with the able Senator who now occupies the chair [Mr. McNAMARA], on the Senate Committee on Public Works. There, I found Senator Scott to be a man who kept counsel of himself on the questions presented to the committee, until he formed his own conclusions; and then he spoke with great wisdom and patriotism on the subjects at issue.

Furthermore, I lived in this city at the same place where he lived; and we saw each other there, in addition to meeting at the sessions of the committee and at the sessions of the Senate.

Senator Scott will be greatly missed in the Government service. He was a statesman in the truest sense of the word. He was devoted to his country.

I today, join my colleagues in the Senate, and particularly my colleagues from the great State of North Carolina, in paying this tribute to Senator Scott.

MATTHEW M. NEELY

Mr. ERVIN. Mr. President, I had the privilege of serving for a brief period in the House of Representatives with MATTHEW MANSFIELD NEELY, and I also had the privilege of serving with him in this body. I wish to associate myself with the remarks of the distinguished senior Senator from West Virginia [Mr. REVERCOMB], who, earlier today, spoke so elo-

quently in reference to Senator NEELY's services and contributions to society. As has been so well said by others, Senator NEELY was one of the greatest fighters in our political history for the causes in which he believed.

Mr. CASE of South Dakota. Mr. President, it was also my privilege to serve in both the House of Representatives and the Senate with MATT NEELY. I did not come to know him so well in the House of Representatives; our service there together was for a limited time.

But when I first came to the Senate, I served under him for 2 years, when he was chairman of the Committee on the District of Columbia. Then I followed him, for 2 years, in serving as chairman of that committee.

Mr. President, I have never had a more delightful association under the chairmanship of any Member of Congress than the one I had with him; nor was I ever extended more courteous, fair, and considerate treatment when he became the ranking minority member of that committee, in the 83d Congress.

MATT NEELY was a man of high principle and of honor; and he faithfully kept every statement he made to me with respect to a position on a bill, on appointments for committee meetings, or in regard to a position which might be taken in a conference. Those who have served in parliamentary bodies know that the word of one legislator to another in regard to matters in conference or matters of procedure is of the highest importance. I do not mean to say that Senator NEELY and I always took the same position; but whenever he told me that a certain position would be the one he would take, that was the position he took.

He was considerate of those on this side of the aisle, when we were in the minority; and I hope we reciprocated in that regard when he and those on his side of the aisle were in the minority.

Mr. President, I should like to say something about the service of MATT NEELY, both as a Member of the House of Representatives and as a Member of the Senate. At this particular time, as we draw near to adjournment, we shall miss two things, in particular, which MATT NEELY used to do for us: One was to review the great amount of time spent in debate and in what he regarded as sometimes unnecessary verbiage. The other was to review, with the eloquence he had in surpassing degree, the achievements and qualities of departed colleagues.

Today, there is no one to render that service in the way that MATT NEELY did. But, Mr. President, I trust that those of us who have been privileged to hear his beautiful tributes to other departed Members of this body will recall with full appreciation his ability as a panegyrist; and I hope that each one of us will in his heart and mind ascribe to MATT NEELY the beautiful tributes which he would have uttered of a departed colleague possessing of his own high character and qualities, were he here to do so today.

W. KERR SCOTT

Mr. CASE of South Dakota. Mr. President, I should like to join in the tributes to our late colleague, W. KERR

SCOTT. My service with him was somewhat limited, because he was not a Member of this body for so long a time as was Senator NEELY. However, during the time when Senator SCOTT was a Member of this body, those of us who came to know him, learned to love his gentle qualities and his devotion to the interests of the people, as he saw them.

I am sure that the present occupant of the chair [Mr. McNAMARA] will join me when I say that in our service on the Committee on Public Works, there was no Member who was more considerate of the opinions of others. Senator SCOTT was not one to consume a great deal of time in debate in the committee; but he quietly listened to the evidence submitted, and then cast his vote accordingly. He was charitable to others, but he had his own ideals, and he performed loyally on the basis of those ideals.

On several occasions it was my privilege to ride home with him, because we lived in the same part of the city. On those occasions, when we chatted as we returned home from a session in this Chamber—whether at an early hour or at a late hour—it was a delight to listen to what he had to say, based on his lifelong interest in agriculture and in the common people.

Mr. President, I count it a privilege to have served with and to have known such a man. The world is poorer for the passing of men such as KERR SCOTT and MATT NEELY.

MATTHEW M. NEELY

Mr. CHURCH. Mr. President, it would be presumptuous for me to speak at length of MATT NEELY. It was not my good fortune to know him well, personally. I met him and spoke with him on only two occasions. Both times, he was in a wheel chair, stricken by a fatal illness which soon was to take him to his death before I had an opportunity to know him well. But on both occasions, he treated me with such kindness and generosity that I shall always remember him, as I shall remember the courage he displayed in coming to the floor of the Senate to cast his vote when he thought it might be vital to the cause he served. I marveled at his courage. I admired his steadfast loyalty to party and to country.

I am sorry I could not have known him better. He served in the greatest traditions of this body, and reflected much credit on the people of West Virginia.

W. KERR SCOTT

Mr. MARTIN of Pennsylvania. Mr. President, as a member of the Senate Committee on Public Works it was my great privilege to be associated with the distinguished son of North Carolina, W. KERR SCOTT, whose memory we honor today.

KERR SCOTT and I had places on opposite sides of the table when the Public Works Committee met. We were not in accord on all questions of a political nature, but I can say, in his praise, that neither sectional nor political consideration entered into his thinking when constructive measures for the benefit of the whole country were under discussion. From the very beginning of his service

as a Senator he displayed a keen and active interest in the development of essential public works, giving special attention to highway legislation. That was to be expected, since in his administration as Governor of North Carolina he was responsible for legislation which resulted in the paving of nearly 15,000 miles of roads. It is to his credit that these roads, mostly farm to market roads, became known as Scott roads.

A farm boy in his youth, KERR SCOTT championed the cause of the farmer, and made the problems of agriculture his particular concern. In this field he was an outstanding authority, and for 12 years prior to his election as Governor he served as State commissioner of agriculture.

KERR SCOTT was a gentle man, always soft spoken, courteous and kindly. Modesty was one of his outstanding characteristics, but he possessed the valiant fighting spirit of his North Carolina forebears. In him were combined courage, determination and the will to fight for the principles in which he believed, no matter how great the odds against him.

I join with my colleagues in mourning the loss of Senator SCOTT, and in extending my sincere sympathy to the members of his family.

MATTHEW M. NEELY

Mr. President, I join with my colleagues in tribute to a great American statesman whose presence in this Chamber was an inspiration to us all.

With a profound sense of personal loss, I salute the memory of MATT NEELY as a comrade-in-arms, an infantry soldier, and as a veteran of the Spanish-American War, whose ranks are being sadly depleted with the passing of the years.

MATT NEELY interrupted his college studies to answer President McKinley's call for volunteers in 1898. He served throughout the war with Spain in the 1st Regiment, West Virginia Infantry, an outstanding unit of that victorious army in which every man was a volunteer.

That was threescore years ago—a long time as we measure the span of man's allotted years on earth. But in those intervening years MATT NEELY gave patriotic and dedicated service to his native State of West Virginia and the Nation as governor, as a Member of the House of Representatives, and as United States Senator. The high esteem in which he was held by his fellow citizens of West Virginia was amply demonstrated by his election to 5 terms in the House and 5 terms in the Senate.

MATT NEELY was endowed by nature with many praiseworthy qualities. He was an orator of exceptional eloquence. He was a man of deep religious convictions. He was a devout student of the Bible and was guided in his public and private life by its sacred teachings. In legislative debate, he was always able to call upon quotations from Scripture and from classical literature to illuminate and support his arguments.

He was a man of courage, who fought with all his heart and spirit for the principles in which he believed. We honor his memory as a great American.

W. KERR SCOTT

Mr. WILEY. Mr. President, may I preface my remarks with the words of Longfellow:

There is no death! What seems so is transition;

This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call Death.

WILLIAM KERR SCOTT was elected to the Senate in November 1954, to fill the unexpired term of Willis Smith, and also for the full term ending January 3, 1961. His offices were on the same floor as mine, but where I really became acquainted with him was in our little breakfast group, and every Wednesday when he had our meetings I greeted him. But, of course, he has gone ahead in the journey. We used to walk together from our meeting, take the elevator up to the fourth floor, and then we would walk down the hall down to my offices and stop and have a few words.

He always had a twinkle in his eyes. There come to my mind the words of Emerson which pretty well picture him:

Toil had not broken his spirit. His laugh rings with sweetness and the hilarity of a child; yet he is a man of a strongly intellectual taste, of much reading, and an erect good sense and independent spirit which can neither brook usurpation nor falsehood in any shape.

Emerson spoke of a farmer in those words, and of course KERR SCOTT was a farmer. He loved the soil. Being interested in agriculture myself, as we walked along we would discuss agricultural matters.

He had at his command a wealth of witty stories, and when he told them with his rich southern accent it made them doubly funny.

I am sure that those in his own State who honored him by sending him to the Senate, and before that elected him to the Governor's chair, those who knew him intimately over the years, speak of the great service he rendered the commonwealth and the richness of his character.

To his dear wife and family who possess the faith he had, that he has simply gone ahead in the journey all must take, we express our sympathy, and know they will carry on as he would have them do.

MATTHEW M. NEELY

Mr. President, he was rugged, like the mountains of West Virginia.

He had in him the zeal of the ancient prophets of the Bible whom he so often quoted.

This was the late MATTHEW M. NEELY, whom we honor today.

The people of his State need few, if any, reminders of the fact that MATTHEW NEELY lived among them and served them long and well.

The many high honors which they accorded him as mayor, as Congressman, as Senator, as governor, attested to their faith in this staunch battler.

MATTHEW NEELY was a man who was to the depths of his being a fighter for his convictions.

He was a man, steeped in the lore of his West Virginia, but steeped, as well,

in a more ancient lore—the lore of the Holy Scripture.

He could not only quote from the Good Book; he could fight for it, for its principles, as he interpreted them.

The people of the District of Columbia will remember him well, for his devoted services to the Greater Washington area.

Associated with his name in the legislative annals of this land are a great many bills for the welfare of the American people.

He was an individualist, with strong personality, with deep and sustaining views.

In a State which plays the political game hard, he wrote some of the most significant chapters of struggle and contest.

The State of West Virginia will long remember him as a dedicated son, and stalwart champion.

Mr. BEALL. Mr. President, on Saturday, the 18th of January 1958, the people of this country and the people of the State of West Virginia lost a man whose deeds and words will forever endear him in the hearts and minds of these citizens. This man was our esteemed colleague in this body and my very dear friend of 20 years, the late Senator MATTHEW MANSFIELD NEELY, of West Virginia.

Senator NEELY was a true American in every sense. His battles were fought for the sole purpose of aiding those who most required help and were unable to help themselves, and at the same time he was equally forceful in defending the rights of those who could. He was loved and admired by a multitude of men, his colleagues here in the Senate, the membership of labor unions, the civil servants, but most of all by the people of the great State of West Virginia. Nothing can attest to this great admiration more forcefully than a simple glance at the biographical record of Senator NEELY, and reflecting on the great honors and trust bestowed upon him by those who were, to quote MATT NEELY, "magnanimous, loved and loving people of West Virginia."

MATT NEELY was a man who regarded time as a precious possession. He would, as most of us recall, be prompt for any meeting. He was brief and to the point always in his statements or speeches. The late Senator never failed to berate his colleagues for the lack of these virtues. I need only remind my colleagues of the speech this fine man would deliver on this floor entitled "The Senate's Unequalled Verbosity." Time was precious also because of a battle he was waging. The battle was not political. Had it been, I am sure MATT NEELY would still be with us today. This man had, many years ago, taken up the sword against the worst indiscriminate disease that abounds on this earth. He had, since his earliest entrance into public life, declared a personal war on cancer. It seems to me that the best and most sincere tribute that we of this Chamber can possibly pay to MATT NEELY is to carry on the battle this fine American began many years ago. From his death let us strengthen ourselves with the wisdom he possessed to contribute to hu-

manity the world over the means to cure this ravishing disease which plagues mankind.

Senator NEELY was the chairman of the Committee on the District of Columbia. His leadership was an inspiration to all the members on that committee. He was the guiding light in the legislative proposals which came before the committee. A city such as the District of Columbia, which could not legislate for itself, looked to MATT NEELY for guidance and justice. The people were never disappointed. He accepted this challenge as he had each challenge in his life, and met it with profound wisdom. We of the Congress, as well as the people of the metropolitan area, can only say a sincere "well done" to this fine American.

To the widow and children of Senator NEELY, Mrs. Beall and I would like to extend our deepest sympathy; to the State of West Virginia my sincerest thanks for having given me an opportunity to know this great man and to emulate his fine deeds. He was always a source of inspiration to me, as I know he was to this body.

We here will miss his eloquence and sagacious logic. We shall never forget our great friend from West Virginia. The life that he lived from its beginning, the son of a poor country doctor, until his demise as a United States Senator, should be an inspiration to both young and old throughout this country.

It is impossible for me to express fully my deep regard for this man and his principles. No one was more eloquent or more a master of our language than MATTHEW M. NEELY. Therefore, in closing, I should like to pay honor to this dedicated public servant by quoting words uttered by him which best describe my feelings concerning his passing:

Fortunately for you and every other human being, there is One who never forgets and I have no doubt that on some future day He will place a starry crown upon your brow and say to you, in words or effect: "Well done, thou good and faithful servant: enter thou into the joy of thy Lord."

W. KERR SCOTT

Mr. KEFAUVER. Mr. President, at this time I wish to pay tribute to our late friend and colleague, Senator KERR SCOTT, of North Carolina. During his relatively short stay here in the Senate, I came to have great affection and deep respect for Senator SCOTT. He was a diligent worker, well informed on the issues being considered by the Senate, and a man of the utmost integrity.

Senator SCOTT was one of our eminent authorities on agricultural problems in the United States, particularly as they related to the Southern States. He served in many important capacities in the field of agriculture in his own State of North Carolina. When he came to the Senate he was assigned to the Committee on Agriculture and Forestry and there he became a leading spokesman for progressive farm legislation. I, for one, found his views sound and persuasive almost without exception.

It saddens me greatly when I realize that Senator SCOTT is no longer a Member of this body. He is missed now and will be missed in the future as we deal with

the complex problems that confront us. I join my colleagues in paying my last respects to Senator SCOTT. He was a figure of great capacity and imposing stature, and I personally feel his loss deeply.

MATTHEW M. NEELY

Mr. President, the death of MATTHEW NEELY marks the passing of one of the great public figures of our generation. Although we tend to look to the past for our heroes, we must recognize, when we consider the record of Senator NEELY, that we have had men of stature and statesmanship among us also.

Senator NEELY held some of the highest offices which political life holds open to American citizens. He was a Member of the House of Representatives, the Governor of West Virginia, and a long-time and venerable Member of the United States Senate. In all of these offices he was highly respected and he contributed immeasurably to the progress which occurred while he took active part in public affairs.

I was associated personally with Senator NEELY when he was a member of the Judiciary Committee of the Senate. I can personally testify to his excellence as a member of that committee. His views were always sought by the other members and given great weight merely because they were held by such an imposing and respected figure.

It pained me greatly to see MATT NEELY during his declining years, when he struggled to take his full part in spite of his serious illness. Ignoring his infirmities, he continued to come to the Senate, even if it meant being carried or wheeled in, in order to record his vote on the important issues facing the Nation. This was the kind of courage and integrity which was typical of Senator NEELY.

I am sincerely grateful that I had the privilege of serving in this body with MATTHEW NEELY. He was a friend and a counselor whose assistance and advice I sought on many occasions. In the short span of time since he passed from the scene I have felt his absence keenly. It is a privilege to pay my last respects to him at this time.

Mr. PASTORE. Mr. President, the Senate pauses today to pay tribute to two genuine Americans—our late colleagues MATTHEW NEELY and KERR SCOTT. Perhaps the best eulogies of these men will not be spoken. They will be in the estimates of our hearts, which reached out to them in fellowship, and knew their kindnesses, their courtesies, their consideration, in all the complexities of the affairs we debate here and in the committees.

I have had opportunity to visit in West Virginia the home area of MATT NEELY, and to learn something of the rugged, real citizenship which adored him and so often and so long rewarded him with the privilege of public office. I had occasion to be close to MATT NEELY, so that I knew of his love for this city of Washington as a symbol of the country he loved with a deep patriotism and served with a deep devotion. Scholar and statesman, his learning and his logic animated and activated this Chamber to an extent seldom surpassed. We, too, were hurt as we saw the declining stages

in his final courageous battle. But these hurt moments prepared us for the final leave-taking when his voice and his vigor were to reign here no more.

MR. KERR SCOTT

Mr. President, sudden—all too sudden—was the passing of the gentle, genial KERR SCOTT. All too short were the years of service granted to him—and to this country—in these Halls. His fine capable mind, and his great liberal heart, had made an indelible impress on his native State of North Carolina. It was a portent that he was on the threshold of a senatorial career that would have endowed the whole world even as his life had enriched the farm country of his first love and the State of his fervent loyalty. It was edifying to serve on committees with him. It was an education to watch his mind simplify a problem, while his sense of humor brightened the dull and dividing questions that might arise.

The day-by-day humility of this gentleman masked the high accomplishments which the plain story of his obituary reveals; but that humility only endeared him the more to us, his colleagues, who day by day grew in our respect and our regard for him.

Thus was America blessed with two high-minded public servants. In each his conscience rose above the petty politics of time and place. They dared to be genuine. In death, they shall be mourned.

MATTHEW M. NEELY

Mr. JOHNSTON of South Carolina. Mr. President, I remember well a subcommittee meeting of the Post Office and Civil Service Committee not many years ago. We were scheduled to convene at 10 o'clock in the morning. At the prescribed time I had failed to show up to open the meeting as chairman, as I had been in another meeting and was delayed for a few minutes. At 2 minutes past 10 MATTHEW MANSFIELD NEELY pounded the table and declared he was returning to his office where he could best utilize his time, and he departed with a burning comment about punctuality.

I do not believe anyone who has ever served in the United States Senate had a higher regard for punctuality than the late Senator from West Virginia. Nor did any man to my recollection have more courage to defend that principle or any other principle he adhered to. I shall never forget the drama of the time MATTHEW NEELY entered this very Chamber in a wheelchair, at the prescribed time, to vote to organize the Senate for the Democratic Party, the party which he loved as dearly as any Member from the time Thomas Jefferson founded it.

MATTHEW NEELY loved the Democratic Party, and his State so much that, in 1940, he gave up his secure seat in the United States Senate to return to West Virginia to run for governor, to give the people, in his own words, "A government of the people, by the people, and for the people."

No State saw a more stirring campaign and no man scored his opponents more with fiery eloquence. But in later years, when his State papers were assembled

for publication, MATTHEW NEELY "blue penciled" out his most biting, stinging comments about his opponents. He was a man above gloating over his fallen political enemies.

One of the outstanding battles of his entire career, which someday will probably stand as a great symbol in a seemingly never-ending fight, was his declared war against the dread disease of cancer. His war against this disease began in the early days of his public career.

During World War II, in 1942, in an address to the American Cancer Society, the late MATTHEW NEELY in his eloquent manner declared:

In spite of the blood-curdling crisis with which man's inhumanity to man is threatening to banish liberty and religion and mercy from the globe, we must not be unmindful of the fact that there are other foes of mankind more deadly, more agonizing, and more unconquerable than those which at this very hour are terrorizing and slaughtering on every ocean and strewn like winter's withered leaves mangled, murdered men and women and children over land and sea from the English Channel to the heart of China and from the Tropic of Capricorn to the Arctic Circle.

Little did MATTHEW NEELY know then that this monster which he had been fighting all his life in his public and personal way would force upon him in later years probably the hardest fight of his life. And we in the United States Senate all know that his courage was unconquerable to the very end.

MATTHEW NEELY was a master of the English language and, above all, a chronic and eloquent quoter from the Scriptures.

He was one of the most powerful and colorful political and humanitarian figures in the history of the State of West Virginia. His career is filled with his attacks upon the crooked, the unethical and the evil. His career is replete with his battle for legislation to eradicate hate, disease, poverty, and ignorance. He was the foremost defender and crusader of the miners of his State and the other millions who labor with their hands for a living. Yet in this crusade MATTHEW NEELY was not an overbalanced or destructive legislator. In fact, despite his liberal record for the underprivileged and the poor, he was once complimented, following his victory in a fight to prevent a packing of the Interstate Commerce Commission, with having rendered the coal industry of West Virginia a million dollars worth of service.

The late distinguished President of the Senate, Alben Barkley, declared in 1941 when Senator NEELY resigned to become Governor of West Virginia:

No more capable, diligent, or devoted man has been a Member of the Senate in recent years.

I believe today we can elaborate on this. No more capable or devoted man has ever been a Member of the Senate of the United States.

In 1942, Senator NEELY, then Governor of his State, delivered a memorial address to the Morgantown Lodge No. 41 of the Benevolent and Protective Order of the Elks. In this address MATTHEW NEELY displayed in his superb way his deepest conviction of all, belief in the

salvation of mankind, in the resurrection, and in life everlasting.

"The grave is not the end for all," he said.

Then, in his stirring manner, he declared:

God pity the man who doubts the existence of another life in another land.

I think the unconquerable spirit of MATTHEW NEELY can best be expressed in his own words which were delivered at that same Elks memorial in 1942:

While we are busily engaged in weaving our names into the tapestry of private fortune and public fame; and while we are eagerly endeavoring to lay up for ourselves treasures upon earth, let us also make timely preparation for the coming of the inevitable hour in which every man must surrender his own soul. May we not be unmindful of the fact that death, "with icy hand that never tires and sickle keen that never turns its edge" comes nearer and nearer to everyone with every fleeting breath; that it comes differently "as a thief in the dead of night or as a royal guest at the blaze of noon." Let us bear this well in mind, not that our days may be consumed with impotent grief or our lives shrouded with dispiriting gloom, but rather that we may be up and doing while opportunity's sun still shines, for the night cometh soon when no man can work. Henceforth let us labor in the Master's vineyard, with renewed energy and increased zeal, for on every hand one hears the universal prayer:

"God give us men,

The time demands strong minds, great hearts, true faith, and willing hands.

Men whom the lust of office does not kill; Men whom the spoils of office cannot buy,

Tall men, sun-crowned, who live above the fog

In public duty and in private thinking;

For while the rabble with their thumbworn creeds,

Their large professions and their little deeds, Mingle in selfish strife; Lo! freedom weeps; Wrong rules the land and waiting justice sleeps.

I say again, again, God give us men."

W. KERR SCOTT

Mr. President, when we rise to pay tribute to a deceased Member of the United States Senate, we sometimes remember more about the great speaking ability of our former colleague than about his deeds. But when we rise to honor the late WILLIAM KERR SCOTT, of North Carolina, we can hardly speak of him without associating him with deeds, for he was a man of few words and many deeds.

I knew KERR SCOTT intimately, and many has been the time I visited North Carolina, the State he loved and lived for, the State which honored him and trusted him with many high and responsible positions.

All that we say today in the United States Senate will never pay as high tribute to KERR SCOTT as did the dirt farmers, the small-business people, the laborers, and the hundreds upon hundreds of other North Carolinians, who attended his funeral with tear-filled eyes.

Any citizen who has ever gone through North Carolina and commented upon what fine roads it has is paying tribute to KERR SCOTT, for he began the great program to rehabilitate North Carolina's highways. He promoted the

program to get the farmers out of the ditch and the poor people out of poverty.

The late Senator SCOTT seldom made a speech in the United States Senate, but he was a formidable Senator whose interest in various legislative programs was felt as strongly as that of the loudest speaker in this body. No one can testify more on this point than I, for, while it was seldom we ever parted on issues in the Post Office and Civil Service Committee where we served together, I assure my colleagues that when we did part KERR SCOTT was extremely effective, and sometimes more effective in supporting his position than was the chairman.

The quietness of KERR SCOTT never detracted from his personality. He was one of the most affable, friendly Members of this body. He was loved by the poorest and the mightiest of people, for he was the poor man's supporter and knight in legislative armor, and he was always reasonable with the mightiest. He was no demagog.

KERR SCOTT's keen sense of humor is best remembered by his constant joshing with Senators and their aids in the Senate cloakroom. Hardly a day went by that he did not urge, in his best manner, some unsuspecting nonuser to "have a chew of tobacco."

Everyone in public life has a trademark, but our beloved friend, KERR SCOTT, had many. His most outstanding, though, unquestionably was his daily wearing of a red rosebud in his lapel and his love of a chew of tobacco.

The quiet man of the United States Senate has been stilled to return to his Maker, but his untiring efforts to uplift the people of his State and Nation from poverty, ignorance, and disease will be remembered for generations. A loyal Democrat, KERR SCOTT weathered the tempest of party factionalism and the onslaughts of his political opponents successfully and without ever sacrificing a single principle for expediency or popularity. At times he would stand like a stubborn rock in the midst of a flood of contrary opinion. But when the waters subsided, KERR SCOTT always remained the champion of the underdog, the man striving to better his State and Nation.

He served his Nation in the superlative degree, and I will always be proud to have been counted as one of his friends and colleagues.

MATTHEW M. NEELY

Mr. President, I ask unanimous consent that a statement prepared by the Senator from Texas [Mr. YARBOROUGH] in tribute to the late Senator MATTHEW MANSFIELD NEELY be printed in the RECORD.

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

STATEMENT BY SENATOR YARBOROUGH

On January 18 last, there passed from this body one of the most vigorous and colorful figures of our era: it is, I think safe to assert that in Matthew Neely the Senate could claim that it numbered once more in its midst a Senator of the old school. During the course of a long, strenuous and

belligerent career (for he was a fighter by nature; no half-way measures for him), Senator NEELY never lost the traits which characterized him from the beginning—honesty, forthrightness, unflinching industry and an indomitable will in pursuit of whatever policy or legislative measure he thought was right. He was, I repeat, from first to last, a fighter. Would that there were more like him.

Born in a log cabin in the tiny hamlet of Grove, in Doddridge County, W. Va., on November 9, 1874, NEELY attended the district public schools and later, Salem College. Upon the outbreak of the Spanish-American War, he enlisted and served as a private in Company D, First West Virginia Volunteer Infantry. After his discharge from the Army, Mr. NEELY was graduated from the military and literary departments of the University of West Virginia in 1901 and obtained his degree from the law department of the same institution the following year, all of which constituted excellent equipment for the long and distinguished public career which lay in the future.

Admitted to the bar the same year in which he obtained his law degree, Mr. NEELY immediately commenced practice in Fairmont; served as mayor of that city during the years 1908-10; as clerk of the State house of delegates from 1911 to 1913; was elected as a Democrat to the 63d Congress to fill the vacancy caused by the resignation of John W. Davis; was reelected to the three succeeding Congresses; was an unsuccessful candidate for reelection in 1920, the year of the Republican landslide. He was amply compensated for this defeat, however, by his election to this body in 1930. He resigned in January 1941, having been elected governor of his State, in which office he served for the succeeding 4 years. Again an unsuccessful candidate for the Senate in 1942, he was elected Senator to the 79th Congress, serving from January 1915 to 1947; unsuccessful candidate for the full term in 1946, he retired to the practice of law, but January 3, 1949, found him once more a Member of this body and here he remained until the end.

Thus, in brief survey, is summarized a public career, checkered and stormy, but full of vigor—always colorful, always interesting. Senator NEELY will be remembered, among many other things, as the author of the human rights bill. The residents of this District have especially cause to mourn him, for they never had a stancher champion in their long struggle for their right to the franchise. Senator NEELY once likened the disfranchised residents here to a "flock of sheep surrounded by a pack of wolves." Strong language—but our departed friend never minced words in defense of a cause in which his heart was enlisted.

I will never forget the day I was sworn in as a Member of the Senate of the United States, Monday, April 29, 1957. MATT NEELY was there in a wheelchair, plagued by the illness which took his life. With pain wracking his body, but with warmth and generosity in his heart, this man who had known both victory and defeat took my hand in his and said with tears in his eyes: "I've come to see you sworn in. This is a proud day for me." And he said more, words that will be etched on my heart as long as life lasts. Such a man was MATT NEELY; 2 minutes with him would lift a man for a lifetime. He wore the toga of a Senator with honor to us and to the Nation, as well as to himself.

In conclusion, I feel I can do no better than to quote my distinguished colleague from my State, when he declared, in the hour of Senator NEELY's passing, that he had been a vital force in American public life for many years, praising him as a forthright and outspoken man and one of strength, warmth, and honor.

He was indeed all of these things. Thus let him abide in our memories.

W. KERR SCOTT

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that a statement prepared by the Senator from Texas [Mr. YARBOROUGH] in tribute to the memory of the late WILLIAM KERR SCOTT be printed in the RECORD.

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

STATEMENT BY SENATOR YARBOROUGH

It is a proud but painful duty to salute the passing of so beloved a colleague in the Senate, Senator KERR SCOTT.

WILLIAM KERR SCOTT, although he had served but a short time amongst us—short, that is, as time goes in this body—had already endeared himself to the Members of the Senate by reason not only of his great ability and far-seeing legislative wisdom, but for the range and warmth of his sympathies, which clothed all the measures which he brought forward or advocated. A liberal in the best sense of that much abused term, he was also, by the truest, most literal definition, a constructive statesman, a legislator who based his program not upon narrow partisanship, political expediency nor, above all, personal gain, but upon those principles which underlie a sound and wholesome society and which he believed would endure.

Born in Haw River, N. C., April 17, 1896, Mr. SCOTT was educated at Hawfields public schools and was graduated from North Carolina State College in 1917 with the degree of bachelor of science in agriculture. This set the key and pattern of his life. To the end he never forgot, nor wanted to forget, nor wanted anyone else to forget, that he was, in the last analysis, a plain dirt farmer; it was the proudest title to which he laid claim and it was in pursuit of, and in defense of, the rights and prosperity of the farmer that he devoted his long, brilliant and fruitful career. To the end, he proudly retained and lived on the family acres on the Haw River he had inherited from his father. He was a recognized authority on dairy farming.

Serving as a private in the Field Artillery in the First World War, he became a county farm agent in 1920; later regional director of the farm debt-adjustment program of Resettlement Administration and North Carolina State commissioner of agriculture which office he resigned to become governor of his State, serving from 1949 to 1952. His term as governor was noteworthy and will be long remembered. He undertook a vast program of road improvement, resulting in the paving of 14,810 miles of roads; during his tenure 21,000 miles of powerlines were strung to the homes of some 153,000 people. He was a great school and hospital builder; a firm champion of rural electrification and rural health centers.

Elected to fill the unexpired term of the late Senator Willis Smith in 1954, he was later elected to the full term. Here he served on the Committee on Agriculture and Forestry, for which he was so magnificently equipped, as well as the Committees on Post Offices, Civil Service, and Public Works, on the last of which, in particular, his brilliant record as governor made him invaluable. Senator SCOTT was chairman of the joint committee of the Senate and House which investigated the Al Sarena timberlands case. And always, at all times, he was active in that field nearest his heart—agricultural legislation.

Now he has gone, and I say from the bottom of my heart, with all conviction and sin-

cerity, that I do not believe we have had an abler, more devoted, more constructive Senator in our midst in modern times, nor a nobler one.

He was a great public servant.

It was my privilege to serve on the Post Office and Civil Service Committee with KERR SCOTT at a time when we were pressing through badly needed pay raises for our Federal classified workers and post-office employees. A great love of humanity moved him and dominated his actions. In September 1957 we were at the broiler chicken growers convention at Nacadoches, Tex., and we met with the Dallas postal employees that same month. I have never known any other man who so completely won my esteem and affection in so short a number of days as Senator KERR SCOTT.

As I attended his final services in the rolling foothills of his native North Carolina, which were attended by thousands of the "back branch boys" he loved, I thought, "One of our greatest has left us."

MATTHEW M. NEELY

Mr. MONRONEY. Mr. President, today the Senate properly pauses to memorialize two of our former Members who have served their Nation and their States with distinction.

Senator MATTHEW M. NEELY was a fighter throughout his lifetime for the people of West Virginia and for opportunities of economic development in that great area. Its people, the farmer, miner, small-business man, and young men and women, were ever his concern.

Few men have had the privilege of serving in so many positions of great responsibility as did Senator NEELY. Almost every important office within the scope of the people of West Virginia to bestow was entrusted to him, and he fulfilled this trust with vigor and dedication.

Despite his failing health, he insisted on being present to cast votes on crucial bills. Several times during the session shortly before his death he came in a wheel chair from the Naval Hospital at Bethesda, scarcely able to reach the Senate floor, and with medical attendants accompanying him. Few men would have dared the chance of serious damage to their already impaired health as Senator NEELY did in his last few months. But he insisted that he meet the challenge of duty.

During his last illness I visited with him in the hospital. He was always interested in the condition of the workers of his State and talked not of his own health, but of legislation affecting the people he represented.

I doubt if I will ever see a man more determined to fulfill the obligation to meet a Senate rollcall than Senator NEELY, or one so anxious to fight for a cause in which he believed. It is this spirit of service that will long be remembered despite his passing.

W. KERR SCOTT

Likewise, Mr. President, the sudden death of Senator W. KERR SCOTT will be mourned by all the citizens of North Carolina, as well as by his friends of the Senate. Senator SCOTT was a true friend of the farmer, of the worker, and of the Government employee. It was my priv-

ilege to serve with him on the Post Office and Civil Service Committee.

His interest in improving the condition of Government workers, and of the merit system under civil service, made him one of the most outstanding members of that committee. His searching questioning on all matters affecting the farmer, and his willingness to wait until midnight many nights for a chance to speak and to explain their needs to the Senate, made him a champion for all agriculture.

Few men have served in the Senate who were more friendly and more interested in their colleagues. He was a true friend, and one who always was willing to help on every occasion when he could be of service.

I have lost a true friend and the Nation has lost one of its most faithful servants. His service to his State as a distinguished governor and then as a Senator proved that the people of North Carolina realized his dedication to their interests. They knew that in KERR SCOTT they had a friend who could be trusted to give them sincere, effective, and honest representation in both the statehouse and in the United States Congress.

MATTHEW M. NEELY

Mr. O'MAHONEY subsequently said: Mr. President, unfortunately, I was prevented this morning by other work of the Senate from attending the memorial services which were conducted on behalf of our late colleague, the Honorable MATTHEW M. NEELY, a United States Senator from West Virginia.

I first became acquainted with Senator NEELY so long ago that it is difficult for me to remember that so many years have passed. In 1917, I had become a student in the law school at Georgetown University. As the secretary of the late John B. Kendrick, of Wyoming, I was frequently upon the floor of the Senate and became acquainted, as long ago as then, with the work of Senator NEELY, of West Virginia. Later, as a Member of the Senate myself, I served with him, sometimes on the same committees, but always here on the floor. Without any reservation, I may say of him that I have never known any Member of this body who was more diligent, more sincere, or more effective in the presentation of his views in behalf of the people of his State and the people of the entire United States. The State of West Virginia and the whole country suffered when the services of Senator NEELY came to an end.

Mr. President, as a member of the Judiciary Committee—on which I served with Senator NEELY during the past several years—it has become my duty to call the attention of the Senate to a number of memorial tributes which have been paid to Senator NEELY, and have been received or gathered by the staff of the Judiciary Committee. In that connection, Mr. President, I ask unanimous consent to have printed at this point in the RECORD various communications and memorial tributes addressed to the widow of the late Senator NEELY by some of the most distinguished members of the Government, beginning with the President of the United States.

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

THE WHITE HOUSE,

Washington, D. C., January 18, 1958.

Mrs. MATTHEW M. NEELY,

Fairmont, W. Va.:

Mrs. Eisenhower joins me in extending to you and your family our heartfelt sympathy in the great personal loss you have sustained. As a Member of the House of Representatives and the Senate, as well as Governor of West Virginia, Senator NEELY served his State and Nation faithfully for many years.

DWIGHT D. EISENHOWER.

January 23, 1958.

Mrs. MATTHEW M. NEELY,

Senate Office Building,

Washington, D. C.

DEAR MRS. NEELY: My thoughts have been very much with you these past few days. MATT was an old and dear friend and I shall never forget his infinite courtesies to me and his exertions on my behalf during the last two campaigns. I mourn his loss together with his host of friends, and I pray that your memories of the past will bring you and your family a measure of comfort and peace.

Sincerely yours,

ADLAI E. STEVENSON.

THE VICE PRESIDENT OF THE
UNITED STATES OF AMERICA,

January 24, 1958.

Mrs. MATTHEW M. NEELY,

Fairmont, W. Va.

DEAR MRS. NEELY: Through this note, Mrs. Nixon and I wish to extend our sympathy to you and your family on the passing of your husband.

The Senator devoted the major part of his life to serving the people of his native West Virginia and the Nation. Although we were on opposite sides of the aisle, I always respected him as a fine public servant.

Our thoughts and prayers are with you and yours.

With kind regards,

Sincerely,

RICHARD NIXON.

CHARLESTON, W. VA.

Mrs. M. M. NEELY,

Fairmont, W. Va.:

I was saddened to learn of the passing of your husband. It has been my privilege to know him for many years. He will be missed by all who knew him. To few was it granted to possess so large a capacity for friendship, and to enjoy the affection and esteem of such a large group of friends. I extend to you and your family my deepest sympathy.

CECIL H. UNDERWOOD,

Governor.

WASHINGTON, D. C., January 18, 1958.

Mrs. MATTHEW M. NEELY,

Fairmont, W. Va.:

I was saddened by the death of your husband. Throughout his distinguished career as a public servant he was a credit to his country and to his party and he demonstrated his courage and devotion to his country by carrying on the duties of his office even during his tragic illness. All of us here share the grief of you and your family and the people of our country on this sad occasion.

PAUL M. BUTLER,

Chairman, Democratic National
Committee.

WASHINGTON, D. C., January 20, 1958.

Mrs. M. M. NEELY AND FAMILY,

Fairmont, W. Va.:

MATTHEW NEELY was a great man, a great Senator, and a great leader. He was beloved

by all who knew him. His leadership will be missed by the Nation and by his colleagues in the Senate who mourn now with you in these sad hours.

RALPH YARBOROUGH,
United States Senator.

UNITED STATES SENATE,
Washington, D. C., January 24, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.

DEAR MRS. NEELY: The telegram Mrs. Yarbrough and I sent you does not adequately convey our sense of sympathy and loss in the passing away of your distinguished husband. Neither will this letter convey our feelings; it is impossible to put them into words.

I will never forget the day that I was sworn into the Senate of the United States on April 29, 1957. It was the Monday following the Easter holidays. A large attendance was present, including your distinguished husband, Senator Neely. He was in a wheelchair and had come in pain, but when I went back to have the pleasure of meeting him (having watched his career for many years and having admired his forthright manner and his courageous fight for democracy in this land), tears came to his eyes and he said to me, "This is one of my proudest days in the Senate of the United States." He made me feel humble, and I thought of how insignificant my contribution had been to the growth of democracy in this land, compared to his own struggles, and successful struggles, for the people of America.

His successful return to the Senate on two separate lines of service, after having voluntarily left it to become Governor of West Virginia, his service at three different periods, in both successions from West Virginia, constitutes a record which I have not yet found matched by any other person in American history. His full and rich life gave inspiration to many young men who have watched his career and have been encouraged and stimulated by it.

His high integrity are landmarks in senatorial service. Your loss is the country's loss, the Nation's loss.

God bless you and strengthen you in the days of sorrow and loneliness and may you take encouragement from the great example your husband set.

Very sincerely,

RALPH YARBOROUGH.

WASHINGTON, D. C., January 21, 1958.
Mrs. MATTHEW NEELY,
Fairmont, W. Va.

DEAR MRS. NEELY: Nothing so characterized the statesmanship and foresight of your illustrious husband as the fact that he was the first Senator ever to advocate a crash program for cancer research. His name always will be associated with mankind's effort to conquer this terrible and relentless killer. Even though I am a new Member of the Senate, it has been a privilege for me to serve with someone as dedicated to the public interest and the average person as Senator MATTHEW NEELY.

Mrs. Neuberger joins me in heartfelt sympathy to you and all your family in the great loss which you have suffered.

DICK NEUBERGER,
United States Senator.

WASHINGTON, D. C., January 18, 1958.
Mrs. MATTHEW NEELY AND FAMILY,
Fairmont, W. Va.:

Senator BIBLE and I are deeply grieved. Your husband was a great American, and we are two among many thousands who mourn with you, as it is not only the personal loss of a respected friend, but a loss to our country as well. Senator BIBLE is presently in Nevada, but he asked me to tell you he will do his utmost to attend the services in Fairmont. Most sympathetically.

Mrs. ALAN BIBLE.

WASHINGTON, D. C., January 20, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

Mary and I deeply grieved to learn of your husband's passing. Although words mean little at times like this, please know that we are thinking of you and sympathizing with you in your great loss. May you gain comfort from the knowledge that Senator NEELY's many years of honorable and dedicated service to our country will leave its mark on our generation and those to come.

SPESSARD L. HOLLAND.

WASHINGTON, D. C., January 18, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

Sara and I deeply saddened to learn of MATT's passing. Many were blessed with his friendship, counsel, and encouragement and we felt privileged to be among that group. Our deepest sympathy to you and yours.

EARLE C. CLEMENTS.

UNITED STATES SENATE,
Washington, D. C., January 22, 1958.

DEAR MRS. NEELY: We want to extend to you our sympathy on the death of your dear husband.

He was one of our closest friends and we shall miss him a great deal. Our hearts go out to you.

With warmest personal regards,

Sincerely,

BILL AND LYDIA LANGER.

UNITED STATES SENATE,
Washington, D. C., January 21, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.

DEAR MRS. NEELY: I want to send you this note of deep sympathy at this sad time with the passing of your distinguished husband.

MATT and I were in different parties, but that made absolutely no difference in our friendship. When I was chairman of the Committee on Labor and Public Welfare he was my most staunch supporter, largely because I think he approved of my insistence on our meetings being called on the stroke of the clock, which did lead to their being held much more promptly from that time on.

Furthermore, MATT was most affectionately sympathetic with my wife's unfortunate arthritic trouble, and he constantly asked me about her, with the result that she constantly asked about him in his recent illness. There was real affection and understanding there that we both deeply appreciated.

With his passing, I feel that I have lost a warm personal friend. On behalf of Mrs. Smith and myself, I extend my affections and sympathies to you and your family. It was my purpose to go to the funeral on Wednesday, and I so notified those in charge of the arrangements. However, night before last an old friend of my family's passed away in Baltimore, and that funeral will be held the same day. For important family reasons, I feel that will have to have priority, and so I am deprived of the honor and privilege of attending the funeral in West Virginia.

With cordial regards, I remain

Always cordially yours,

H. ALEXANDER SMITH.

WASHINGTON, D. C., January 18, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

Mrs. Beall joins me in extending our deepest sympathy to you and your family. The Senator's passing is a deep personal loss to me.

J. GLENN BEALL,
United States Senator.

WASHINGTON, D. C., January 18, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

Mrs. Payne and I extend our deepest sympathy in the passing of your husband. I shall always consider it a high privilege to have served in the United States Senate with him.

FREDERICK G. PAYNE,
United States Senator.

UNITED STATES SENATE,
Washington, D. C.
Mrs. MATTHEW M. NEELY,
Willard Hotel,
Washington, D. C.

DEAR MRS. NEELY: Mrs. Schoeppel and I extend to you and to the other members of your family our profound and heartfelt sympathy in the passing of my colleague and friend, MATT.

The fellow-feeling that binds us together in the Senate of the United States, in spite of political differences, will make his passing keenly felt. We shall miss his eloquence and keen wit as we mourn the loss of another of our number.

May God's richest blessings rest on you in the days ahead, as you readjust to the inevitable changes in your life.

Sincerely,

ANDREW F. SCHOEPPEL.

UNITED STATES SENATE,
January 21, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.

DEAR MRS. NEELY: Mrs. Allott and I want to extend to you and your family our sincere sympathy.

Your late husband with his long record of public service to his State and the Nation will be remembered as one of the truly great of our times. He will be deeply missed in the Senate as well as in the State which he so ably represented. His devotion to duty to the very last will be an inspiration to all of us.

Although words will not console at such a time, we want you to know that we are thinking of you.

Sincerely yours,

GORDON ALLOTT.

UNITED STATES SENATE,
Washington, D. C., January 22, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.

DEAR MRS. NEELY: I want to extend to you and your sons and daughter my deepest sympathy.

MATTHEW put his heart and soul into his job and he will be greatly missed.

Sincerely,

GEORGE D. AIKEN.

WASHINGTON, D. C., January 18, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

Please accept my deepest sympathy in the great sorrow and loss that has come to you and your family. Few men in the history of our country have had a career so long and distinguished as Senator NEELY. We became staunch friends, and I join with you and the countless thousands of his fellow citizens who mourn his passing. If there is anything that I can do to be in any way helpful to you and to any member of your family, I hope you will call upon me.

Mrs. Revercomb joins me in this message to you.

CHAPMAN REVERCOMB,
United States Senator.

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 21, 1958.
Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.

MY DEAR MRS. NEELY: I cannot tell you how sorry I was to learn of the death of your

beloved husband, and I realize what a shock this must have been to you.

I am so glad I had the privilege of knowing him over the years, for he was indeed a great statesman, and his death was not only a loss to all those who loved him but to the entire Nation.

My deepest sympathy to you and the entire family.

Sincerely,

HERMAN P. EBERHARTER.

PITTSBURGH, PA., January 20, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

All of us who knew and loved MATT share in your sorrow at this time. His devotion to his Nation always wise and vigorous will long stand as a monument to his productive life, and as an example of outstanding public service. You and your family have my deepest sympathy.

DAVID L. LAWRENCE.

NEW YORK, N. Y., January 19, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

I feel a sense of tragic loss in the passing of your distinguished husband. The Nation has lost a great statesman. Labor has lost a great defender. I have lost a lifetime friend. The mineworkers of the Nation will join me in extending our deep sympathy.

JOHN L. LEWIS.

WASHINGTON, D. C., January 20, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

Please accept the sincere sympathies of the officers and members of the AFL-CIO on the death of your husband. Senator NEELY was a true friend of American workers, a staunch supporter of trade unionism, a gallant fighter for the general welfare, a real patriot, and a fine gentleman. Whenever the roll of leaders in the battle for social welfare is compiled, the name of MATTHEW NEELY will be recorded. We have lost a good and great friend. We join you and your family in this hour of mourning.

GEORGE MEANY,

President,

WM. F. SCHNITZLER,
Secretary-Treasurer, AFL-CIO.

DETROIT, MICH., January 20, 1958.

Mrs. MATTHEW M. NEELY,
Cure Senate Office Building,
Washington, D. C.:

All of us who were friends of your husband share in your grief at his passing. He was a man whose entire life was devoted to helping the less fortunate in our society; who fought injustice as a Member of Congress and as a chief executive in his State; whose voice was truly of the people of his country and of the world. The world is a better place for his having lived and served. His loss will be deeply felt by all those who knew and respected him and his work and most particularly by the ordinary men, women, and children of the United States whom he served so honorably during his distinguished career.

WALTER P. REUTHER,
President, International Union, UAW.

WASHINGTON, D. C., January 20, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.:

Across many years your distinguished husband was one of my closest friends on the Hill. We were drawn together even more by my calls on him during his long illness. He served his State and his Nation with fidelity, ability, and integrity. I regret engagements here will make my attendance at the service on Wednesday impossible. I send you and yours my sincere sympathy in the loss we all feel.

FREDERICK BROWN HARRIS.

JANUARY 24, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.

MY DEAR MRS. NEELY: It was with deep regret that I heard of your husband's passing. I knew him intimately for 32 years and saw him regularly during the time I was active with the Roosevelt administration in Washington. I looked upon him as a real friend and had great admiration and affection for him.

I extend to you and the other members of the family my heartfelt sympathy.

Sincerely yours,

JAMES A. FARLEY.

PITTSBURGH, PA., January 18, 1958.

Mrs. M. M. NEELY,
Fairmont, W. Va.

DEAR MRS. NEELY: My heart is heavy with sorrow, as I suffer with you and your children in the loss of one who was dearer to you than anyone on earth and dearer to me than any save my own flesh and blood. I realize that no words of mine can assuage your grief in this dark hour but I hope you will find comfort in the reflection that MANSFIELD NEELY will live on in the hearts of the countless thousands who loved him. His remarkable service to his State and country and to his friends was such that all unite today in saying, "Well done, thou good and faithful servant." I extend my deepest sympathy to you and your children. May God give you the strength to carry on.

M. L. BENEDUM.

KINGSTREE, S. C., January 20, 1958.

Mr. ALFRED R. NEELY,
Fairmont, W. Va.

DEAR MR. NEELY: Please accept my sincere sympathy on the loss of your very distinguished father, Senator NEELY, who was my personal friend for many years.

Also please express my sympathy to the other members of the family.

Sincerely yours,

BERNARD M. BARUCH.

FEDERAL BUREAU OF
INVESTIGATION,
UNITED STATES DEPARTMENT
OF JUSTICE,
Washington, D. C., January 20, 1958.

Mrs. MATTHEW M. NEELY,
Fairmont, W. Va.

DEAR MRS. NEELY: I want you to know how sorry all of us in the FBI were to learn of the passing of your husband, and we extend to you our deepest sympathy in your great loss.

Words, of course, have little value at a time such as this, but you may be sure that the results of his untiring efforts in the field of public service will long stand as a memorial to him. His outstanding ability will certainly be missed.

If there is anything I can do to be of assistance, please let me know.

Sincerely yours,

J. EDGAR HOOVER.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the RECORD, a resolution unanimously adopted by the Committee on the Judiciary, as a tribute to the late Senator NEELY.

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

SENATE OF THE UNITED STATES, COMMITTEE ON THE JUDICIARY

Whereas the Honorable MATTHEW M. NEELY, late a Senator from the State of West Virginia, first became a Member of the Senate of the United States on March 4, 1923, and

thereafter served as a member of the Committee on the Judiciary of the United States Senate from March 9, 1925, to March 3, 1929, and again from December 14, 1931, to January 13, 1941, and again from March 2, 1956, to January 18, 1958, and

Whereas his distinguished abilities, his dedication to principle, and his devotion to public service were manifested to the membership of the committee and to the Senate of the United States throughout the long course of his service, and

Whereas the committee is well aware of the great loss to the people of the United States, to the citizens of the State of West Virginia, to the Congress of the United States, and to the Committee on the Judiciary, and

Whereas the committee desires to express its sincere feeling to the family of the Honorable MATTHEW M. NEELY: Therefore be it

Resolved, That we, the members of the Committee on the Judiciary of the United States Senate, do hereby express to his loved ones our deep sense of sorrow at his passing and our sympathy in the loss of a beloved husband and father; and that a copy of this resolution be transmitted to the family of the late Senator MATTHEW M. NEELY; and be it further

Resolved, That this resolution be made a part of the records of the Committee on the Judiciary.

JAMES O. EASTLAND, Chairman, ESTES KEFAUVER, OLIN D. JOHNSTON, THOMAS C. HENNING, JOHN L. MCCLELLAN, JOSEPH C. O'MAHONEY, SAM J. ERVIN, JR., ALEXANDER WILEY, WILLIAM LANGER, WILLIAM E. JENNER, ARTHUR V. WATKINS, EVERETT MCKINLEY DIRKSEN, JOHN MARSHALL BUTLER, ROMAN L. HRUSKA.

Mr. O'MAHONEY. I also ask unanimous consent to have printed at this point in the RECORD a series of obituaries and editorials in tribute to the late Senator NEELY, which were published in newspapers in West Virginia and in other parts of the Nation.

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

[From the Washington Evening Star of January 18, 1958]

SENATOR NEELY, 83, DIES—DISTRICT OF COLUMBIA COMMITTEE HEAD

Senator MATTHEW M. NEELY, 83, Democrat, of West Virginia, chairman of the Senate District Committee, died at 10:09 a. m., today in Bethesda Naval Hospital.

A patient at the hospital for more than a year following a hip injury, the ailing legislator was rolled onto the Senate floor in a wheel chair for the opening of Congress.

Next to 90-year-old Senator Green, Democrat of Rhode Island, the former West Virginia Governor and House Member was the oldest Member of the Senate.

REELECTED IN 1954

Senator NEELY had spent nearly 35 years in Congress, about 25 in the Senate and about 9 in the House. He was reelected to the Senate in 1954 after having been elected to four previous 6-year terms. During one term, in 1941, he resigned to become governor of West Virginia. His service dated back to 1913, when he was elected to fill an unexpired term in the House.

His death stands to cost the Democrats one seat in the Senate. West Virginia's Governor Cecil Underwood, is a Republican, and will appoint a successor to serve until the next general election.

With Senator NEELY's death, the Democratic Senate ranks are reduced to 49, as against 46 Republicans.

Now vacant is the top post on the District Committee, Senator BIBLE of Nevada, who

has been acting in the Chair during Senator NEELY's absences on account of illness, is the ranking Democrat on the committee.

"MALIGNANCY" CAUSED DEATH

The Bethesda Hospital said that Senator NEELY died "after a protracted illness from malignancy," and that his son, John C. Neely, of Arnold, Md., was present at his bedside.

At the time of his last appearance at the Capitol 10 days ago, the Senator had announced plans to sponsor legislation to authorize a million-dollar fund for cancer research.

In 1928, he had pushed through the Senate the first bill ever approved by either House requiring the Federal Government to enter the war against cancer.

Still evincing his old fighting spirit, Senator NEELY gave notice at that time he would "continue old fights and take on some new ones."

HOME RULE CHAMPION

In the "new" category, he recognized the tension in this session stemming from the struggle of America to "gain or maintain intellectual, economic and military superiority over Russia."

He maintained this was the most important and hardest fight the world has ever seen.

One of the District's most stalwart home rule champions, he declared he would not give in to the administration bill calling on the President to appoint a mayor, but would continue one of his oldest campaigns for his own bill providing for an elected mayor, assembly and school board for the Capital.

[From the Washington Daily News of January 18, 1958]

END OF A LONG CAREER—SENATOR NEELY DIES AT 83

Senator MATTHEW M. NEELY, 83, Democrat, of West Virginia, long-time chairman of the Senate District Committee, died today at Bethesda Naval Hospital.

Senator NEELY, second oldest Member of the Senate, had been ill with a "malignancy," the hospital said. His death leaves the Senate with 49 Democratic Members, 46 Republicans, and the single vacancy.

Two spots are now open on the Senate District Committee—Senator CLIFFORD CASE, Republican, of New Jersey, transferred assignments last May.

INJURED HIP

Senator NEELY injured his hip while running for reelection in 1956, continued to campaign, and later learned the hip was broken. Illness followed.

Despite his illness, Senator NEELY appeared in the Senate for the new opening last week.

His death leaves Senator ALAN BIBLE, of Nevada, as the ranking Democrat on the District Committee. Senator NEELY's Senate successor will be chosen by West Virginia's Republican Gov. Cecil Underwood, which probably means the GOP ranks in the Senate will be increased to 47.

ANOTHER DEATH

Wisconsin GOP Senator Joseph R. McCarthy's death last spring dropped the Republican total to 46. His seat was filled by the election of Senator WILLIAM PROXMIRE, a Democrat.

Senator NEELY, born on a farm in Doddridge County, W. Va., started his political career when, as a campus leader at West Virginia University, he thought the school administration was too "reactionary" and burned the president in effigy.

That set the pattern for his life. Forthright, with a corrosive tongue and a mastery of hearts and flowers poetry, he was at his oratorical best when he was lashing Republicans with long Bible quotations and Robert Burns' poetry.

ATTACKED IKE

In 1954, when most Democrats were walking softly in the fact of President Eisenhower's personal popularity, Senator NEELY went after him hammer and tongs and was reelected by a wide margin.

Later, he scornfully attacked Mr. Eisenhower's religious activity, saying the President never joined a church until he moved into the White House.

Many a Senate session closed for the year with Senator NEELY piling high the CONGRESSIONAL RECORD and hooting at Senators for their millions of words.

"This compendium of nonsense," he called it.

COLORFUL

For several years the best-known sign of spring on Capitol Hill was the Senator in a lime-green suit and yellow shoes, a wardrobe he finally retired for quieter garb.

He had his ups and downs in politics. He was elected mayor of Fairmont, W. Va., in 1908. He was clerk of the State House of Delegates in 1911-13; then he was elected to Congress to fill a vacancy and was reelected for three terms.

He was defeated for reelection in 1920, but promptly raised his sights to the Senate and made it in 1922. He was defeated after one term, but came back in 1930 and was reelected in 1936.

QUIT SENATE

Senator NEELY was elected governor in 1940, and quit the Senate in January 1941 to take that office. He sought reelection to the Senate in 1942 but was defeated. He served out his term as governor, returned to the House in the 1944 elections, but defeated for reelection after one term.

As he had done once before, Senator NEELY rebounded in a successful campaign for the Senate in 1948.

He married Alberta Claire Ramage October 21, 1903. They had a daughter, Corinne, and two sons, Alfred and John. John Neely, of Arnold, Md., was at the Senator's bedside when he died.

[From the New York Times of January 19, 1958]

SENATOR NEELY DIES—GOP MAY GET SEAT

WASHINGTON, January 18.—Senator MATTHEW M. NEELY, of West Virginia, an outspoken Democratic critic of the Eisenhower administration and of fellow Democrats whom he considered too conservative, died today at the age of 83.

An announcement by Bethesda (Md.) Naval Hospital, where the Senator died this morning, said he had suffered "a protracted illness from malignancy."

Senator NEELY spent 35 years in Congress, nearly 25 of them in the Senate. He also served as Governor of West Virginia.

The Senate vacancy created by his death will be filled for this session by an appointee of West Virginia's Republican Governor, Cecil H. Underwood. Assuming that the Governor will name a Republican, that party's strength in the Senate will rise to 47 seats, with the Democratic majority shrinking to 49.

West Virginia is a traditionally Democratic strength in this year's Congressional the State's second Senator, CHAPMAN REVERCOMB, also a Republican, were elected in the Republican presidential landslide of 1956. Senator NEELY was elected to his current term in 1954.

BOTH SEATS UP THIS YEAR

Both West Virginia seats will be up for election next November.

Republican chances of holding them are presumably improved when there are Republican incumbents. But in the context of West Virginia's Democratic tradition and the general expectation of increased Demo-

cratic strength in this year's Congressional elections, Senator NEELY's replacement by an appointed Republican probably will not be significant.

Of course, the unexpected loss of another Democratic seat before November would throw the Senate's political balance into a 48-48 tie, which Vice President RICHARD M. NIXON could break in the Republicans' favor.

Senator NEELY was chairman of the District of Columbia Committee and, thus, the unofficial Mayor of Washington. He was also a member of the Judiciary and Labor Committees.

CITED PRESIDENT'S CHURCHGOING

His bitterness toward President Eisenhower hit a peak in 1955, when the Senator said in a speech that the President had never belonged to a church before coming to Washington but had been photographed at church nearly every Sunday since.

President Eisenhower issued a statement at the White House today. It said:

"As a Member of the House of Representatives, Governor of West Virginia, and as a Senator, Mr. NEELY served his country and his State faithfully for many years. Mrs. Eisenhower and I extend our heartfelt sympathy to Mrs. Neely and her family in their great personal loss."

The Senate Democratic Leader, LYNDON B. JOHNSON, of Texas, said Senator NEELY "has been a vital force in American public life for many years and he will be sorely missed."

Senator NEELY attended the opening session of Congress this month in a wheelchair, on a quick ambulance trip from the hospital. He had been absent frequently in the last 18 months.

He is survived by his widow, the former Miss Alberta Claire Ramage; two sons, Alfred of Fairmont, W. Va., and John C. of Arnold, Md., and a daughter, Mrs. Corinne Neely Pettit of Charleston, S. C.

Funeral services will be held at Fairmont, Wednesday afternoon in the Presbyterian Church. Burial will be at the Woodlawn Cemetery there.

COMMON MAN'S DAVID

In a political career spanning half a century, Mr. NEELY seldom forsook the role of the common man's David seeking out the Goliath of the special interests.

Twenty-five years in the Senate, nearly another 10 in the House of Representatives and still another 2 as Governor of his native West Virginia spelled out his service in high-elective office.

But before going to the House in a special election in 1913, Mr. NEELY put in 2 years as Mayor of Fairmont, W. Va., where he practiced law, and another 3 years as clerk of the West Virginia House of Delegates.

Mr. NEELY's reputation as a liberal and friend of labor, won early in his Congressional career, earned him a place in the front ranks of the fight for the New Deal and Fair Deal. Few so enlisted brought as much fire to the campaign. He was an orator of the old school, and, if there was anything stronger than his convictions, it was the caustic bite of his tongue.

And since 1952, when others in the opposition urged moderation in dealings with President Eisenhower, his administration and programs, Senator NEELY was a notable dissenter.

General Eisenhower, he said, was "the worst President we've ever had." He likened the President to an Alice in Wonderland who was being taken in by the peddlers of special favors. The administration, he said on another occasion, was a second everlasting monument to confusion, topped only by the Tower of Babel.

But Mr. NEELY's venom also hit others. He would tell, for instance, of seeing many paintings of Judas Iscariot in art museums abroad.

"They have all looked differently," he would say, "but they have all looked like the men who voted for the Taft-Hartley Law."

Senator NEELY also led some memorable fights. His was the bill in 1950 that eventually liberalized the Displaced Persons Act voted by the Republican 80th Congress. And battling for suffrage for the District of Columbia, he said citizens there were "shipwrecked on a voiceless, voteless island in the midst of the greatest ocean of democracy in the world."

At times, Senator NEELY opposed his own self-interest in taking up battles. Thus it was that his fight in 1945 for extension of the Reciprocal Trade Act, taken up as he himself was making a periodic political comeback, undoubtedly was a factor in his failure to win reelection to the House in 1946.

Senator NEELY never was the all-conquering hero at the polls. Four political defeats accounted for the eight years he had spent outside public service since 1908. But in each instance the setback was more a party than a personal defeat—and each time he came back stronger than ever.

OUT IN HARDING LANDSLIDE

The Harding landslide in 1920 cost Mr. NEELY election for a fifth consecutive House term. Two years later, he was elected to the Senate, but went down to defeat with Alfred E. Smith in seeking to be returned in 1928. He won another Senate term in 1930, was re-elected in 1936 and was elected Governor in 1940.

Two years later, Mr. NEELY sought unsuccessfully to get back to the Senate. He won a House term again in 1944, only to lose again in the Republican sweep of 1946. He got back to the Senate to stay in 1948.

Through the years, Mr. NEELY had strong support from John L. Lewis and his United Mine Workers. And through the years, Mr. Lewis could count on the Senator's support, whether for a mine safety bill or a measure to impose quotas on oil imports.

Mr. NEELY was born November 9, 1874, on a farm near Groves, W. Va., the son of a country physician. He was of Scottish, Irish, and Welsh descent, but his ancestors had been in the country since Revolutionary days. His college studies were interrupted by service in the West Virginia Volunteers during the Spanish-American War, but he returned to get arts and law degrees from West Virginia University.

In the process, he won a Phi Beta Kappa key, numerous oratorical honors and the medal for being the best drilled cadet in the school's military department.

For nearly 2 years before his death, the ailing Senator had spent most of his time in the Bethesda (Md.) Naval Hospital. In May, 1956, he underwent an operation after having suffered a severe attack of sciatica. In November of that year, he fractured his hip.

When Congress convened on January 7, the Senator appeared in a wheelchair. After 45 minutes, he returned to the hospital.

[From the Washington Post and Times Herald of January 19, 1958]

NEELY DIES—GOP MAY GET SENATE SEAT—WEST VIRGINIAN NOTED AS ORATOR, FIGHTER, FRIEND OF THE DISTRICT

Senator MATTHEW M. NEELY, Democrat, of West Virginia, chairman of the Senate District Committee and 50-year veteran of State and national politics, died of cancer at Bethesda Naval Medical Center yesterday.

The 83-year-old West Virginian gave up his 15-month fight against the malignancy at 10:09 a. m. as his son, John, a Baltimore attorney, maintained a bedside vigil.

A pioneer House sponsor of medical legislation, Senator NEELY had announced on what proved to be his final appearance on Capitol Hill last week his plans to offer a bill

setting up a million-dollar cancer research program.

Death of the famed orator touched off a flood of sorrowful reaction among his colleagues of both parties from the White House down.

President Eisenhower, intermittent target of Senator NEELY's richly phrased vitriolisms, extended his and Mrs. Eisenhower's heartfelt sympathy to the Neely family in a statement noting that the late Senator had "served his State and country faithfully for many years * * * as a Member of the House of Representatives, Governor of West Virginia and as a Senator. * * *

Senator NEELY's passing left the Democrats with a 49-46 Senate majority, which would become 49-47 if West Virginia's Republican Gov. Cecil H. Underwood names a member of his own party to fill the vacancy until a successor can be elected in November. The NEELY term expires in 1961.

If a Republican were appointed, loss of another Democrat in the upper House, either by death or otherwise, would line up the two parties evenly (48-48) with Vice President RICHARD M. NIXON's vote deciding strictly partisan contests.

Senator NEELY's body will lie in state at the Pumphrey Funeral Home, 7557 Wisconsin Avenue, Bethesda, from 10 a. m. until 6 p. m. today. Funeral arrangements call for the body's shipment by rail to Grafton, W. Va., and by hearse to his native Fairmont, W. Va. Dr. Frank Marvin will officiate at 2 p. m. services Wednesday in the First Presbyterian Church of Fairmont. Burial will be in Woodlawn Cemetery there.

The Senator's long reign on the District Committee, both as a Representative and in the Senate was emphasized in a statement by Robert E. McLaughlin, president of the Board of District Commissioners.

"Senator NEELY has shown himself to be one of the greatest friends the District of Columbia ever had sitting in the Senate," McLaughlin said. "It is a great loss to our city that this indomitable spirit has faded away."

Other reaction to news of Senator NEELY's passing included:

Senator J. GLENN BEALL, Republican, of Maryland, a fellow member of the District Committee: "For many years Senator NEELY and I worked together as closely as any two persons in the Congress, and I always found him to be a man of strength, warmth and honor."

Senator WAYNE MORSE, Democrat, of Oregon, once accused by Senator NEELY with Senator LYNDON P. JOHNSON, Democrat, of Texas, and eight others of talking so long and so often they were guilty of inflicting cruel and unusual punishment in violation of the Constitution:

"In the death of Senator MATTHEW NEELY, the Senate of the United States and the American people have suffered a great loss. He was one of the greatest liberals ever to sit in the Senate, and was a constant source of political inspiration to me personally. His absence will truly leave a vacant place against the sky."

Senator JOHNSON: "He was a forthright and outspoken man, and I believe that every Member of the Senate considered him a personal friend."

Chairman Paul M. Butler, of the Democratic National Committee: "Senator NEELY's death ends a brilliant and fruitful career in public service. Throughout his colorful career he displayed a rare ability to create lively interest in even the dulllest of political issues."

Senator CHAPMAN REVERCOMB, Republican, of West Virginia: "So far as I know, no one has served our State longer or more notably in the national Government. * * * While we belonged to different political parties, our personal relationship as Senators was friend-

ly and cordial on subjects of interest to our State * * *

Senator EDWARD J. THYE, Republican, of Minnesota: "Senator NEELY was one of the most colorful figures in recent Senate history. During his late illness he displayed the type of courage which characterized his work in the Senate." (This was reference to Senator NEELY's frequent wheelchair appearances on Capitol Hill during the past year—his last when the current Congress opened January 7.)

Senator NEELY's death leaves Senator ALAN BIBLE, Democrat, of Nevada, in line for the District Committee chairmanship. The West Virginian was also a member of the Senate's Judiciary, and Labor and Public Welfare Committees.

Senator BIBLE said: "The death of Senator NEELY closes the career of one of the Nation's most dedicated public servants."

"Senator NEELY has given over 50 years of selfless devotion to his community, State, and Nation. We of the committee, as well as the residents of the District of Columbia and the Nation, have suffered a great loss in the death of this true and trusted friend."

[From the Washington Post and Times Herald of January 19, 1958]

DEATH ENDS NEELY'S 36 YEARS OF BATTLING IN CAPITOL'S WARS

The death of Senator MATTHEW MANSFIELD NEELY, Democrat, of West Virginia, yesterday, closed a half-century political career of stem-winding oratory and political sagacity.

Few figures on Capitol Hill found themselves embroiled in so many political battles as the 83-year-old Senator of the old school.

And few pounded as many tables, quoted as much Shakespeare, or lectured as many colleagues in classical English.

Senator NEELY spent 36 colorful, controversial years in Congress—26 in the Senate and 10 in the House. His Senate terms ran from 1923 to 1928; from 1930 to 1941; and from 1948 until his death. He first came to Washington as a Representative in 1913, serving continuously until 1921, and for another term between 1946 and 1948.

RAN FOR GOVERNOR

He jolted politicians by quitting the Senate in 1940 to run for the governorship of West Virginia. He won. Home State Democrats had refused to choose a man liberal enough to satisfy the Senator, so he ran himself.

He sacrificed seniority by bouncing in and out of Congress.

But he was the second oldest lawmaker in either House when he died. Only weightlifting, cycling Senator THEODORE F. GREEN, Democrat, of Rhode Island, 90, out-aged him.

Tall, with springy step and nervous gestures, NEELY flavored his infrequent addresses on the floor with Biblical quotations and snatches of Scottish poetry of Robert Burns.

One chair he occupied through the 81st, 82d, 84th, and 85th Congresses was the Senate District Committee, a thankless assignment often shunned by freshman Senators.

He demanded a place on the low-priority committee. As chairman at his death, he was mayor of Washington and more responsible than any man other than the President for running the Capital City.

He pounced on former District Commissioner John Russell Young, a reluctant home ruler, for failing to "have an opinion of your own" about a local vote in 1949.

Afterwards, NEELY cast the single vote in opposition to Young's appointment.

"I'll never vote for him," said NEELY.

Young was confirmed in 1949. But NEELY was after his administration again in 1951 when he launched a sweeping investigation of the District Police Department.

NEELY gave many hours to the probe. It resulted in the retirement under fire of Chief Robert Barrett and a rash of legislative proposals to curb vice, gambling, and police graft.

The Senator was impatient with inertia. He chided colleagues for tardiness. As committee chairman, he would adjourn any meeting to which a quorum hadn't reported 5 minutes before the scheduled session time.

He seldom remained on the floor for he regarded most of what was said there a waste of time.

Yet NEELY gave the Senate some of its fanciest oratory in years.

He was not content to call a legislative opponent a liar, for instance. He said his foe "told 100 percent more than twice as many falsehoods as * * * Ananias or his wife Sapphira whom the Almighty struck dead for lying."

ATTACKED SENATE "WINDBAGS"

At the close of the 1951 session, he stacked 100 pounds of CONGRESSIONAL RECORDS on his desk. In this "Tower of Babel" speech, he urged the "irrepressible windbags" to keep quiet.

He asked Senators with speeches in their bosoms to deliver them during recess in highly secluded places . . . where the only auditors will be hoot owls, turkey buzzards, and shitepokes. These, when vexed, as they certainly would be, could take the wings of the morning, noon, or night and fly far, far away.

NEELY was born in a log cabin on a Doddridge County farm in West Virginia.

His Capitol Hill record was one of unswerving support of West Virginia coal miners and labor unions. Once he told a labor meeting in Washington he would vote always with organized labor, right or wrong, though he hoped they'd always be right.

He fought for old age pensions and protection for organized labor before the New Deal. He went down the line for the Roosevelt administration.

One of the Senator's more recent peeves concerned President Eisenhower's golfing, fishing, and church attendance. NEELY, whose favorite book was the Bible, said Mr. Eisenhower never had belonged to a church until he was elected President.

Republican Senators, leaping to the President's defense, criticized NEELY in turn for thrusting religion into politics.

NEELY failed three times to win reelection to Congress—once in 1921 when he ran for the House; again in 1942 when he was defeated for the Senate; and in 1946 when he sought reelection to the House.

Probably his pluckiest fight was his last campaign in the fall of 1955. His opponents tried to use his age against him. But they used it against a man who would vault up on a platform at a rally and then drive all night to make another speech.

TROUBLE WITH HIS LEG

He already had had one operation on his leg and another was performed in November 1955, after his successful campaign.

The leg pained him too much to put weight on it. So NEELY hoisted it up on a box hidden behind the speaker's platform and orated, with gestures and a voice pitched to carry to everyone in sight without the help of loudspeakers.

Hospital aides say when he was coming out of the ether from his last operation, the Senator quoted line after line from the Shakespearean tragedy Richard II. Suddenly, he stopped talking.

"That's too morbid," he snapped. "We'll have something from 'A Midsummer Night's Dream.'" And he gave them a little something from that.

He went back to Capitol Hill to organize the Senate for the Democrats, dependent on

his vote for control of the Upper House. Weeks later, he hobbled in on two canes to organize the Senate District Committee. In the past year, he had attended in a wheelchair.

He was married in 1903 to Alberta Claire Ramage, of Fairmont. Surviving besides his wife, are three children, Alfred Neely, a Fairmont attorney; John Champ Neely, a Baltimore Internal Revenue employee; Corinne Neely Pettit of Charles, S. C.; two grandsons, and two granddaughters.

[From the Washington Post and Times Herald, January 20, 1958]

MATTHEW M. NEELY

West Virginia's coal miners and organized labor in general lost their most eloquent, untiring and inflexible Federal servant in the death, at 83, of Senator MATTHEW MANSFIELD NEELY. His fellow Senators lost one of their hardest working colleagues and, for all his barbed prose in a tough campaign, a thoughtful, kind and courtly peer. Unfortunately the highest tribute which the Senate could pay to MATT NEELY will probably not be paid. But if he could, he would undoubtedly ask that the eulogies be short and that the committee meetings, just for once, all start on time. Never has the Senate had a more determined foe of wasted words and wasted hours.

Senator NEELY was one of the few members of Congress who have taken service on the generally unpopular District of Columbia committees seriously. He was never known to make light of this duty, as so many of his colleagues do. To him there was nothing at all funny in the spectacle of nearly a million Americans living in complete disenfranchisement. He devoted his major energies as Chairman of the Senate District Committee to legislation for home rule. But failing to win the city a vote, he gave it the best government that he could while this remained his responsibility. He directed the successful law enforcement investigation which ended in the retirement under fire of Police Chief Robert J. Barrett and was responsible for many other reforms in local affairs. Consistently his committee turned out more urgently needed city legislation than it could ever persuade Congress to enact.

Recipients of letters from Senator NEELY will recall that he nearly always closed with the words, "I remain, always faithfully yours." And, to the many good friends and good causes to which he gave his remarkable energies, he was.

[From the Washington Evening Star of January 21, 1958]

SENATOR NEELY

The death of Senator MATTHEW M. NEELY at 83 ended a long career of dedicated and energetic service to his country, to his native State, and, as a District Committee member, to Washington. West Virginia in general and its laboring men in particular were his special concern, but he took a deep interest also in national affairs and in the affairs of the Nation's Capital. With reference to the latter, Senator NEELY took his assignment as chairman of the District Committee very seriously, seeming always to enjoy the post. He worked hard in behalf of legislation which he believed would improve the city. During the past year, however, his lingering illness had kept him away from the committee. In his absence, his colleague, Senator BIBLE, of Nevada, conducted the important business of the District Committee efficiently and wisely. Senator BIBLE, therefore, logically is the man to take over the chairmanship. The Nevadan's knowledge of and interest in District problems have been amply demonstrated.

[From the Washington Evening Star of January 21, 1958]

TRIBUTE PAID IN CONGRESS TO SENATOR NEELY'S COURAGE

The late Senator MATTHEW M. NEELY, Democrat, of West Virginia, was eulogized in Congress yesterday as one of its most courageous Members.

Senator NEELY died Saturday in Bethesda Hospital. Services will be held at 2 p. m. tomorrow in the First Presbyterian Church of Fairmont, W. Va.

The Senator's death was formally announced in the Senate yesterday by his West Virginia colleague, Senator REVERCOMB. Senator REVERCOMB recalled that for half a century Senator NEELY "dedicated his abilities to serving the people of his State and they reciprocated by electing him to Congress 10 times and once to the governorship of his State."

The Senate adjourned after a 10-minute session out of respect to Senator NEELY. It will set aside a later day to hear eulogies of him.

The House, where Mr. NEELY served before entering the Senate, also adjourned after Speaker RAYBURN, of Texas, and others paid tribute to him. Mr. RAYBURN also named members of West Virginia's House delegation as a committee to attend the funeral service.

Mr. RAYBURN called Mr. NEELY an "outstanding Member of the House, Governor of West Virginia, and Senator."

He said the veteran legislator "had as much courage as any man I ever knew," and declared that Senator NEELY's "long, full, and useful life brought great benefit not only to West Virginia and the United States, but to many other parts of the world."

House Democratic Leader McCORMACK, of Massachusetts, called the Senator "one of the most sincere and honest legislators who ever fought for the exploited, the sick, and the poor."

[From Roll Call, Washington, D. C., of January 22, 1958]

SENATOR NEELY WAS COLORFUL

Senator MATTHEW M. NEELY, 83, died of cancer Saturday, January 18, at the Bethesda Naval Medical Center after an illness of some 15 months.

He was the second oldest Member of the Senate. He was born in a log cabin in the West Virginia hills in Doddridge County, November 9, 1874.

Funeral services will be held in Fairmont, W. Va. today at 2 p. m.

He made his last appearance in the Senate January 7, when he was brought in by wheelchair. At that time he said he would rally support for a \$1 million authorization for cancer research. This was no new matter for him because it was Senator NEELY who, in 1928, pushed through the Senate the first bill ever approved by either House requiring the Federal Government to enter the war against cancer.

He was a Bible-quoting, poetry-reciting orator who could reel off strings of classic names and references, and had a stormy up-and-down political career of 35 years of service in both the House and Senate, 26 of them in the latter. He also had been a mayor and Governor of West Virginia.

During his chairmanship of the Senate District Committee, he once likened disenfranchised District residents to a flock of sheep surrounded by a pack of wolves.

Some of the fanciest language in Senate history was used by Senator NEELY during debates.

Once he said he didn't want to call an opponent a liar but that, nevertheless, the man "told 100 percent more than twice as many falsehoods as Ananias or his wife Sapphira, whom the Almighty struck dead for lying."

One of his most sensational speeches was in 1951. That was the famous Tower of Babel address when he stacked 100 pounds of the CONGRESSIONAL RECORD on his desk and asked the irrepressible windbags to keep quiet.

At another time he asked Senators "with speeches in their bosoms to deliver them during recess in highly secluded places where the only auditors will be hoot owls, turkey buzzards, and shitepokes. These, when vexed, as they certainly would be, could take the wings of the morning, noon, or night, and fly far, far away."

He had been married for 55 years to the former Alberta Claire Ramage, who survives him. Also are three children.

President Eisenhower and other leaders in the Government and in Congress praised him for his dedication to public life.

[From the Fairmont (W. Va.) Times of January 22, 1958]

FAIRMONT PAYS FINAL TRIBUTE TODAY TO SENATOR M. M. NEELY—LARGEST GROUP OF NOTABLES IN CITY'S HISTORY WILL BE HERE FOR FUNERAL SERVICES—CONGRESSIONAL AND STATE DELEGATIONS WILL ARRIVE THIS MORNING BY AIR TO ATTEND RITES IN FIRST PRESBYTERIAN CHURCH—JOHN L. LEWIS HEADS VANGUARD OF DIGNITARIES HERE TO HONOR STATE'S SENIOR SENATOR

Fairmont will pay final tribute today to its most distinguished citizen, United States Senator MATTHEW MANSFIELD NEELY, in the presence of the largest assemblage of State and national notable ever to gather in the city.

Funeral services for West Virginia's senior Senator, whose death at 83 from cancer Saturday ended an unparalleled career of 50 years in public life, will be held at 2 p. m. in the First Presbyterian Church, and burial will follow in Woodlawn Cemetery.

The body will be taken to the church at 11 a. m. to lie in state until the hour of the services, which will be conducted by Rev. Frank C. Marvin, Jr., pastor.

Among the mourners will be Members of Congress, headed by Democratic Senate Leader LYNDON B. JOHNSON, of Texas, and Republican Leader WILLIAM F. KNOWLAND, of California, who will arrive in Morgantown at 9:45 a. m., aboard two military airplanes.

Gov. Cecil H. Underwood and a group of West Virginia dignitaries which will include the State's oldest living ex-governor and ex-Senator, Dr. Henry Drury Hatfield, 82, will fly into Bridgeport at 11 a. m. and come here for the services.

The vanguard of scores of distinguished visitors arriving in Fairmont last night was headed by John L. Lewis, international president of the United Mine Workers of America, long a close friend and political ally of Senator NEELY. He arrived here about 10:30 p. m. from Washington, accompanied by Robert Howe, director of Labor's Non-Partisan League, and his personal secretary, Gerald Griffith.

Former Gov. William C. Marland was another to arrive last night and former Gov. Okey L. Patteson will come here today with the Underwood party. Attorney General W. W. Barron, Treasurer Orel Skeen and Secretary of State Helen Holt will be in the Governor's party.

Senator CHAPMAN REVERCOMB, who became West Virginia's senior Senator on the death of his colleague, and the entire State delegation in the House of Representatives except Congressman ARCH A. MOORE, Jr., who is in Greece, will be among the large group from Washington coming here for the funeral.

Robert McLaughlin, president of the District of Columbia Board of Commissioners, and delegations from both the metropolitan

police and firemen's organizations will be here to pay tribute to Senator NEELY, who as chairman of the Senate Committee on the District of Columbia, was unofficial "mayor" of the National Capitol. Members of the committee staff and the staff of Senator NEELY's office already are here or will arrive today.

The State legislature will be in recess and the statehouse will be closed today as a further mark of respect to Senator NEELY, while all public business in Fairmont will suspend at noon today.

The official Congressional and State delegations will join for a private luncheon at the Fairmont Hotel and will leave the city immediately after the services.

Numerous fraternal dignitaries also will be here, and members of the Pilgrim's Degree of the Loyal Order of Moose will conduct graveside services. Past Supreme Governor J. Jack Stoehr and State Manager Ralph Dusic arrived last night to represent the order of which Senator NEELY was a past supreme governor and will be joined by other national and State officers today.

A motorcade will leave the Mid-City Parking Lot at 8:30 a. m. with a police escort led by Sheriff J. Max Gill to meet the planes from Washington at Morgantown. State police, including detachments from several northern West Virginia cities, will bring Governor Underwood and his party here from Bridgeport.

The Marion County Bar Association will provide a guard of honor and ushers at the funeral services this afternoon, while the 201st Armored Field Artillery Battalion, successor to the old First West Virginia Infantry in which Senator NEELY rose to the rank of major, will also provide a uniformed escort.

Maj. Wilson H. Morris, battalion commander, said last night that 1st Lt. James D. Ward, Jr., headquarters battery commander, and CWO James E. Hale, battalion personnel officer, will be flag attendants. The honor guard will be composed of M. Sgt. Kenneth B. Colebank, SFC James W. Shaver, SFC John M. Sweeney, and SP3 Bernard B. Coulter. Church attendants will be M. Sgt. Delbert L. Hardway, Sgt. Richard D. Weber, SP2 John T. Griffith, Pfc. Donald E. Moran, and Pfc. Verlin Tinder, Jr.

A steady line of mourners filed by the late Senator's bier at the family home yesterday and last night. City police details were on hand to direct traffic, and as out-of-town visitors began arriving for the funeral, officers also were stationed at the Fairmont Hotel. Acting Police Chief Carl R. Cain said the entire 29-man department will be on duty all day today to handle traffic.

Meanwhile, the Marion County Bar Association gathered in the circuit court room for one of the most impressive tributes to their colleague of the many rendered him since his death. Almost the entire membership of the bar was present, along with Federal and county officials.

Unanimously adopted was a memorial resolution presented by United States District Judge Harry E. Watkins. Attorney J. E. (Ned) Watson, president of the association, presided.

Attorney Tusca Morris, who was a member of the law class in which Senator NEELY graduated in 1902 and who started practice in the same year, spoke feelingly of his long association with the Fairmont lawyer.

He recalled that he was city Democratic chairman when NEELY, as a young attorney, first ran successfully for public office and was elected mayor of Fairmont in 1908. He nominated Mayor NEELY to be a candidate for Congress in 1913, the first of his 5 terms in the House which began his 35-year career in Federal office. And Morris recalled he introduced Senator NEELY on the occasion of his last campaign address in the courthouse

when, already afflicted with sciatica, he appeared on crutches and gave one of the greatest speeches of his life.

The 84-year-old attorney related some of the political and legal experiences in which he had been associated with Senator NEELY, and closed by saying that the older members of the bar tossed the torch to the younger lawyers to emulate his example.

Judge L. T. Eddy, also a member of the 1902 law class, said his association with Senator NEELY resumed when he came here to practice in 1919. He said he had often measured swords with Senator NEELY, and while he found him aggressive and always attempting to promote the interests of his clients, it was always with honor and dignity.

Attorney Frank R. Amos said he had found Senator NEELY a fine ally and a worthy foe in practicing with and against him since 1912. In recent years, he said, he had found himself agreeing on many things with Senator NEELY.

Amos said that Senator NEELY was wholly responsible for a Federal court in Fairmont, played a great part in the organization of the City National Bank, and stood firmly by both coal producers and coal miners in legislative matters.

"I know of no one of any political faith who can fill his shoes," Amos concluded.

Brief remarks were made by Attorney William P. Lehman and Carter D. Jones.

The association voted to make a contribution to the American Cancer Society. Senator NEELY, who had waged a fight for cancer research appropriations throughout his career in Congress, was a victim of the disease.

Attorney Morris also was the speaker when Fairmont Lodge, No. 294, Benevolent and Protective Order of Elks, of which Senator NEELY was a past exalted ruler and a life member since 1903, held a lodge of sorrow in his memory last night. He reviewed his 60 years of association with the senior Senator and related many events which had occurred during that time.

Tribute was paid at the same meeting to A. B. (Bert) Knight, a close friend of Senator NEELY, who died Monday. Attorney Jones gave the eulogy and spoke of the close relationship between the two longtime Elks and their deaths within 72 hours from the same cause.

Appropriate memorials also are planned by the Moose Lodge and other fraternal orders to which Senator NEELY belonged.

[From the Fairmont (W. Va.) Times of January 22, 1958]

SENATE, HOUSE HONOR MEMORY OF SENATOR NEELY—LEGISLATURE TAKES RECESS FOR FUNERAL FOLLOWING MINOR BILL ACTION

CHARLESTON, W. Va., January 21.—The West Virginia Legislature honored the late United States Senator M. M. NEELY today, named a committee to attend his funeral in Fairmont tomorrow, then turned its attention to minor business during relative short sessions.

A resolution, adopted unanimously in both chambers, noted NEELY's death Saturday in the Bethesda, Md., Naval Hospital. He was clerk of the House in 1911 for his only direct connection with the legislature.

The joint committee will fly to Fairmont in a National Guard plane tomorrow morning to attend the 2 p. m. funeral. The group will be headed by Senate President Ralph J. Bean, Democrat, Hardy; and House Speaker W. E. Flannery, Democrat, Logan.

House action during a 16-minute session was highlighted by a 79 to 11 vote on a bill increasing public utility license fees from \$300,000 to \$450,000 annually for operation of the public service commission. The bill now goes to the senate for concurrence.

The vote came after Delegate William Tompos, Democrat, Hancock, pointed out

the increased fees actually came out of the pockets of consumers because the new license fees would be charged as a current expense of the companies and the companies and the consumers pays for those current expenses.

He was joined by 10 other Democrats voting against the measure.

The finance committee reported to the floor and recommended for passage a bill to set up a constitutional convention to repeal the prohibition against sale of whisky by the drink in West Virginia. Revenue derived from the license fees for establishments selling whisky and a tax on each drink would be used for roads and schools.

Under normal course, the bill would come up for a final vote Monday.

The senate's 12-minute session was without a vote on any issue except adoption of a resolution allowing the rules committee to set up a special calendar beginning next Monday.

Majority Leader Clarence Martin, Democrat, Berkeley, moved to hold over until Thursday action on 8 resolutions, including 1 setting up a joint house-senate committee to study the medical school financial ills of West Virginia University.

Among the others were resolutions asking for permission to introduce legislation for handling local matters not included in Gov. Cecil H. Underwood's agenda for the session.

The senate sent back to the judiciary committee a bill setting up new dates for the third term of court annually in Pendleton County. Martin explained a house-approved measure making the same provisions was also on the calendar.

Advanced to passage stage Thursday was a measure designed to let the State board of public works put Korean veterans' bonus bonds on the open market.

[From the Fairmont (W. Va.) Times of January 23, 1958]

SENATOR NEELY BURIED IN CHILL, WIND-WHIPPED CEMETERY—83-YEAR CAREER ENDS WITH BRIEF COMMITTEE SERVICE—WEST VIRGINIA'S CHAMPION VOTE GETTER WAS BURIED IN THE PRESENCE OF A DISTINGUISHED ASSEMBLY OF NATIONAL, STATE, AND LOCAL LEADERS

Under cloudy skies and with a chill wind rippling the flag of the country to which he had given a long life of public service, United States Senator MATTHEW MANSFIELD NEELY was laid to rest yesterday afternoon in Woodlawn Cemetery.

A brief committal service marked the close of a career which began on a Doddridge County farm more than 83 years ago and carried Fairmont's first citizen to the heights of the legal profession and the political field.

West Virginia's champion vote getter of all time, who had been elected 5 times to the House of Representatives, 5 times to the United States Senate, and once as governor of his native State, was buried in the presence of a distinguished assembly of National, State, and local leaders.

He was memorialized at funeral services in the First Presbyterian Church as a "true friend of the laboring man" and as one who "often did what others said was impossible," by his close friend, the Reverend Dr. Frederick Brown Harris, Chaplain of the Senate, whose eulogy was read by the Reverend Frank C. Marvin, pastor of the church to which Senator NEELY belonged.

Services in the crowded church lasted only 25 minutes. Mr. Marvin, standing before masses of flowers which filled the front of the sanctuary and the choir loft, read favorite passages from the Bible from which Senator NEELY in his inimitable speeches so frequently quoted. The eulogy was contained in the message sent by Dr. Harris.

A long cortege wound its way through the streets of the city to Woodlawn, where the

incompleteness of the weather prevented the graveside services planned by the Pilgrim's Degree of the Loyal Order of Moose, of which Senator NEELY was a past supreme governor and life member.

Only the brief committal service of the Presbyterian Church and the removal of the American flag from the casket by representatives of the National Guard marked the rites of the cemetery. The flag, which signified Senator NEELY's active service as a youth in the Spanish-American War and his long career in Congress, was presented to Mrs. Neely.

Favorite Psalms and other scriptural passages were read by Mr. Marvin after the opening prayer.

Dr. Harris said in his eulogy that for many years he had been a close friend of Senator NEELY and had frequently visited him in Bethesda Naval Hospital, where death came last Saturday from cancer to the senior Senator from West Virginia.

He said he had last seen Senator NEELY on January 7 when the present session of Congress convened. On that occasion, he said, the Senator with his characteristic disregard of his physical condition, insisted on being present to answer rollcall.

Senator NEELY "often did what others thought was impossible," Dr. Harris said. "He had a passion for being punctual and he was always fair." He said he had found Senator NEELY "always ready to throw his weight on the scales in favor of the downtrodden and depressed," and called him a "true friend of the laboring man, especially the coal miners of his beloved State of West Virginia."

Dr. Harris said that when Senator NEELY made a campaign promise, he kept it, "His promise was his bond," the Senate Chaplain said. He praised the late Senator as ever being a fighter and one who kept the faith.

Occupying seats directly in front of the casket, which was closed for the last time as the hour for the services arrived, was a delegation of Senator NEELY's Congressional colleagues, including Senators WILLIAM F. KNOWLAND, of California; WAYNE MORSE, of Oregon; JAMES E. MURRAY, of Montana; PAT McNAMARA, of Michigan; LISTER HILL, of Alabama; STROM THURMOND, of South Carolina; FRANK CARLSON, of Kansas; J. GLENN BEALL, of Maryland; and CHAPMAN REVERCOMB, now the senior Senator from West Virginia; Congressmen HARLEY O. STAGGERS, CLEVELAND M. BAILEY, WILL E. NEAL, and ROBERT C. BYRD. Robert McLaughlin, president of the District of Columbia Board of Commissioners, attended as the personal representative of President Eisenhower.

Gov. Cecil H. Underwood, Secretary of State Helen Holt, Attorney General W. W. Barron, Treasurer Orel J. Skeen, Adj. Gen. William L. Blake, and Col. Hazen H. Fair headed the West Virginia delegation which also included State Senate President Ralph J. Bean, Minority Leader John E. Carrigan; Senators Harry E. Moats, A. Carl Carey, and Oley G. Hedrick; Delegates George H. Seibert, T. E. Myles, Loutellus M. Stout, Julius W. Singleton, Jr., William A. Moreland, John E. Crynock, Nicola Fantasia, and C. Donald Robertson, and Parliamentarian Oschel Parsons.

John L. Lewis, international president of the United Mine Workers of America, was among the mourners. Also attending from the UMW were President Raymond Lewis and Secretary-Treasurer Ray Humphreys of District 17, President George Titler of District 29, and Mrs. Titler, Gerald Griffith, Robert Howe, and James Marks of UMW headquarters in Washington, and the entire staff of District 31, located here, headed by President Cecil J. Urbaniak, Vice President Leonard Pnakovich, and Secretary-Treasurer L. Clyde Riley.

In recognition of Senator NEELY's efforts in their behalf, the National Association of Letter Carriers was represented by a delegation of seven from Pittsburgh, and a group

from Fairmont Branch 910 which included President J. W. Fisher, Secretary H. C. Hoffman, W. G. Byer, P. J. Dietz, I. C. Hawkins, and Frank Falkenstine.

A guard of honor which included representatives of the 201st Armored Field Artillery and both the police and fire departments of metropolitan Washington, of which Senator NEELY was the unofficial mayor as chairman of the Senate District of Columbia Committee, flanked the casket while the body lay in state and during the services.

Hundreds of mourners passed the bier before the funeral began and many stood outside the church while the services were in progress. The streets were lined with spectators as the cortege moved from the church to Woodlawn Cemetery with a police escort.

Ushers were members of the official bodies of the First Presbyterian Church and from the Marion County Bar Association, which attended the funeral in a body.

Business, civil, legal, and political leaders from every part of the State were in attendance.

The groups from Washington and Charleston flew into Morgantown Airport yesterday morning, were at a luncheon in the Fairmont Hotel after first calling at the Neely home, and returning by air late yesterday afternoon.

Always a colorful figure and a master of political oratory, Senator NEELY drew in his lifetime the largest crowds that ever attended campaign rallies in West Virginia. To his funeral he drew the most notable group of national figures to gather here at one time in the history of the city.

And in the community where he began a 50-year career in public office as mayor and lived to become its most distinguished citizen, MATTHEW MANSFIELD NEELY was laid to eternal rest.

CHAPLAIN OF SENATE GIVES EULOGY TO SENATOR NEELY

A eulogy to United States Senator MATTHEW MANSFIELD NEELY, prepared by the Reverend Dr. Frederick Brown Harris, Chaplain of the Senate, was read at his funeral services yesterday by the Reverend Frank C. Marvin, pastor of the First Presbyterian Church, who officiated. The eulogy follows:

"For a third of his long public career Senator NEELY has been one of my close friends. My last word with him was when the Senate convened on the 7th of this month. With characteristic disregard of his physical condition, he had insisted on being taken to the Capitol and being carried into the Senate Chamber when the roll was called.

"Just as he was about to be wheeled from the cloakroom to the floor, I had the opportunity to whisper my high regard and my admiration of his Spartan bravery, in doing what others had said was impossible. He had displayed that quality many times as he served his State and his Nation. During the long months of his illness at the naval hospital, I was at his side many times and more than once cheered him on when along the corridor each day his iron will commanded his faltering feet to exceed the day before in the number of steps achieved.

"As my desk at the Capitol is in the District of Columbia committee room, for years I have been in close proximity to his own influential place at the end of the green covered long table where the affairs of the Nation's Capital are discussed. The chairman had a passion for punctuality and expected a quorum to be present on the very minute of the scheduled time. As a Presiding Officer he was precise and fair. He could be brusque when valuable time was consumed by remarks irrelevant to the subject under discussion.

"Always he threw the weight of his 'stubborn ounces' on the scales in favor of the downtrodden and the oppressed. He toiled steadfastly for what he conceived to be the highest interest of the National Capital.

With him that included the right to govern itself as a normal city. He was an enthusiastic apostle of home rule.

"Often, both at the Senate and at the hospital, we talked together about men and policies. His salty uninhibited appraisals had a stimulating frankness that scorned polished compliments which so often camouflage disparaging estimates.

"He was a true friend of the laboring man and especially of the miners of his State. An outstanding national leader of the miners' cause once said to me 'Senator NEELY's campaign promises regarding working conditions and aspirations were not made just to be elected. Always his promise was his bond. His word could be counted on.'

"Those who needed his understanding influence were never disappointed or betrayed. More than once he expressed to me in no uncertain words his reverence for religion pure and undefiled. However, he had a holy scorn for those whom he suspected to be wearing the livery of heaven to serve the devil in. He hated cant and hypocrisy. He often talked of the efficacy of prayer and the priority of spiritual virtues. The book of Senate Prayers was by his side during his illness and before.

"When toward the end, his mind was at times clouded, he talked on one of my last calls about the old McGuffey Readers. In his reference one glimpsed the source of much of his love of great literature. In the country schools of his native State he had studied his memory with the choice gems from those old readers. His private and public speeches were flavored with Biblical references and phrases from Shakespeare and many other masters of speech.

"He lived and served through turbulent days and he was ever a fighter. He kept the faith—his faith in democracy, in the dignity of the individual, and in legislation which safeguarded the rights of the common man.

"No matter how censorious were the assaults on what he fought for his calm confidence as he was given to see the right mirrored in a verse I quoted to him during his last months. Here are the lines:

"Men may misjudge thy aim,
Think they have cause to blame,
Say thou art wrong.
Hold on thy quiet way,
God is the judge not they,
Fear not be strong."

[From the United Mine Workers Journal of February 1, 1958]

SENATOR MATTHEW M. NEELY OF WEST VIRGINIA

Senator MATTHEW MANSFIELD NEELY (Democrat, of West Virginia), lifelong friend of organized labor and particularly of the UMWA, died of cancer on January 18 at Bethesda (Md.) Naval Medical Center. He was 83.

A vivid personality and eloquent orator, Senator NEELY's political career encompassed virtually every elective office offered in his beloved Mountain State. He was first elected mayor of his home town—Fairmont—in 1908, and entered the national political scene when he was elected to the House of Representatives from the First West Virginia District in 1913.

America's coal miners will always remember his name because it was he who singlehandedly pushed through Congress the first Federal Coal Mine Safety Act. That was in 1940. And again in 1952 he, along with former Representative Sam McConnell (Republican, of Pennsylvania), fought to bring about passage of the present Coal Mine Safety Act, the first in our history to give the United States Bureau of Mines enforcing powers in dealing with hazardous mines.

He was a true friend of America's coal miners and, as such, will be sorely missed. Upon learning of his death, UMWA Presi-

dent John L. Lewis sent the following telegram of condolence to Mrs. Neely:

"I feel a sense of tragic loss in the passing of your distinguished husband. The Nation has lost a great statesman; labor has lost a great defender; I have lost a lifetime friend. The mineworkers of the Nation will join me in extending our deep sympathy."

Other UMWA officials expressed grief at his passing, including the presidents of three UMWA Districts in West Virginia.

President R. O. Lewis of District 17 said: "He was the grand old man of the State. He will be long remembered and very badly missed."

President George J. Titler of District 29 said: "West Virginia has lost a great humanitarian, a friend of the common man."

President Cecil J. Urbaniak of District 31 said: "He always tried to do his best to benefit the greatest number of people. They, of course, were the workers. He was a union man all the way and a great friend of the United Mine Workers."

Senator NEELY was born on a farm near Grove, W. Va., in 1874. He served in the Spanish-American War and after the war was an officer in the National Guard. It was a chore he performed as part of his National Guard service that undoubtedly made him a lifelong fighter for safety in America's coal mines.

On December 6, 1907, the worst disaster in the history of American coal mining took place at Monongah, W. Va., when 2 mines of the Fairmont Coal Co. exploded, killing 361 men and boys. A paragraph in a Journal story about that tragedy tells of Senator NEELY's experience at Monongah:

"A more convenient temporary morgue was set up near one mine entrance in tents supplied by the National Guard, in view of the fact that the threat to public health soon required that bodies be claimed and buried within 3 hours. The young National Guard captain in charge of the tent detail was deeply impressed by the grisly scene he witnessed. From that experience sprang a lifelong devotion to the cause of the American miner which has inspired him ever since. His name: MATTHEW M. NEELY." * * *

The very next year—1908—he won his first major election as mayor of Fairmont. In 1911 he took a position as clerk of the West Virginia Legislature, the only direct connection he had with that body in all his years in politics.

In 1913, he was elected to the United States House of Representatives. He served there four consecutive terms, until 1921. In 1923 he was elected to the United States Senate and served until 1941 with a 2-year lapse, 1928-30.

In 1940, he announced that he was retiring from the Senate to run for Governor of West Virginia. The other Democratic candidates were not "liberal enough." This he did in spite of the fact that his Senate term had not yet expired. He won the election.

His next step was to return to the House in 1946 where he served one term. Then he returned to the Senate in 1948 where he served until his death. His current term expires in 1961.

In all he spent 10 years in the House, 26 years in the Senate. He was twice defeated in Senate races but each time bounced back, stronger than ever as a political force in West Virginia.

Senator NEELY's legislative aims were always pro-labor and pro-UMWA. He always referred to John L. Lewis as "the greatest living American." But he had other claims to fame during his long service in Congress. He was widely known as "the Mayor of Washington" and was a long-time champion of home rule for the voteless citizens of the District of Columbia. He was also a Congressional pioneer in fighting for Federal funds for cancer research and when the current session

of the 85th Congress opened he announced that he was going to introduce a bill calling for a \$1 billion appropriation for cancer research.

Typical of Senator NEELY's feelings about cancer and his ability to rise above personalities was his attitude when Rush Holt became a victim of that dread disease. Holt was probably the bitterest political enemy "MATT" NEELY ever had. A one-time protege, he turned against Senator NEELY and fought him viciously and unfairly. But when Holt got cancer, Senator NEELY pulled strings to get him admitted to the National Institutes of Health in a vain attempt to save the life of his erstwhile enemy. But Rush Holt died of cancer just as MATTHEW NEELY did 4 years later.

But it was as a battler for the working man that Senator NEELY will be best remembered—"the common man's David seeking out the Goliath of the special interests," is the way the New York Times phrased it. He had a quick tongue, sharply barbed when used against his enemies.

Once he told about a European trip he had made, in the course of which he had seen many paintings of Judas Iscariot. He added: "They all looked different but they all looked like the men who voted for the Taft-Hartley law."

Although he delivered some of the most colorful floor speeches in the history of the Senate, he usually stayed off the Senate floor and deplored the long-winded speeches made there as waste of time and money. He referred to fillers of the CONGRESSIONAL RECORD as "irrepressible windbags" and urged those windy Senators to deliver their speeches during recess "in highly secluded places where the only auditors will be hoot owls and turkey buzzards. These, when vexed, as they certainly would be, could take the wings of the morning, noon, or night and fly far, far away."

Those are only two of thousands of colorful sentences tossed off by Senator NEELY during his life. He quoted the Bible, Shakespeare, Milton, Billy Sunday, and Elbert Hubbard with equal ease. He was one of the greatest political orators of the old school.

The Senate and House met briefly on January 20. The only order of business was, briefly, to eulogize Senator NEELY, after which both Houses recessed until January 23 in respect of his memory.

His body lay in state at the Pumphrey Funeral Home, Bethesda, Md., on January 19, when his Washington friends paid their last respects. Funeral services were held January 22 at First Presbyterian Church, Fairmont, of which Senator NEELY was a member. The Reverend Frank C. Marvin, pastor of the church officiated at the services and read a message from the Rev. Dr. Frederick Brown Harris, chaplain of the Senate and close friend of the late Senator.

UMWA officials who attended the services included President John L. Lewis; Robert E. Howe, Jr., director of Labor's Non-Partisan League; Legislative Representative James Mark, Jr., and Gerald Griffiths, secretary to President Lewis, representing International headquarters. Also present were District 17 President R. O. Lewis and Secretary-Treasurer R. R. Humphreys; District 31 President Cecil J. Urbaniak, Vice President Leonard Pnakovic and Secretary-Treasurer L. Clyde Riley, and District 29 President George J. Titler and Mrs. Titler.

Nine fellow Senators made the journey to Fairmont to attend the funeral services. They were WILLIAM F. KNOWLAND, Republican, California, minority leader of Senate; J. GLENN BEALL, Republican, Maryland; WAYNE MORSE, Democrat, Oregon; LISTER HILL, Democrat, Alabama; FRANK CARLSON, Republican, Kansas; STROM THURMOND, Democrat, South Carolina; PAT McNAMARA, Democrat, Michigan; JAMES E. MURRAY, Democrat, Montana; and CHAPMAN REVERCOMB, Republican, West Virginia.

Four members of the West Virginia delegation in the House of Representatives also attended. They were HARLEY O. STAGGERS, Democrat; CLEVELAND M. BAILEY, Democrat; WILL E. NEAL, Republican; and ROBERT C. BYRD, Democrat.

District of Columbia Commissioner Robert E. McLaughlin attended as the personal representative to President Eisenhower.

The mourners could be numbered in the thousands. The West Virginia legislature closed down in his memory. Organized labor, fraternal organizations and the legal profession were represented formally and his friends from all walks of life were there.

Burial was in the Woodlawn Cemetery in Fairmont.

Senator NEELY is survived by his widow, the former Alberta Clair Ramage, of Fairmont; two sons, John Champ Neely, of Baltimore, and Alfred Neely, of Fairmont; and a daughter, Mrs. Corrine Pettit, of Charleston, S. C.

[From the Union Postal Clerk Magazine of February 1958]

MATTHEW MANSFIELD NEELY

On Saturday morning, January 18, the senior Senator from West Virginia, the Honorable MATTHEW M. NEELY, passed away at Bethesda Naval Hospital, Bethesda, Md., after a long illness.

Senator NEELY was probably the most eloquent orator of this generation and, paradoxically, one of the most severe critics of prolonged oratory in the United States Senate. In debate, he neither asked nor gave quarter, and there were few indeed who went out of their way to engage him in argument. His comments when he chose, could cut like a lash and yet he was one of the kindest of men. He was an outstanding liberal in his political views and an eloquent supporter of the causes in which he believed. As the New York Times so well said, "If there was anything stronger than his convictions, it was the caustic bite of his tongue."

The life of MATT NEELY was one devoted always to the best interests of the common man. He was an early champion of the coal miners and of all labor, and postal and Federal employees knew him as their devoted friend. He cast his last vote in favor of postal and Federal employee salary increases last year when he journeyed from the hospital to the Senate floor in an ambulance in order to be recorded in favor of H. R. 2474. His only subsequent appearance on the Senate floor came on January 7 when he answered to his name on a quorum call at the opening of the 2d session of the 85th Congress.

MATTHEW M. NEELY lived a long, busy, and useful life. His service as mayor, Governor, Congressman, and Senator spanned half a century. Born in Doddridge County, W. Va., in 1874, he served in the Armed Forces during the Spanish-American War; graduated from the University of West Virginia in 1902, and was admitted to the practice of law that same year.

He was first elected to public office in 1908 when he became mayor of Fairmont, W. Va., and was elected to the House of Representatives in 1913. He was elected to the Senate for the first time in 1922 and resigned from the Senate to become Governor of West Virginia in 1941. He was again elected to the House of Representatives in 1945 and served on the House Committee on Post Offices and Post Roads. In 1948 he was again elected to the United States Senate where he served with distinction on the Committee on Post Office and Civil Service, and was reelected to the Senate in 1954.

In the passing of Senator NEELY his State and the Nation have lost an outstanding statesman, his family has lost a devoted husband and father, the American labor movement has lost a tireless and fearless friend, and postal employees everywhere have lost a brilliant and eloquent champion and advo-

cate. The American people have lost an able public servant, a man who devoted all of his adult life to their welfare.

The world is a better place because MATT NEELY lived.

SENATOR NEELY'S LEGACY TO DEMOCRATS

(By Stewart Alsop)

As the news from the economic front darkens, an episode from the recent past keeps coming back to this reporter's mind. The time was the autumn of 1954. The place was West Virginia. The occasion was the late Senator MATTHEW NEELY's campaign for reelection.

The kind of campaign old MATT NEELY was waging came as a kind of a traumatic shock. Elsewhere, the Democrats were treating President Eisenhower with kid gloves, or actually trying to grab the President's coat-tails away from the Republicans.

Not so MATT NEELY. NEELY regularly referred to the President as Eisenhower. He accused the President of talking "monstrous hypocrisy and nonsense." In speech after speech, he called the Eisenhower policies "as disastrous as Hoover's," and he charged the President with "making paupers of half the population of West Virginia." In the context to those times, the NEELY campaign line sounded almost blasphemous.

"I've attacked Eisenhower everywhere I've spoken," NEELY told this reporter gleefully, "and I've had a fine response. I've never had less doubt about the outcome of an election in my life." His confidence was justified by the event. NEELY was triumphantly elected by a handsome majority.

The reason for NEELY's triumph was visible to the naked eye everywhere in West Virginia. For West Virginia is a one-industry State. The industry is coal. And coal was in the worst slump since the depression days. There were then actually fewer coal miners employed in West Virginia than in the worse days of the evil thirties.

This episode is worth recalling for an obvious reason. Suppose the current recession deepens and hardens. What then will be the effect on the President's personal popularity, his prestige and capacity for leadership? Will he become discredited, powerless, and the subject of bitter personal attack, like President Herbert Hoover in the early thirties?

The answer depends in part, of course, on the Democrats. Among responsible Democratic leaders like Majority Leader LYNDON JOHNSON, there is no disposition whatever to repeat the tactics used against Hoover in the thirties. "I've read the Constitution," is a favorite remark. The implication is that JOHNSON is fully aware that there is no substitute under the American constitutional system for the power and authority of the Presidency.

But not all Democrats think like JOHNSON. Many Democrats have squirmed angrily for 5 long years under the temptation to follow old NEELY's example, and have held back only as the better part of valor. And the President seems in a mood to give them precisely the opportunities they are looking for, as his politically imprudent act in flying his wife to a charm school in Arizona suggests.

Indeed, the President's mood is a key factor in the equation. Through the paper curtain which surrounds him, an impression of what Time magazine calls a baffling don't care attitude has seeped out. Take, for example, the President's incredible statement that Sherman Adams' intervention with the Civil Aeronautics Board, which has been in the headlines for days, was "a thing I have not heard of". The remark seems to mean either that the President does not read the papers, or that he cares not a rap what is in them.

Combined with the don't care attitude is a growing testiness. The President has al-

ways had a quick temper, but he now angers very easily. For example, Eric Johnston, organizer of the recent bipartisan demonstration for foreign aid, proposed to the President that he should speak from the same dinner table as former President Truman. The President treated Johnston much as the emperors of other days used to treat the bearers of unwelcome news. He almost took his head off, telling Johnston furiously that he would never break bread with such a man as Mr. Truman.

This sort of thing always gets out, and it is not calculated to persuade the Democrats to treat the President kindly. As for the Republicans, precious few of them are planning to campaign as "Eisenhower Republicans" this year, and if the President gets into trouble they are not likely to rush enthusiastically to his defense.

One should not exaggerate. The President is still the most popular political figure in the country. Yet a President is rather like the leader of a wolf pack—any sign of weakness, and he invites a ferocious attack from behind. And a Presidential mood of indifference combined with testiness could make bad trouble for the country, too, for it is hard to imagine anything more damaging than a bitter, NEELY-like election fight followed by 2 years of Presidential frustration.

But if the Nation as a whole begins economically to resemble West Virginia in 1954, that may be in the cards.

Mr. O'MAHONEY. Mr. President, in addition to the published and written tributes which were addressed to Mrs. Neely, I have before me a collection of resolutions and memorials adopted by various organizations, in which they express the sense of loss they felt at the passing of Senator NEELY. The first is a resolution which was adopted by the House of Delegates of the West Virginia Legislature. I ask unanimous consent that they be printed at this point in the RECORD.

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

WEST VIRGINIA LEGISLATURE—HOUSE OF DELEGATES

House Concurrent Resolution No. 13

(By Messrs. Parker, Fantasia, and Wilson)
Concerning the death of Hon. MATTHEW M. NEELY.

Whereas death ended the colorful career on January 18, 1958, of United States Senator MATTHEW MANSFIELD NEELY, thus closing a memorable chapter in the political history of West Virginia; and

Whereas the fighting spirit of this well-known West Virginian kept him alert and vigilant to his duties, even to the threshold of death, and despite a long illness and the suffering incident thereto; and

Whereas the death of Senator NEELY brings to a close a 50-year period in the political annals of West Virginia, beginning with his election as mayor of the city of Fairmont in 1908 and followed by his election as clerk of the House of Delegates in 1911, election to the House of Representatives in 1913, and election to the United States Senate in 1922, and as Governor of West Virginia in 1940; and

Whereas during his political career he served 5 terms as a Member of the House of Representatives and was 5 times elected to the United States Senate; and

Whereas the late Senator was an ardent fraternalist, a devout churchman, a veteran of the Spanish-American War, and an eminent lawyer, whose professional services were in wide demand during his active years in the practice of law; Therefore be it

Resolved by the House of Delegates, the Senate concurring therein, That the Legis-

lature of West Virginia hereby acknowledges its sincere mourning at the passing of this distinguished West Virginian; and be it further

Resolved, That out of respect to the memory of this former governor, Member of the Congress of the United States, and legislative official that when the two houses of the legislature adjourn this day they do so until Thursday, January 23, 1958; and be it further

Resolved, That the President of the senate and speaker of the House of Delegates name a committee from the membership of their respective houses to attend the funeral of the late United States Senator; and be it further

Resolved, That the clerk of the House of Delegates send a copy of this resolution to the President of the United States Senate, the Speaker of the House of Representatives, and to the family of Senator NEELY.

I, C. A. Blankenship, clerk of the House of Delegates of the West Virginia Legislature, do hereby certify that the foregoing resolution was regularly adopted by the Legislature of West Virginia on January 21, 1958.

This the 6th day of February 1958.

C. A. BLANKENSHIP,
Clerk of the House of Delegates.

MEMORIAL—SENATOR MATTHEW MANSFIELD NEELY—MARION COUNTY BAR ASSOCIATION, FAIRMONT, W. VA.

We are here today to write the final pages in the record of our appreciation of the character and services of Senator MATTHEW MANSFIELD NEELY. It is with heavy hearts that we mark the passing of our friend and neighbor.

Senator NEELY was a typical American. He worked on a farm as a boy while attending a country school, walking more than a mile each day. When working at a variety of odd jobs to pay his way through school, little did he realize that some day he was to hold every elective office within the gift of the people of West Virginia to which he aspired—Congressman, United States Senator, and Governor of West Virginia. Such a thing could happen in no other country. But this is America—that is democracy—and Senator NEELY perfectly personified the typical American youth with an indomitable courage that brings success in a land of opportunity. No wonder that neither selfishness nor greed found refuge in his brimming heart or his avid mind. With this wholesome background, the heritage of many great Americans, he developed simplicity of manner, and a genuine eagerness to help others, a strong foundation on which to build a useful career.

It was truly said of MATTHEW MANSFIELD NEELY that no man, living or dead, in the history of West Virginia, has left his mark so deep so many places, and in so many fields of activity. Yet, with it all he never lost the common touch; he was as proud of his origin as he was of his ultimate destiny.

He was a positive man, not afraid to express his views forthrightly and courageously. His likes and dislikes among men were definite and pronounced. He liked a good fight and never retreated from what he believed to be right. Life was to Senator NEELY a matchless, romantic adventure. He lived it freely, fully; a gentleman unafraid, he faced death, as he had always met life, with a smile.

The outbreak of the Spanish-American War found him enlisting at the first call for volunteers. After that war he served 11 years in the National Guard where he received the rank of major, and for many years he was familiarly known as Major Neely.

At West Virginia University he won the gold medal award for being the best cadet in the University Cadet Corps, and represented the university in many oratorical

contests. He was a brilliant student and was elected to Phi Beta Kappa national honorary fraternity.

In 1902 he began his career as a lawyer at the Marion County Bar where he was a practicing attorney for 55 years. He was as successful as a lawyer as he was in politics. He was saturated with the idea that rules of law should be applied in such a way that the results would be beneficial to the people. An abstract system of law had no appeal to him. He often pointed out that the law was meant to serve and not to rule the institutions which it sheltered. In presenting a case to the court, he pointed out the life story of the litigants and the motives which prompted the controversy. He prepared his cases thoroughly, first becoming familiar with the facts, and then he reached into the realm of legal principles to choose therefrom one of more which, when applied to the facts, would produce just and beneficial results—much as a skilled mechanic would reach into his toolbox for a tool made for the specific work at hand. Clients recognized his sound judgment and sought it. Large business learned the value of his experience and broad vision, and knowledge of public affairs, and made use of them.

The style of his speeches were uniform throughout his long career. He was a student of the Bible and quoted from it and the great works of literature in the courtroom and in the political arena. His remarks were always grammatically correct, and clothed in language that any person could understand. He respected the courts and was zealous of their good name. He took little time to play and far too few moments of relaxation. He had an intellectual hunger which carried him to far ends of knowledge and culture. Studious and devoted to the task at hand, he cared little for formal social life or frivolity. He could teach us better things, and did.

Senator NEELY's first venture into politics was in 1908 when he was elected Mayor of Fairmont on a dry ticket. Later he served as clerk of the house of delegates, then was elected to Congress in 1913. In all, he served 5 terms in the House of Representatives, and 5 terms in the Senate, a record unique in American history. Even before the New Deal era, he urged old-age pensions, and protection for organized labor. He championed the Railroad Retirement Act and battled for many social reforms which we now enjoy. While he was generally found on the side of the coal miner and organized labor, he won the admiration of the coal operators in helping to create the National Bituminous Coal Commission, and to end freight-rate differentials on coal shipped to the Great Lakes.

The poor and unfortunate found in him an honest, sympathetic, and courageous representative, and their confidence was never misplaced. He had a firm determination always to help the little fellow, and would stand up against any influence or pressure, in order to do so. He was respected, loved, and trusted by his constituents. The people of West Virginia exemplified their respect and trust by their votes of confidence in his stewardship and in his political responsibility.

He had a keen respect for and interest in the welfare of our farm people. He was the unofficial mayor of Washington in his position as chairman of the Senate District of Columbia Committee. He was prominent in the fight for better social security, rural electrification, and unemployment compensation.

He is solely responsible for the erection of the present United States courthouse and post office here in Fairmont, and for making Fairmont the headquarters for the United States District Court for the Northern District of West Virginia.

The achievements of Senator NEELY are so numerous and so imposing that but to review a few of them is to wonder at the magnitude of the spirit which evoked them.

He was a devoted husband and father, and firm in his religious principles. Senator NEELY was a big man in the finest and truest sense of the word, and his passing is mourned by the great leaders of our Nation, regardless of political affiliation. The honors which came to him never abated his love for West Virginia and its people—an affection which was returned in kind.

As to a man of such quality no one will pause to debate his character, his fidelity, or his exceptional worth.

He is gone, and while the West is still aglow with his radiance, it is well for us to pause and take count of our own selves. He has a lesson to teach us if we care to stop and learn. His high place in the history of our State and Nation is secure. His tired body now rests in the long sleep which it has so well earned, worn out in public service: Be it

Resolved, That the members of the Marion County Bar Association record our high appreciation of his great qualities of mind and heart, our full recognition of his great public service, and our deep gratitude for the luster that he shed by his life and character upon the profession which he so adorned.

That a copy of this memorial be forwarded to his widow, his sons, and his daughter, and that the same be presented for record to the circuit and criminal courts of Marion County, the Supreme Court of Appeals of West Virginia, the United States District Court for the Northern District of West Virginia, and to the Clerk of the Senate of the Congress of the United States of America.

TUSCA MORRIS,
WILLIAM F. LEHMAN,
HERSCHEL ROSE,
HARRY E. WATKINS,

Committee.

Unanimously approved and adopted by the Marion County Bar Association, Fairmont, W. Va., January 21, 1958.

President.

CHARLES F. CRITCHFIELD,
Secretary.

OHIO VALLEY BOARD OF TRADE,
Third Floor, Board of Trade Building,
Wheeling, W. Va.

IN MEMORY OF SENATOR MATTHEW M. NEELY

In the passing from this life of Senator MATTHEW M. NEELY, January 18, 1958, the State of West Virginia has lost an outstanding citizen.

Few Americans have been privileged to serve their country on the State and national level as was the honor given Senator NEELY; and a lesser number can be recorded as having held, through elective office, so many positions in State and National Governments.

For nearly half a century, Senator NEELY represented the citizens of West Virginia in the State legislature, as governor, Member of the House of Congress, or the United States Senate. He was a noted and eloquent orator and a strong advocate of any cause he espoused. To be his friend was a privilege, but the development of West Virginia was his primary concern: Therefore, be it

Resolved by the directors of the Ohio Valley Board of Trade, That official recognition be taken of the passing of a beloved and loyal citizen, and our deepest sympathy be expressed to the bereaved family, and further, copies of this resolution be included in the organization's minutes and sent to the members of his family.

President.

JANUARY 31, 1958.

RESOLUTION

Whereas the members of the Young Democratic Club of Kanawha County desire to record their deep sorrow at the death on January 18, 1958, of this State's most highly esteemed Democrat, United States Senator MATTHEW MANSFIELD NEELY, who for more than half a century so ably served the Democratic Party, the State of West Virginia, and the Nation in many capacities, including the governorship of this State and numerous terms in the House of Representatives and the Senate of the United States, and who was never too busy to lend a helping hand and to give his invaluable advice to young Democrats of this State: Be it

Resolved, That this club hereby give formal expression of the State and Nation's grievous loss in the death of MATTHEW MANSFIELD NEELY and does hereby note in its records the passing from this life of a man who was esteemed by his associates, loved by his friends, and respected by all;

Resolved further, That a copy of this resolution be tendered to his family as an humble expression of the club's heartfelt sympathy in its bereavement.

A MEMORIAL TO THE SENATE OF THE UNITED STATES

This paper writing from the District of Columbia Federation of Civic Associations, Inc., consisting of 37 member associations representing the organized civic community of the District of Columbia, is in the nature of a petition to the sovereign, a memorial to the United States Senate.

Your petitioner prays permission to submit this expression of its sense of profound loss to the Nation as well as to the District of Columbia in the passing from time to eternity on Saturday, January 18, 1958, of the Honorable MATTHEW M. NEELY, United States Senator from West Virginia, and chairman of the Senate Committee on the District of Columbia. In the 81st Congress, as chairman, Senator NEELY in opening the doors of the Senate Committee on the District of Columbia to the citizenry of Washington asked for civic righteousness, quoting from psalm cxxvii, 1, "Except the Lord build the house, they labor in vain that build it; except the Lord keep the city, the watchman waketh but in vain," and from that moment on he manifested the constant and perpetual will to secure to every citizen his own right.

He sought for the community the righteousness that exalts a nation, and one could tell that he knew that sooner or later all the countless generations of the unnumbered years of the past and of all the years of the future would be his sure companions, and he must be a peer with the immortals. And so he is. The stamp of his resolute integrity is seen in the caliber of Senate District Committee action on local legislation during his chairmanship of the committee.

The community of the District of Columbia will be thankful always to the United States Senate for placing its legislative destiny in his hands, and it will speak good of his name forever.

By unanimous vote of the District of Columbia Federation of Civic Associations, Inc., in regular meeting assembled in the board room of the District Building on Friday, January 24 A. D. 1958.

BARRINGTON D. CORLI,
President.

Attest:

DORIS T. KEITH,
Acting Recording Secretary.

UNITED STEELWORKERS OF AMERICA—CIO,
Huntington, W. Va.

Whereas MATTHEW MANSFIELD NEELY was a sincere and devoted friend of labor and the things that labor was striving for and was devoted to; and

Whereas he was United States Senator from the State of West Virginia; and
Whereas Almighty God has called him home to rest from the labors and toils of this world: Now, therefore, be it

Resolved, That the membership of local union, No. 3739, United Steelworkers of America, does hereby express its deepest sympathy to the widow and relatives of MATTHEW MANSFIELD NEELY.

Done at Huntington, W. Va., this the 12th day of February in the year of our Lord 1958.

FRANCIS C. HAYNES,
Recording Secretary.

Mr. O'MAHONEY. Mr. President, I also hold in my hand an autobiographical note which was prepared, as is indicated, by Senator NEELY during the year 1954, when he was afforded an opportunity, for 2 minutes, to outline on the radio in West Virginia his own autobiography. On that occasion he delivered a 2-minute statement of fact, which I ask unanimous consent to have printed at this point in the RECORD.

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

AN AUTOBIOGRAPHICAL NOTE

(By MATTHEW MANSFIELD NEELY on Meet Your Candidate radio program, October 14, 1954)

Agreeably with the suggestion of the sponsor of this program who has generously permitted me to appear upon it, the following will be rigidly restricted to an unadorned statement of facts.

My name is MATTHEW MANSFIELD NEELY.

The first 17 years of my life were spent on a Doddridge County farm. At 18 I obtained a first-grade teacher's certificate, under which I taught school for 4 terms—the first 2 near Windom in Mineral County for \$35 a month; the second 2 as principal of the Nethkenville School near Elk Garden, where my salary was \$45 a month.

Four spring terms were spent at Salem College. In the fall of 1897 I entered West Virginia University as a freshman. In 1898, at President McKinley's call for volunteers, I enlisted as a private and served in the Army until after peace had been restored. I returned to the university, became a cadet and was awarded the designation "distinguished cadet" and won a marksman's button and also a gold medal for being the best drilled cadet in the corps.

In 1901 I was graduated from the military department of the university and also awarded a bachelor of arts degree. In 1902 I was graduated from the university with the degree of bachelor of laws and immediately thereafter began the practice of the law, which I have ever since continued except when in public service.

I have been elected to office as follows: In 1908 as the first Democratic mayor of Fairmont; in 1911 Congressman from the First District, and reelected to Congress in 1914, 1916, and 1918; in 1920 defeated for Congress; in 1922 elected United States Senator; defeated for reelection in the Hoover landslide in 1928; in 1930 elected Senator by 133,010 majority, which was 50,000 greater than any other Democrat had ever received in West Virginia to that time; was reelected to the Senate in 1936; and elected Governor in 1940; in 1941 resigned my Senate seat to become the chief executive of West Virginia; in 1944 again reelected to Congress; and in 1948 was for the fourth time elected United States Senator. My present term will expire on the 3d of next January.

I am a candidate for reelection, and hope that my generous West Virginia friends will once more elect me, and thereby render it

possible for me to continue to fight their battles on Capitol Hill.

Mr. O'MAHONEY. Mr. President, the late Senator MATTHEW MANSFIELD NEELY, whose memory we honor here today, was for many years in the forefront of the fight for an ever-increasing national effort against cancer. It was one of life's ironies that this was the disease to which he himself at last fell victim.

For Senator NEELY, who took pride in the written and the spoken word, who used language as an effective instrument, and who composed his addresses with a craftsman's care, I think there could scarcely be a more appropriate memorial than to reprint several of the many addresses which, over a period of more than three decades, he delivered on the subject of the war against cancer.

Therefore, I ask consent to have included in the RECORD as a part of these memorial proceedings, three of Senator NEELY's addresses on the subject of cancer. The first, written in 1928, is entitled "Cancer: Humanity's Most Deadly Scourge."

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

[From the CONGRESSIONAL RECORD, Senate, of May 18, 1928, vol. 69, No. 132, pp. 9393-9397]

CANCER: HUMANITY'S MOST DEADLY SCOURGE

Mr. NEELY. Mr. President, the concluding chapter of that fascinating, thrilling, and instructive masterpiece by Charles Dickens, entitled "A Tale of Two Cities," contains a vivid description of the guillotine, the most efficacious mechanical destroyer of human life that brutal and bloodthirsty man has ever invented. Mr. Dickens says that "all the insatiate and devouring monsters imagined since imagination could record itself are fused in the realization—guillotine."

But through all the years the victims of the guillotine have been limited to a few hundred thousands of the people of France.

I propose to speak of a monster that is more insatiate than the guillotine; more destructive to life and health and happiness than the World War; more irresistible than the mightiest army that ever marched to battle; more terrifying than any other scourge that has ever threatened the existence of the human race. The monster of which I speak has infested and still infests every inhabited country, it has preyed and still preys upon every nation; it has fed and feasted and fattened, and still feeds and feasts and fattens, on the flesh and blood and brains and bones of men and women in every land. The sighs and sobs and shrieks that it has extorted from perishing humanity would, if they were tangible things, make a mountain. The tears that it has wrung from weeping women's eyes would make an ocean. The blood that it has shed would redden every wave that rolls on every sea. The name of this loathsome, deadly, and insatiate monster is cancer. It is older than the human race. Evidence of cancer has been found in the fossil remains of a serpent that is supposed to have lived millions of years ago. Records made on papyrus by the ancient Egyptians show that the cancer curse was known in the Valley of the Nile more than 2,000 years before the birth of Christ.

Medical science has conquered yellow fever, diphtheria, typhoid, and smallpox. Medical science has robbed even leprosy and tuberculosis of their terrors. But in spite of all that physicians, surgeons, chemists, biologists, and all other scientists have done, cancer remains the unconquered, the uncon-

querable, and defiant foe of the human race. It is today more menacing and deadly and irresistible than ever before.

The naked facts and figures which record the rapid, progressive, and persistent advance of this frightful scourge are so appalling as to render superfluous any attempt to emphasize the tale of horror that they tell.

For example, in Great Britain the death rate from cancer in the year 1850 was 274 for each million of the population. During the next 50 years, this death rate increased 288 percent; and in the first year of this century, of every million Britons, 800 died of cancer. Subsequently for each million of the British population deaths from cancer have been as follows:

For the year—	
1905-----	866
1910-----	939
1915-----	1,054
1920-----	1,179
1923-----	1,267

Thus it appears that during the 73 years between 1850 and 1923 the cancer death rate in the great English-speaking country across the sea increased more than 462 percent.

In the year 1921 the registration area of the United States contained 82.2 percent, and in 1926, 89.8 percent of our entire population. In this area our yearly deaths from cancer during the period just indicated were as follows:

1921-----	76,274
1922-----	80,938
1923-----	86,754
1924-----	91,138
1925-----	95,504
1926 (last year reported)-----	99,833

Stated in another way, the death rate from cancer in the area under consideration was for each hundred thousand of our population, including all ages, as follows: 1921, 86; 1922, 86.8; 1923, 89.4; 1924, 91.9; 1925, 92.6; 1926, 94.9.

In other words, from 1921 to 1926 in the registration area of the United States the annual cancer death rate mounted from 86 for each hundred thousand population, including all ages, to 94.9. But it should be borne in mind that cancer is comparatively rare in both men and women who are under 40 years of age. Accordingly, in order to appreciate the full significance of cancer's ruthless devastation, one must consider it in relation to those who are 40 years old or older.

Accurate statistics as to the ravages of cancer in the United States previous to the year 1900 are not available. But for that year and all subsequent years to and including 1926 such statistics are available for what are known as the 10 original registration States, namely, Connecticut, Indiana, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. The population of these 10 original registration States was in 1900 almost 20 million and more than 27 million, or almost a fourth of the population of the entire country, in 1920.

The United States Public Health Service has issued a bulletin entitled "Cancer Mortality," from which it appears that the death rate in the original registration area for each 100,000 of the population aged 40 years or more from 1900 to and including 1920, is as follows:

Year:	Cancer, all forms
1900-----	212.0
1901-----	218.1
1902-----	217.4
1903-----	227.9
1904-----	232.2
1905-----	238.8
1906-----	240.0
1907-----	248.5

Year:	Cancer, all forms
1908-----	251.0
1909-----	259.0
1910-----	270.8
1911-----	273.8
1912-----	278.0
1913-----	286.0
1914-----	286.0
1915-----	293.2
1916-----	300.0
1917-----	301.4
1918-----	299.7
1919-----	302.3
1920-----	311.4

The most conservative cancer statisticians say that more than 110,000, and perhaps as many as 125,000 people died of cancer in the United States during the year 1927, for which complete statistics are not yet available.

At first blush these cold facts and figures may make little impression on the mind of a public official who is charged with no particular responsibility to solve the cancer problem. But upon serious reflection they must challenge the earnest consideration of everyone who is sufficiently thoughtful to be interested in perpetuating the human race.

If the rapid increase in cancer fatalities should persist in the future as it has persisted in the past the cancer curse would in a few centuries depopulate the earth.

Because of the unusual susceptibility of the female breast and organs of reproduction to cancer, about 60 percent of all who succumb to this scourge are women, while only about 40 percent are men.

Assuming that all who are known to have died from cancer in the United States in the year 1926 were of average height and that 60 percent of the victims were females and 40 percent males, and further assuming that they were all placed in a straight line, that line would be more than 100 miles long.

If these victims were laid in a double line side by side, the line would extend from Washington to Baltimore and 10 miles beyond.

Do the Members of the Senate realize that every month more than 8,000 of the American people die of cancer; that every day in the year cancer robs 277 of our people of their precious lives; that, on the average, cancer murders 11 of the people of the United States during every hour of every day; that every time the clock ticks off 5 minutes and 30 seconds somebody's father or mother, brother or sister, or daughter or son is by the cancer curse sent to the dissolution of the grave?

The fact that cancer is everywhere claiming greater and greater multitudes of victims every day is in itself sufficiently terrifying. But even more horrible is the fact that in its later stages cancer inflicts upon its wretched victims suffering greater than any other disease can entail, torture more excruciating than any ever devised by American Indians, agony more intolerable than any ever inflicted by the fanatical fiends of the Dark Ages.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New York?

Mr. NEELY. I do.

Mr. COPELAND. There is no suffering in the world equal to the torture of cancer. The Senator has put it strongly; but he could not choose words strong enough to express the suffering of the human beings with that terrible disease.

Mr. NEELY. I thank the able Senator and eminent physician from New York for approving and emphasizing what I have said.

Mr. BRUCE. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Maryland?

Mr. NEELY. I yield.

Mr. BRUCE. It is also true, of course, that all this suffering is to a very great extent alleviated by anodynes.

Mr. NEELY. That is true; but it is also unfortunately true that the dying victim of cancer must be given enough opiates to make him unconscious in order to relieve his pain.

Mr. BRUCE. If the Senator will allow me to make another interruption in the course of his most interesting address, which I have been following with the closest attention, after all is not this supposed increase in cancer due to what might be called the high visibility of cancer under the conditions of modern research?

When I was a boy, very great numbers of people died of cancer without ever knowing that they had cancer. Even the doctors, especially country doctors, sometimes, when they found that a man was about to succumb to a mortal disease, would not trouble themselves very much about the causation of his condition. It seems to me those are considerations that ought to be taken into account.

Mr. NEELY. The medical profession has been quite capable of diagnosing cancer accurately in most cases for more than 20 years. Unfortunately the cancer victim only too frequently fails to give the surgeon a chance until it is too late.

Mr. BRUCE. Yes; I suppose that is true.

Mr. COPELAND. Mr. President, would it disturb the Senator if I said one word more?

Mr. NEELY. No; I gladly yield to the Senator from New York.

Mr. COPELAND. The Senator from Maryland raises an interesting question. Undoubtedly it is true that with the improved means of diagnosis physicians now discover cancer when the old-time physician did not know what was the matter; but as the Senator from West Virginia [Mr. NEELY] says, during the past 10 or 15 or 20 years we have been in a sense at a standstill in our progress and knowledge of how to recognize cancer. Excluding all the hopefulness that we might build up in our hearts that it is really because we know more, it is undoubtedly true that cancer is on the increase. Whether due to our habits of civilization or what it may be, without going into any detail as to why, the fact remains that cancer is increasing.

Just one other word before I sit down.

The Senator from Maryland speaks about the use of the opiate. Of course, by increasing doses of those narcotics it is possible for a time to control the pain and suffering of cancer; but the time comes when the doses taken are so poisonous that death would come from the administration of the narcotic. In other words, the time comes when the narcotic can no longer give relief; and so, in the end, the patient dies in excruciating agony.

Mr. NEELY. Mr. President, I hold in my hand Hoffman's illuminating and exhaustive work, entitled "The Mortality from Cancer Throughout the World." The able author of this volume says that the death rate from cancer has doubled in the United States in 40 years.

Another element of alarm that obtrudes itself into the consideration of the cancer problem is found in the fact that this frightful disease, in a large percentage of cases, steals upon its victims like a thief in the dead of the night. In the beginning cancer is usually painless. Consequently it frequently progresses to the hopeless stage before its existence is certainly known.

In spite of all that countless self-sacrificing physicians and surgeons and other scientists have done, and tried to do, cancer in its advanced stages is still the most mysterious and incurable of diseases, and humanity's most deadly foe. Indeed, the only

known certain cure for cancer, even in its early stages, is to be found only in the application of the surgeon's knife.

For the benefit of those who are more inclined to think in terms of dollars and cents than in terms of humanity, attention is invited to the fact that the people of the United States suffer from the ravages of cancer an annual financial loss of more than three-fourths of a billion dollars. The following article which appeared in the New York Times for the 6th day of May 1928, convincingly speaks to the point as follows:

"CANCER LOSS IN 1927 PUT AT \$800 MILLION—
DR. LUIS I. DUBLIN ESTIMATES ECONOMIC VALUE
OF PERSONS WHO DIED AT \$680 MILLION

"Establishing an economic loss as great as if 300,000 workmen had been idle for a year, cancer in 1927 was responsible for a monetary loss of approximately \$800 million according to Dr. Luis I. Dublin, statistician of the Metropolitan Life Insurance Co. He said that \$680 million represented the monetary value of persons dying from this disease and \$110 million was spent caring for the victims.

"The current year undoubtedly will see a greater economic loss and a greater amount of suffering, since the number of deaths from cancer is steadily increasing, according to Dr. Dublin. Cancer is a condition which usually occurs late in life, toward the end of the economically productive period, he added. However, a very considerable number of deaths occur earlier in life than is commonly supposed.

"We find, for example," said Dr. Dublin, "That under 25 years of age there are every year about 1,600 deaths from cancer, involving losses of \$38 million; between 25 and 35 close to 3,000 deaths, amounting to \$62 million; between 35 and 45 the deaths number 10,000, with losses of \$160 million, and so on up to 75, where we estimate that the money value—that is, the earning power—of the average man is no longer appreciable. The important thing to remember is that the total runs up to \$680 million.

"This is a considerable sum of money and represents a tenth of the total value of all iron and steel manufactured in the United States; it is as much as the total current income of the State of Louisiana."

"Dr. Dublin estimates that care and medicine cost \$1,000 a case. This means that the 110,000 cancer deaths last year involved a loss of \$110 million, which added to the \$680 million means practically \$800 million."

Sad to relate, practically every other civilized country is suffering as severely as our own from the worldwide cancer scourge. It is estimated that the deaths from cancer in the entire world now reach the grand total of three-fourths of a million a year.

And what is being done to check the advance of this all-devouring insatiate monster?

The best available figures indicate that the total governmental appropriations of the world to combat cancer now amount to only \$400,000 a year. That this sum is not only ridiculously inadequate but pitiable in the extreme no intelligent person will deny. In spite of cancer's ravages and the suffering it has wrought among the people of the United States, in spite of cancer's awful desolation which has reached almost every family in the land, to this moment our Government has never appropriated a dollar or even a cent to be used exclusively in warring against this hideous disease.

On the 4th day of February 1927, I introduced in the Senate the first bill that was ever offered in either House of Congress for the purpose of obtaining governmental assistance in solving the cancer problem. That bill proposed a reward of \$5 million to the first person who discovered a practical and successful cure for cancer. The great press associations generously carried the news of the introduction of that bill around the

world. Within a year after I introduced that measure I received almost 2,500 letters informing me that their writers possessed infallible cancer cures. These letters came from every country on the globe.

Let me read the following of these letters, which are fairly representative of all the rest:

DAYTON, OHIO, February 5, 1927.

DEAR SIR: In reading the paper, I saw a reward for the cure of a cancer. Not that I am after the money, but just to show you what the Lord will do, I am sending an anointed handkerchief, and if you will do as I tell you, you will be cured of that disease. Now, just lay it over the cancer in the name of Jesus, and it is healed if you will believe it. If this doesn't do you any good, it is because you have no faith.

Mrs. C. J.

SAND SPRINGS, OKLA., May 9, 1927.

Senator NEELY.

DEAR SIR: In reply to your ad in Capper's Weekly, I am sending you a cure for cancer, as follows:

External only: 10 grains arsenic, white of 1 egg, enough soot from wood stove to make a thick paste; apply twice a day on cancer.

Mrs. I. R.

WORCHESTER, C. P., SOUTH AFRICA.

DEAR SIR: In writing on an advertisement of our South African newspaper of March 1927, offering £1 million, for giving the best receipt for cancer, drink mixed herbs for working the cancer out of the body and blood. Take 1 ounce boggo, 2 ounces stoneflower, 2 ounces wild vineyard to a bottle of boiling water; let draw for 10 or 15 minutes; let set cold; take 3 times a tablespoonful a day. No meat or any salt fish may be taken when drinking this mixture. Also no strong drinks may be taken, such as wine and brandy.

For healing an open cancer wound take 2 ounces beeswax, 2 ounces castor oil, 4 or 6 ounces kraal bosch; fry together for 15 minutes; let cool; use 2 times a day. The wounds must be cleaned with warm water before using the salve.

Dear sir, my hope and longing are to receive a reply from you on this receipt.

Yours faithfully,

Mr. J. B. G.

Letters like the foregoing convinced me that the plan to offer a reward for a cancer cure set forth in my bill was imperfect, if not utterly futile.

My experience with the quacks who wrote to me only increased my sympathy for all the unfortunate cancer victims who fall into the hands of the countless charlatans of the country.

But burning with a desire to aid, if possible, in relieving humanity of the cancer curse and believing with Edmund Burke that even the attempt to render a great service to mankind would ennoble the flights of the highest genius and obtain pardon for the efforts of the meanest understanding.

I next sought the counsel and advice of some of those who are recognized as great authorities on cancer.

Dr. Joseph Bloodgood, of Johns Hopkins University, one of the greatest, if not the greatest, cancer surgeon in the world, and one of the most princely men I have ever had the good fortune to know, has, with a reckless disregard of his own precious time, conferred with me at length again and again and most generously given me his wise counsel and advice in my quest of means by which the Government could properly and effectually aid in solving the perplexing cancer problem.

Through Dr. Bloodgood's kindness, I was permitted to participate in a meeting in his home in Baltimore, at which the following eminent persons, besides my host, were present: Dr. J. B. Murphy, of the Rockefeller In-

stitute; Prof. Raymond Pearl; Drs. Roland Park, Thomas S. Cullen, Warren H. Lewis, Lewis H. Weed, William Mansfield Clark, James S. Ames, George A. Stewart; and Mr. Merrill Stout.

After an entire evening's deliberation and discussion, it was unanimously decided by those present that the best method of beginning the offensive against the aggressive and deadly cancer foe lay in the introduction of a bill to authorize the National Academy of Sciences to investigate the entire cancer subject and report to Congress in what manner the Federal Government could assist in coordinating all cancer research and in conquering this most mysterious and destructive disease. The National Academy of Sciences was selected as the proper organization to make the investigation for the reason that it is composed of the most eminent doctors, chemists, biologists, and other scientists in the country.

The meeting in question was mindful of the fact that in the year 1915, when the constantly recurring slides threatened to destroy the Panama Canal, the National Academy of Sciences had, at the request of the President, promptly solved that problem. It was further believed that those composing the National Academy of Sciences possessed in the aggregate more knowledge that might be useful in discovering a cancer cure than was possessed by any other organization.

Acting upon the unanimous recommendation of those who participated in the meeting in Dr. Bloodgood's home, I introduced Senate bill No. 3554, which authorizes the National Academy of Sciences to make the investigation and report described in the bill. An appropriation of \$100,000 was proposed to cover the actual necessary expenses of the work. The bill was referred to the Committee on Education and Labor, which has amended the measure by reducing the proposed appropriation from \$100,000 to \$75,000. With this amendment the bill was unanimously reported from the committee and placed on the Senate Calendar.

A single Member of the Senate has informed me that he opposes my bill in its present form for the reason that he believes that the United States Public Health Service should be authorized to participate in the proposed work. After familiarizing myself with the recent accomplishments of the Public Health Service and particularly after studying the remarkable achievements of Dr. J. W. Schereschewsky, of the Health Service, in experimenting with malignant tumors in mice and in successfully inoculating chickens with the Rous fowl sarcomas, and in a number of cases curing the artificially developed sarcomas by the action of "an intense electrostatic field, excited by high-frequency oscillations," I became convinced that the Public Health Service should aid in making the investigation and report proposed in my bill.

The work in cancer research recently done by the Public Health Service without any specific appropriation for the purpose is, or at least may be, of great value. And let it be observed in passing that the great Public Health Service has never been supplied sufficient appropriations to carry on the important work to which it is most industriously applying itself. For instance, for the current year the service is not given a dollar for the specific purpose of cancer research.

In order to provide that the work contemplated in my bill shall be done by the Public Health Service and the National Academy of Sciences jointly, I shall later offer certain amendments and ask that they be adopted by unanimous consent.

The only effect of the adoption of these amendments, will be to have the contemplated work done by the Academy of Sciences and Public Health Service jointly instead of by the National Academy of Sci-

ences alone, and reduce the proposed appropriation from \$75,000 to \$50,000.

Let me implore the Senate to pass this bill today and without a dissenting vote, to the end that the Congress may soon be informed how the Federal Government can assist in solving the cancer problem that is costing the United States almost \$800 million a year, destroying more than a hundred thousand lives a year, and inflicting more suffering and agony upon the American people than all the other diseases known to humanity.

During the last Congress we appropriated \$10 million to eradicate the corn borer. For the present fiscal year we appropriated for the investigation of tuberculosis and paratuberculosis in animals more than \$5 million; for meat inspection, more than \$2 million; for the improvement of cereals, more than \$700,000; for the investigation of insects affecting deciduous fruits, vineyards, and nuts, more than \$130,000. I favored and supported all of these appropriations and countless other appropriations of a similar nature.

But in view of our unequalled liberality in protecting our domestic animals against every sort of disease and pest, and in view of the vast expenditures we have made in protecting every species of food-yielding plant and tree, and in further view of the fact that the Government has never yet appropriated a dollar for the particular purpose of combating cancer, I beg, in the name of all the vast hosts of cancer victims living and dead, for an appropriation that will make it possible for the work of rescuing suffering and perishing humanity from this frightful scourge immediately to begin.

If you should ask what the Public Health Service and the National Academy of Sciences will be able to do with this awful problem, I should answer that, in detail, I do not pretend to know. But the indomitable spirit of Americanism that impelled Grant to say, "I propose to fight it out along this line"; Lawrence to say, "Don't give up the ship"; Hale to say, "I only regret that I have but one life to lose for my country"; Webster to say, "Nothing is impossible at Bunker Hill"; that matchless and magnificent American spirit, bold, unfettered, and unafraid, always exalted and glorified, by serving the suffering and the distressed, impel and enable these two great organizations to formulate a plan and suggest ways and means to eradicate cancer, the unspeakable horror of horrors, and to save humanity from the greatest tragedy since Calvary; from the greatest curse that has ever been visited upon the children of men.

I now ask unanimous consent for 5 minutes in which to perfect the amendments and pass this bill.

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

Mr. NEELY. I yield.

Mr. RANDELL. I want first to say that I have listened with very great interest to the unusually fine speech of the Senator from West Virginia. I think he has made a real contribution to a subject of the greatest national importance, and I sincerely hope the amendment which he proposes to introduce, which as I understand, will include the Public Health Service along with the Academy of Sciences, may be adopted.

I would like to state that the Committee on Commerce this morning authorized a favorable report on a bill which I had the honor to introduce, Senate bill 3391, to establish and operate a national institute of health, create a system of fellowships in said institute, and to authorize the Government to accept donations for use in ascertaining the cause, prevention, and cure of disease affecting human beings, and for other purposes. The Senator will note that the institute is not limited to any one disease, but takes in all the ills that flesh is

heir to. I am delighted to know that the Senator himself is striving so hard to overcome the very worst disease which we have in America today, the awful disease of cancer.

I did not hear the Senator mention a very interesting book I read the other day, entitled "The Chemistry of Health," by Professor Green, of Notre Dame University. Among other things, he says in this extremely interesting book, which I commend to all Senators who wish something fine, that cancer is a dietary disease; that it is caused almost entirely by improper diet and improper elimination. He calls attention to the fact that savage peoples do not have cancer; that it is a disease almost entirely of civilization; and that if we would pay proper attention to health we would avoid having this awful disease. I wish the Senator Godspeed in his splendid efforts.

Mr. SMOOT. Mr. President, I virtually agreed with a number of Senators that we would allow no legislation today. Will the Senator let this matter go until a little later in the day, toward the close of the session? I assure the Senator that I am in full sympathy with his proposal, and if I can assist him in passing the bill today or later, I shall do so.

Mr. NEELY. I thank the Senator, and withdraw my request for the present, but I shall vigorously renew it before the end of the day.

Before I take my seat I ask unanimous consent to insert in the RECORD an article from the Pathfinder, one of the greatest American periodicals, entitled "Cancer."

The PRESIDING OFFICER. Is there objection?

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

"[From the Pathfinder, of February 26, 1927]

"CANCER"

"Senator NEELY, of West Virginia, has introduced a bill in Congress which would authorize the Government to offer a \$5,000,000 prize for a cancer cure. In view of the fact that many monetary rewards—not to speak of the satisfaction in rendering a great service to mankind—already await the first person to demonstrate a successful cure, we are not prepared to say whether such a huge money consideration is advisable.

"The Cancer Research Society of Brooklyn, N. Y., has offered a \$100,000 prize for some time. A similar amount is posted by Lord Atholston, proprietor of the Montreal Star, and a \$50,000 reward has been put up by Sir William Veno, of Manchester, England, not to mention the annual Jung prize of \$500 for cancer research.

"However, we do unhesitatingly commend Mr. NEELY's desire to interest the Government more in combating this great scourge. He proposes to create a Federal commission to pass on the many claimed 'cures.' The commission would be made up of three eminent scientists, to be appointed by the President, who have enough public spirit to serve without pay. They would have the power to enlist the aid of one or more Government agencies in trying to solve the cancer problem.

"The Government has not given as much attention as it might to the physical ills of mankind. The public, too, has been somewhat indifferent. Mr. NEELY is disappointed that, since the introduction of his bill the three so-called great press associations have been so busy informing the country about a mechanical bull fight in New Jersey and other matters of similar importance that they have been unable to give more than passing notice to the matter involved in the proposed legislation. But this is natural.

"People have an aversion to harrowing things. That is why the cancer campaign launched at Washington in 1922, with the

British Ambassador as an active worker, received so little public support.

"However, the subject merits everyone's consideration. Cancer is a growing menace. Though radium and surgery are popular treatments, there is no proved cure. It has been said that nearly four times as many people died in this country from cancer during the period of the World War as were killed in battle abroad. And the toll is mounting. The cancer death rate grew from 74 per 100,000 in 1911 to 92 per 100,000 in 1924. In 1920 there were 89,000 deaths from the disease. The number last year will probably reach 100,000. There are over 300,000 known cancer patients in this country today. One fact is very apparent: The modern style of living contributes to the spread of the disease.

"Much has been written about cancer. Theories are many. Each physician seems to have his own pet ideas regarding cause and treatment. The Government could aid materially in collecting and studying this material. Only through such cooperation can a cure for this and other terrible diseases be found.

"There is no greater public duty than helping stamp out disease. But physicians as individuals haven't the time or the money to engage in the exhaustive research work that is necessary. The study of any disease, after all, is one of assembling facts. This service the Government is well qualified to perform. For that reason, we agree with Mr. NEELY that the United States should be as much a leader in health as in other things.

"It is not enough for our experts to announce that there is no known cure for cancer, and to denounce those who claim to help it. It is not enough to urge everybody who has a mole or a wart or any suspicious growth to have it cut out 'while there is time.' Thousands of poor sufferers have had repeated operations and have had everything done for them which medical science can suggest; they have sacrificed all their savings in the effort to secure relief—but the relief has not come.

"It is time that we should have action, and not simply reassuring words or treatments that do not secure results. People are afraid of the very word 'smallpox,' and yet smallpox claims only a very small percentage of the deaths that cancer does. Smallpox used to be one of the world's great scourges, and it carried off vast numbers of people. But it has been mastered.

"In the same way yellow fever, malaria, and many other ills have been conquered or brought under control. All these improvements have been brought about largely through the activities of the Government. We must not expect the Government to do everything for us—but the conservation of the public health is safely within the legitimate sphere. Let the good work go on."

Mr. NEELY subsequently said: Mr. President, I ask the indulgence of the Senate for just a moment in order to carry out an agreement I had with the Senator from Utah [Mr. Smoot] this morning. I ask that the Senate proceed to the consideration of the bill (S. 3554) to authorize the National Academy of Science to investigate the means and methods for affording Federal aid in discovering a cure for cancer, and for other purposes.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Education and Labor, with amendments, on page 1, line 7, after the word "practicable," to strike out "a plan for the participation of the Federal Government in eradicating cancer" and insert "the result of such investigation," and in section 2, page 2, line 8, after the

words "the sum of" to strike out "\$100,000" and insert "\$75,000."

Mr. NEELY. I move further to amend the bill.

On page 1, line 3, after the first words "That the," to insert "Public Health Service and the"; in the same line, to strike out "is" and insert "are"; in line 4, after the word "authorized," to insert "jointly"; on page 2, line 1, after the word "cancer," to insert "the result of such investigation"; in line 3, before the words "National Academy," to insert "Public Health Service or the"; in line 5, before the words "National Academy of Sciences," to insert "Public Health Service and the"; and in section 2, page 2, line 9, after the words "the sum of," to strike out "\$75,000" and insert "\$50,000"; in line 10, after the word "to," to strike out "reimburse the National Academy of Sciences for" and insert "defray the" before the word "expenses"; in line 12, after the word "appropriation," to insert "or so much thereof, as may be necessary"; in line 14, after the word "vouchers," to insert the word "jointly"; in line 15, before the word "President," to insert "Surgeon General of the Public Health Service and the"; and in the same line, after the word "President," to strike out "or other authorized officer," so as to make the bill read:

"Be it enacted, etc., That the Public Health Service and the National Academy of Sciences are hereby authorized jointly to make a thorough investigation of the means and methods whereby the Federal Government may aid in discovering a successful and practical cure for cancer, and to report to Congress as soon as practicable the result of such investigation. It shall be the duty of any executive department or independent establishment of the Government, upon the request of the Public Health Service or the National Academy of Sciences, approved by the President, to lend such assistance and cooperation as may be necessary to enable the Public Health Service and the National Academy of Sciences effectively to carry out the purposes of this act.

"Sec. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000 or so much thereof as may be necessary, to defray the expenses which may be incurred in carrying out the provisions of this act. Such appropriation, or so much thereof as may be necessary, shall be disbursed by the disbursing officer of the Treasury Department upon the presentation of vouchers jointly approved by the Surgeon General of the Public Health Service and the president of the National Academy of Sciences, and all expenditures from such appropriation shall be audited in the usual manner by the General Accounting Office."

The VICE PRESIDENT. Without objection, the amendments submitted by the Senator from West Virginia to the amendments of the committee will be agreed to, and the amendments of the committee as amended will be agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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 Public Health Service and the National Academy of Science jointly to investigate the means and methods for affording Federal aid in discovering a cure for cancer, and for other purposes."

Mr. O'MAHONEY. Another of Senator NEELY's addresses was published in 1946, under the title "Ascertainment of the Cause and Cure of Cancer." I ask

unanimous consent that it be printed at this point in the RECORD:

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

ASCERTAINMENT OF CAUSE AND CURE OF CANCER

(Originally printed as extension of remarks of Hon. CLAUDE PEPPER, of Florida, in the Senate of the United States, July 24, 1946)

Mr. PEPPER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement given before the Senate subcommittee which has been taking testimony on the proposed legislation relative to cancer. The statement was made by the Honorable MATTHEW M. NEELY, a Representative in Congress from the State of West Virginia, and a former distinguished Member of the Senate. His statement is in support of the bill dealing with cancer, of which he is the author in the House, and I am the author in the Senate. The bill authorizes \$100 million to be spent by the President, with certain limitations, in the effort to find the cause and cure of cancer. The statement Representative NEELY has made is a very moving one, and I am sure every Senator who reads it will profit from doing so.

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

"PROCEEDINGS

"Senator PEPPER (chairman of the subcommittee). The hearing will be resumed.

"Representative and former distinguished Senator from West Virginia, and coauthor of this bill, Hon. MATTHEW M. NEELY, has honored us by coming this morning, and we are going to give him an opportunity to make any statement that he will on this matter before proceeding with the other witnesses.

"STATEMENT OF HON. MATTHEW M. NEELY, A REPRESENTATIVE IN THE CONGRESS OF THE UNITED STATES FROM THE STATE OF WEST VIRGINIA

"Senator PEPPER. Senator NEELY, we are very glad to have you here; and again I want to say that this bill is a companion bill to the bill introduced in the House by Senator NEELY, and I am glad to be associated with him in this commendable endeavor.

"Mr. NEELY. Mr. Chairman and gentlemen of the committee, in the memorable language of one of your famous body's most famous orators and statesmen, Daniel Webster, let me at once emphatically declare that 'sink or swim, live or die, survive or perish, I give my hand and my heart' to Senate bill No. 1875, the object of which is to exterminate cancer—mankind's most aggressive, merciless, and agonizing foe.

"According to a classical Grecian myth, a monster known as the Sphinx, which was capable of propounding difficult riddles and of destroying all who failed in their attempts to solve them, voraciously preyed upon the people of Thebes until the rapidly dwindling population of that ancient city was threatened with annihilation. But a courageous, resourceful young hero named Oedipus averted the impending calamity. He, with drawn sword, advanced upon the Sphinx which imperiously warned him that he would forfeit his life if he did not correctly answer this enigma: 'What animal is that which has 4 feet at morning bright, has 2 at noon, and 3 at night?'

"Oedipus promptly and wisely responded: 'Man. In the morning of his life he travels on all fours, at noon he walks with two feet, which at night he supplements with a cane.'

"The solving of the riddle robbed the Sphinx of her extraordinary power and rendered her vulnerable. Thereupon Oedipus destroyed her and thus saved from extinction the remnant of the people of Thebes.

"As all the dwellers of the Grecian city were threatened by the Sphinx so all the people in the whole wide world are threatened by cancer, a loathsome scourge a thousand times more terrifying and deadly than a wilderness of monsters such as that which the son of Laius and Jocasta slew before the gates of Thebes. Startling facts corroborate this sweeping assertion, and clearly show that mankind is confronted with the dilemma of destroying cancer or being destroyed by it.

"A recent authority declares that in England and Wales the death rate from this scourge has increased more than 990 percent in less than a hundred years. Hoffman, a great American authority on the mortality from cancer, says, in his comprehensive work which was published in 1915, that its death rate in the United States doubled during the preceding 40 years. For half a century a similar rate of increase has prevailed throughout the world.

"In May 1928 I passed through the Senate the first bill for the exclusive purpose of obtaining governmental assistance in solving the cancer problem that was ever approved by either House of Congress. In that year cancer killed 100,558 of the people of the United States who were 40 years of age or older.

"In 1943, the last year for which relevant accurate data is available, cancer killed of the people of this country who had reached the age of 40 years or more 156,503. This was equivalent to an increase in the death rate of more than 55 percent in 15 years. In 1944 the total death toll from cancer in the United States was 171,171. In the year 1928 cancer caused a death in this country, on the average, every 5 minutes and 30 seconds. In 1944 every time the clock ticked away 3 minutes and 4 seconds cancer sent someone's father, mother, brother, sister, husband, wife, or child in unspeakable agony from the joyous land of the living into the voiceless land of the dead.

"Medical science has conquered yellow fever, diphtheria, typhoid, smallpox, and many other dire afflictions. Medical science has even robbed leprosy and tuberculosis of their terrors. But in spite of all that physicians, surgeons, chemists, biologists, and all other scientists have amazingly accomplished, cancer is still the unconquered, unconquerable, and defiant foe of the human race. Radium, X-ray and the surgeon's knife are the only generally approved means of combating this frightful destroyer. Every passing year adds to the demonstrations that cancer cannot be eradicated by these or any other means now known, and that it is impossible, with available funds, existing facilities and present methods, either to check the persistent acceleration of cancer's terrifying encroachment or stay the progressive increase of its horrifying destruction in this or any other land.

"For generations the world has been waging war against cancer with bows and arrows and other primitive weapons of the Stone Age. In this life-and-death struggle no country has yet supplied its scientists with sufficient funds to enable them to advance even to the age of the flintlock musket. And while we persist in feebly combating cancer in the manner approved in our grandmothers' days, the insatiable monster, cancer, continues to laugh at our calamity and mock at our fear when it cometh as desolation. Statistics as unerring as Holy Writ demonstrate that every nation is traveling a cancer road that leads straight to the sepulcher of the human race.

"The time is ripe, and rotten-ripe for change;

Then let it come: I have no dread of what Is called for by the instinct of mankind."

"The enactment of the bill before you will enable a host of eager scientists, who have long been handicapped by a lack of funds, to exchange their useless bows and arrows for weapons as modern as this afternoon, and with them proceed to win victories in keeping with the general, hopeful, prayerful expectations of the atomic age that has burst upon the world.

"It is a most distressing fact that the deadliest types of cancer in their later stages inflict upon their wretched victims torture more excruciating than any other known to man. And it is impossible, without fatal consequences, to administer anesthetics to these pitiful sufferers in sufficient quantities to render them oblivious to their agony.

"Had the famous but brutal artist Parrhasius beheld the heart-rending suffering of an expiring victim of cancer, he would have had no reason to tear open the wounds of a dying captive soldier in order to obtain sufficient inspiration to impel him to portray an extraordinary expression of agony, or cry out in ecstasy:

"How fearfully he stifles that short moan
Gods! If I could but paint a dying groan."

"According to reliable experts, cancer has already branded 17 million of our living for its future victims. If the United States were in the regular shape of a parallelogram, its entire borderline would be approximately 7,000 miles long, and if the 17 million branded for death are of the average height and should be eventually buried in a single grave side by side, in a double line, that grave would be long enough to extend entirely around this 7,000-mile border of the country and for an additional distance as great as that from New York City to Baltimore.

"During the Second World War the Nazis and the Japanese killed 273,000 of our service men and women. But during the three war years cancer killed of our people 501,019—nearly twice as many as our warring enemies, armed with the most deadly of modern weapons, were able to destroy in the same length of time.

"The appropriation authorized by the bill is insignificant in comparison with the transcendent importance of discovering means of curing and preventing cancer. The atomic bomb cost us \$2 billion. The cost of our participation in the recent war was at the average rate of \$221,043,000 a day. And please bear in mind that this expenditure was made to defeat a foe whose power of destruction was only a little more than half as great as that of cancer. The entire appropriation sought by the bill is \$10 million less than half a day's cost of our participation in the last World War.

"The amount of the appropriation should be contrasted with the enormous loss which the American people will continue to suffer until a cure for cancer is found. Dr. Louis I. Dublin, noted statistician for the Metropolitan Life Insurance Co., pointed out in 1928 that in the preceding year cancer lost the people of the United States \$800 million. According to the doctor, the average necessary cost of medicine and care for each patient who dies of this frightful affliction is at least a thousand dollars. Upon this basis, in 1944 cancer cost the people of the United States, for care and medicine alone, \$171,171,000; and when the estimated economic value of those destroyed is added to the foregoing, it appears that the people of this country in 1944 suffered a total loss from cancer of more than \$1,229,000,000. The loss for 1945 has not yet been accurately ascertained, but it is known to be much greater than it was in 1944.

"Mr. Chairman, it is my hope that the committee will make the following brief amendments to the bill: Insert after the word 'place' on page 1 the words 'or places'; and on page 2 at the proper place insert 'this appropriation shall be available until ex-

ended.' To all importunities for crippling or restrictive amendments such as that of providing that the appropriation shall be channeled through particular agencies or organizations, I entreat you to turn deaf ears.

"The proponent of the bill, the distinguished Senator Pepper, is obviously alive to the impossibility of solving the cancer problem by any means now known and also to the fact that the only hope of finding a cancer preventive or cure lies in new thought, new methods, and new experiments as revolutionary as those that produced the atomic bomb.

"The bill, if enacted in its present form, will enable the President to seek the co-operation of the most preeminent scientists of the earth such, for example, as Dr. Einstein, those who solved the problem of utilizing atomic energy, members of the National Academy of Science, and outstanding experts from the great institutions of learning and investigation of the United States, England, Russia, France, Germany, and all other countries of the world in which any who are apparently capable of helping to speed humanity's victory over cancer may be found.

"Let nothing be written into the bill that will prevent the President and this mobilized army of scientists from determining how and when and where the requested appropriation can be best expended in order to assure the highest probability of success in this the greatest venture ever launched by the Congress or any other legislative body in behalf of the alleviation of the suffering of mankind.

"Let every cherished soldier in this mighty army of beneficent service to the cancer-stricken millions of the world be free to proceed in accordance with his own judgment to help achieve the high and holy purposes of the bill; and let every soldier who advances against the relentless, bloodthirsty cancer foe find impelling inspiration in the stirring supplication of Dr. Oliver Wendell Holmes:

"Build thee more stately mansions, O my soul.
As the swift seasons roll.
Leave thy low-vaulted past.
Let each new temple, nobler than the last,
Shut thee from heaven with a dome more vast,
Till thou at length art free,
Leaving thine outgrown shell by life's unresting sea."

"Mr. Chairman and gentlemen of the committee, I sincerely thank you again and again for having most generously permitted me to address you in behalf of the supremely important measure before you."

Senator PEPPER. Thank you, Senator. I wish that everyone could have heard what you have said.

Mr. O'MAHONEY. Another address by Senator NEELY was entitled "Address in Behalf of Federal Aid in the War Against Cancer," and was delivered by him in the House of Representatives on August 1, 1946.

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

ADDRESS IN BEHALF OF FEDERAL AID IN THE WAR AGAINST CANCER, DELIVERED IN THE HOUSE OF REPRESENTATIVES AUGUST 1, 1946

Mr. Speaker, the immortal Dante, with great consternation, saw above the portal to the inferno the melancholy inscription: "Abandon hope all ye who enter here."

Last Saturday, when 104 Republican Members of this body, with the aid of 35 Democrats, killed House bill 4502 to authorize the appropriation of \$100 million to finance the finding of a cure for cancer, they, in effect, wrote a similar legend of despair over every

entrance to the horror chambers in which 175,000 of the people of the United States will die of this frightful scourge during the next 12 months.

The bill was the only one which proposed the launching of a campaign of extermination against cancer that had been favorably reported to the House by any of its committees. Therefore, it was the only measure that offered a ray of hope to the victims of this dire disease that the House had a chance to pass during the closing days of this session of the Congress. Everyone who voted against the bill did so with the knowledge that he was rejecting the last opportunity of the year to throw out the governmental lifeline to this country's agonized victims of cancer, who are dying at the shocking rate of 20 every hour.

If the foes of the bill rendered a public service by slaughtering it, their constituents should be fully informed of the accomplishment so that they may reward their Congressmen by reelecting them in November with increased majorities. On the other hand, if the killing of the bill were a disservice to the Nation and the world, the constituents of the executioners should be informed of that fact so that they may take appropriate steps to prevent future disservice in matters pertaining to governmental action against the cancer scourge.

In order that the people may judge for themselves whether their Congressmen satisfactorily represented them last Saturday by voting for or against the appropriation of Federal funds with which to combat the world's most dreaded affliction, I proceed to identify those who loyally supported the bill and also those who enthusiastically put it to death. The following, whose names—except my own—appear to me to constitute a roll of honor, vigorously and faithfully supported this important measure:

Andrews of Alabama, Andrews of New York, Biemiller, Bloom, Bolton, Brown of Georgia, Buchanan, Byrne of New York, Camp, Canfield, Cannon of Missouri, Carnahan, Chelf, Chipperfield, Clason, Cox, Crosser, Cunningham, D'Alesandro, De Lacy, D'Ewart, Dingell, Dirksen, Douglas of California, Douglas of Illinois, Doyle, Eberhart, Elliot, Engle of California, Fallon, Feighan, Fernandez, Flannagan, Flood, Folger, Forand, Fulton, Gamble, Gardner, Gearhart, Geelan, Gerlach, Gordon, Gore, Gorski, Granger, Grant of Alabama, Hagen, Leonard W. Hall, Harless of Arizona, Havenner, Hays, Healy, Hedrick, Henry, Hoch, Hook, Huber, Hull, Jackson, Jarman, Johnson of Indiana, Jonkman, Kearney, Kee, Kelley of Pennsylvania, King, Kirwin, Kopplemann, LaFollette, Lesinski, Link, McCormack, Madden, Manasco, Monroney, Morrison, Mundt, Murdock, Murray of Wisconsin, Neely, O'Brien of Illinois, O'Brien of Michigan, O'Neal, Outland, Pace, Patman, Peterson of Florida, Pittenger, Poage, Price of Florida, Price of Illinois, Rabaut, Rains, Randolph, Rankin, Resa, Riley, Roe of Maryland, Rogers of Massachusetts, Rowan, Sabath, Sadowski, Sasser, Savage, Sheppard, Sikes, Simpson of Pennsylvania, Spence, Starkey, Stevenson, Stigler, Sullivan, Sundstrom, Thomas of Texas, Thomason, Trimble, Voorhis of California, Wadsworth, Walter, Weaver, White, Wolcott, Woodhouse, Worley, Zimmerman.

Of those just named, the following earnestly and eloquently appealed to the House to pass the bill: The lady from California, Mrs. Douglas; the lady from Massachusetts, Mrs. Rogers; the gentleman from Illinois, Mr. Dirksen; the gentleman from Minnesota, Mr. Pittenger; the gentleman from New Jersey, Mr. Canfield; and the gentleman from Oklahoma, Mr. Monroney.

Your attention is now invited to the names of those who defeated the proposal to invest in an extraordinary undertaking to solve the cancer problem and rescue mankind from

cancer's frightful curse the sum of \$100 million—less than half the cost of our participation for a single day in the Second World War—the war in which all our enemies in 3 years of fighting killed only half as many of our people as were killed by cancer during the same time:

Abernethy, Allen of Illinois, H. Carl Andersen, August H. Andresen, Angell, Arends, Arnold, Auchincloss, Barden, Barrett of Wyoming, Bell, Bennett of Missouri, Bishop, Bonner, Brehm, Brown of Ohio, Buck, Bulwinkle, Byrnes of Wisconsin, Campbell, Case of New Jersey, Chapman, Chenoweth, Church, Clark, Clevenger, Cole of Missouri, Colmer, Cooley, Corbett, Curtis, Davis, Dondero, Doughton of North Carolina, Drewry, Durham, Dworshak, Ellis, Ellsworth, Ervin, Fenton, Fisher, Gavin, Gibson, Gifford, Gillette, Gillie, Goodwin, Graham, Grant of Indiana, Gregory, Griffiths, Gross, Gwynne of Iowa, Hale, Hancock, Hand, Harness of Indiana, Harris, Herter, Heselton, Hinshaw, Hobbs, Hoeven, Hoffman of Michigan, Holmes of Massachusetts, Holmes of Washington, Hope, Horan, Howell, Jenkins, Jensen, Johnson of Illinois, Jones; Kelly of Illinois, Knutson, Kunkel, Lanham, Larcade, Lea, LeCompte, LeFevre, Lemke, Lewis, Lyle, McConnell, McDonough, McGregor, McMillen of Illinois, Martin of Iowa, Martin of Massachusetts, Mason, Mathews, Michener, Miller of Nebraska, Mills, Norblad, Norrell, O'Hara, Phillips, Pickett, Plumley, Pratt, Ramey, Reed of Illinois, Reed of New York, Rich, Rizley, Robertson of North Dakota, Rodgers of Pennsylvania, Rogers of Florida, Schwabe of Missouri, Schwabe of Oklahoma, Scrivner, Sharp, Simpson of Illinois, Smith of Ohio, Smith of Virginia, Smith of Wisconsin, Springer, Stefan, Stockman, Sumner of Illinois, Summers of Texas, Taber, Talbot, Talle, Thom, Tibbott, Vorys of Ohio, Vursell, Welch, Whitten, Whittington, Wigglesworth, Wilson, Winstead, Wolverton of New Jersey, Woodruff.

Of the foregoing, the honorable Republican doctor, the gentleman from Ohio [Mr. Smith] and another honorable Republican doctor, the gentleman from Minnesota [Mr. Judd] who failed to vote but was paired against the bill, and the honorable gentleman from North Carolina, Major Bulwinkle, constituted a trio of oratorical bombardiers who, with the zeal of the famous Three Musketeers, attacked the bill with every oral weapon at their command.

The bill and a few excerpts from the stirring, logical argumentation of these honorable and zealous Republican doctors and the honorable and gallant major from North Carolina appear to be relevant for inclusion at this point:

The bill is as follows:

"Be it enacted * * * That the President is hereby authorized and requested to undertake * * * to mobilize at some convenient places in the United States an adequate number of the world's outstanding experts, and coordinate and utilize their services through an independent group appointed by him in a supreme endeavor to discover means of curing and preventing cancer; and to take any additional action that he may consider necessary or proper to achieve the desired result. * * *

"The sum of \$100 million is hereby authorized to be appropriated to enable the President to carry out the provisions of this act."

The honorable gentleman and medicine man from Minnesota, Mr. Judd, in his fervent appeal to the House to kill the cancer cure and prevention bill, said, among many other things:

"Look at the text of the bill. * * * Just what does 'adequate' mean?"

Any 6-year-old American child with a 10-cent dictionary could have enlightened the honorable gentleman on this point by explaining that "adequate number" in this

case obviously means a number sufficient to effectuate the purposes of the bill.

Again the honorable gentleman said:

"In my judgment, everything that can or will be done under this bill can be done a great deal better under the cancer-research program that is already well established and functioning."

The program to which the gentleman refers is the one under the execution of which tortured cancer victims are dying in the United States at the rate of one every 3 minutes of every day in the year. Sad indeed is the realization that this death rate is constantly increasing in this and every other land.

Again the honorable doctor from Minnesota says:

"Now, in this bill we propose to * * * set up a new outfit to be controlled and operated by God only knows whom and in what manner nobody can predict."

Those who read the simple language of the measure will have no difficulty in understanding that those who would have originated and directed the action against cancer, if members like the distinguished doctor had not defeated the bill, would have been the world's outstanding medical experts and other scientists whom the President would have mobilized, and the efforts of whom he would have coordinated for the sole purpose of finding a cure and preventive of cancer.

The honorable doctor, Mr. Judd, further said:

"Here we do not have the slightest idea of what we are doing. I beg of you, my colleagues, that you do not * * * vote for a bill which, in my judgment, is more likely to harm than to help."

Apparently the sum total of the meaning of the language just quoted is that the gentleman from Minnesota would rather cancer to continue its merciless destruction than for the Government to expend \$100 million in a bold undertaking to save the lives of the 500,000 in the United States who now have cancer and the lives of 17 million others now living, who, if present methods of treatment alone prevail, are doomed to die of this hideous disease in days to come.

The honorable doctor and gentleman from Ohio, Mr. Smith, in the course of his withering verbal assault, said:

"I have made a special study of cancer, and studied under some of the masters in the field of cancer research * * * I cannot understand why a bill like this was written in the first place."

"Let us not legislate in this emotional atmosphere. I am afraid if the Congress stays in session a little while longer somebody is going to have a bill up here to prevent sin."

Let the innumerable sufferers from cancer—particularly those in the honorable doctor's district—determine how much they owe the distinguished gentleman from Ohio for his amazingly constructive criticism of the bill designed to speed the discovery of a cure and preventive of the world's most terrifying affliction.

The honorable doctor and gentleman, Mr. Smith, on a later occasion, said in an address to the House concerning the appropriation which the bill proposed:

"My judgment is that if the \$100 million had been voted it would have been spent for boondoggling, just as so much of the money which Congress appropriates is spent. The Treasury of the United States has become a veritable haven for almost every conceivable kind of racketeer."

Thus the gentleman adds to what he had previously said in opposition to the bill the unmistakable implication, if not the direct assertion, that he considers anyone a racketeer who endeavors to obtain from the Government financial aid for those who are desperately striving to conquer cancer. I ap-

peal from the honorable doctor who uttered this astounding implication to his cancer-scourged constituents, who probably prefer at least a hope of relief from their agony to meaningless vaporings about boondoggling and racketeers.

After hearing the honorable Republican medicine man from Minnesota and the equally honorable medicine man from Ohio deliver their philippics against the bill, I was able to appreciate more than ever before the following scripture, which appears in the 16th chapter of II Chronicles:

"And Asa in the thirty and ninth year of his reign was diseased in his feet, until his disease was exceedingly great; yet in his disease he sought not to the Lord, but to the physicians."

"And Asa slept with his fathers * * *"

"And they buried him in his own sepulcher, which he had made for himself in the city of David."

The remarks of these distinguished doctors also enabled me better to understand why one of the most famous Americans who ever practiced their profession sounded the following warning against certain rare types of medicine men. Said the eminent Dr. Oliver Wendell Holmes:

"Medicine learned from a Jesuit how to cure ague, from a friar how to cut for the stone, from a soldier how to treat gout, from a sailor how to keep off scurvy, from a postmaster how to sound the eustachian tube, from a dairymaid how to prevent smallpox, and from an old market woman how to catch the itch insect."

"My sentiment is long life, green old age, and innumerable blessings for all the profound, proficient, and progressive of the great medical profession, for which I have unlimited respect. And may a merciful providence protect suffering humanity from the few of that profession who are as blind as bats, as deaf as adders, and as dumb as dead dinosaurs to the crying necessity for discovering better means than their grandmothers knew for the alleviation of the afflictions of mankind."

Let us next note the contribution made by the honorable gentleman and gallant major from North Carolina [Mr. Bulwinkle] to the proposal that the Federal Government devote \$100 million to the undertaking to find a cancer preventive and cure. He said, among other things:

"I am speaking to you about a subject which is dear to my heart. One of my relatives died of cancer. * * * But heaven knows, I am not getting to the point of dumping \$100 million into somebody's lap and raising false hopes among the people of this Nation. * * *

"I say to you that you have everything under existing law that is necessary for research in connection with this dread disease."

The untold thousands of cancer victims who know that there is no institution, agency, or doctor on earth capable of healing them are thus assured by the distinguished major that they "have everything under existing law that is necessary for research in connection with this dread disease."

The honorable major concluded his constructive remarks against the bill, which is as vital as life to an innumerable throng of sufferers from cancer, with the following appeal:

"I ask you to vote down the motion to suspend the rules."

And the "voting down" of this motion, for which the gallant major and 138 other Members of the House are exclusively responsible, sounded the death knell for this session of the Congress for the measure which, if enacted, would have provided \$100 million with which to fight the deadliest foe to man that stalks the world today.

Against the oratorical opposition of the two honorable doctors and the honorable major mentioned and also against the entire 139 votes with which the Members of the House killed the bill, I gratefully array the following renowned ones, many of whom are among the leading cancer experts of the world. It should be noted that practically all those whose names follow, vigorously endorse the bill or its identical companion, which the famous Senator Claude Pepper introduced in the Senate:

"We are strongly for this appropriation." (Mr. Albert D. Lasker, New York member, executive committee, American Cancer Society.)

"I strongly favor the proposed bill, S. 1875, which, as before noted, is identical with the House bill under consideration, and urge you gentlemen to report it favorably * * * and not to put in any amendment." (Dr. Daniel Laszlo, division of neoplastic diseases, Montefiore Hospital, New York.)

"I am unequivocally in favor of the \$100 million appropriation as an absolute and unrestricted minimum fund for this purpose to be set aside until spent." (Mr. Julius Perlmutter, chairman, Sponsors of Government Action Against Cancer, New York.)

"I suggest that the bill as proposed by yourself, Senator Pepper, and Senator NEELY be passed in its present form." (Dr. Harold P. Rusch, director, McArdle Medical Laboratory, University of Wisconsin, Madison, Wis.)

"I wish to congratulate you, Senator Pepper, on the bill. * * * I endorse it wholeheartedly." (Dr. George Mile, Gotham Hospital, New York.)

"I am heartily in favor of the legislation. I feel that it will be the means by which thousands and possibly millions of people will be saved from suffering and untimely death." (Dr. Carl Beck, Chicago, Ill.)

"I speak with great feeling in behalf of the officers and board of directors of the Cancer Research Foundation of California. They have authorized me and requested me to state unequivocally that they are behind this bill and desire its passage at this session of Congress." (Dr. Harry B. Friedgood, president and director of research, Cancer Research Foundation of California, Los Angeles.)

"I wholeheartedly endorse Governor NEELY's bill, H. R. 4502." (Dr. Sherwood Moore, Barnes Hospital, and professor of radiology at Washington University Medical School, St. Louis.)

"The principles incorporated in S. 1875 which makes available Federal funds for cancer research should be endorsed." (Dr. C. P. Rhoads, Memorial Hospital, New York.)

"I welcome the opportunity to appear in support of the cancer research bill, S. 1875. * * * The present bill has my fullest recommendation." (Dr. Halsey J. Bagg, director, Bagg Research Laboratory, Yorktown Heights, N. Y.)

"I am in favor of a bill such as the Neely-Pepper cancer bill. * * * I favor the appointment by the President of a new and independent commission representative of all interested groups and individuals to plan such an undertaking and to its completion. I also favor that the bill be reported out quickly and favorably." (Dr. Maurice Bernstein, Beverly Hills, Calif.)

"The Pepper-Neely bill should be considered virtually in the light of a flood-control measure for the preservation of national life and property. * * * My own recommendation is that as great latitude as possible be placed in the hands of the President himself." (Dr. Simon L. Ruskin, New York.)

"I favor the enactment of the bill in its present form without complicating amendments." (Dr. Anna Goldfeder, New York University.)

"I am heart and soul behind your bill and wish to do everything possible to encourage its passage." Dr. Louis H. Seagrave,

director, Cancer Research, Foundation of California, Los Angeles.)

"The bill should be reported as quickly as possible because cancer does not defer its deadly effects." (Dr. Henry K. Wachtel, Fordham University.)

"This bill should be reported out quickly, favorably and unanimously, if possible without complicating amendments, so that adequate support for research on cancer throughout the country will become available soon." (Dr. John H. Lawrence, University of California.)

"Immediate favorable action is a must." (Dr. Joseph A. Smigel, New York.)

"I favor the Pepper-Neely cancer research bill." (Dr. Bertram V. A. Law Beer, associate professor of radiology, University of California Medical School, San Francisco, Calif.)

"Two-hundred-thousand Catholic Daughters of America are heartily in accord with the Pepper-Neely bill." (Mary C. Duffy, supreme regent, Catholic Daughters of America, national convention headquarters, St. Louis, Mo.)

"This bill presents a challenge. * * * We owe it to ourselves and to all other human beings to meet our obligations in the premises." (James B. Carey, secretary-treasurer, CIO.)

"I cannot see how anyone can conscientiously oppose this bill." (Hon. Fiorello H. LaGuardia, former mayor of New York.)

"We request that your committee report out the bill favorably as quickly as possible without any complicating amendments." (John L. Lewis, president, United Mine Workers of America.)

"Please put me on record as urging adoption of Pepper-Neely bill." (Hon. James A. Farley, former Postmaster General.)

"The National Association for the Advancement of Colored People heartily endorse * * * the Pepper-Neely cancer control bill, and urges its speedy enactment into law." (Leslie S. Perry, National Association for the Advancement of Colored People.)

"If the analysis I have presented * * * is even roughly correct, one is compelled by simple logic to look for its (the cancer problem's) solution in the direction indicated by the Neely-Pepper bill." (Dr. John Rehner, Jr., chemist, research on high polymer molecules for the Standard Oil Development Co.)

"I * * * go on record as being strongly in favor of Government action against cancer, believing that an increase in cancer research will hasten the discovery of a cure." (Dr. Howard Curtis, professor of physiology, College of Physicians and Surgeons, Columbia University.)

"I think this bill, is one of the most encouraging expressions of intelligent democracy. I hope that it gets the full approval of Congress." (Raymond Gram Swing, internationally known radio news commentator.)

"We urge favorable consideration of the Pepper-Neely bill." (A. E. Stevenson, secretary, Cleveland Industrial Union Council.)

"I favor the enactment of the bill in its present simple form without complicating amendments." (Lady Margaret Armstrong, president, Ladies of Catholic Charities, New York.)

"It is my hope that the bill will be reported out quickly, favorably, and unanimously. Every day we waste we kill half a thousand of our citizens." (Dr. Arthur B. Pardee, California Institute of Technology, Pasadena, Calif.)

The impropriety of further prolonging this address admonishes me to refrain from inserting enthusiastic endorsements of the bill from a cloud of other nationally famous men and women. Nevertheless, attention is invited to the fact that the Committee on Foreign Affairs, the membership of which includes some of the ablest Members of the

House, favorably reported this measure without a single dissenting vote. It should also be noted that according to a recent Gallup poll 87 percent of the people of the United States favor the passage of the bill; and 72 percent of them would favor its enactment even if it called for double the appropriation of \$100 million which it was designed to obtain.

Manifestly, the American people, in their thinking about the horrifying cancer curse and their desire for prompt and effectual governmental action against it, are far in advance of the 139 Members of the House who killed the cancer cure and prevention bill. They are also far ahead of these Members of the Congress in their realization that Federal aid to the war against this scourge must not be administered by some existing agency that is already overburdened with duties pertaining to every physical and mental disability known to the medical profession.

The people generally are so thoroughly informed of the fact that no agency or institution of any kind in this or any other country have been able even to check the persistent, progressive increase in the death rate from cancer that they are not likely to be misled by the clamor of the comparatively few but exceeding aggressive enemies of the bill in favor of having some department or agency that has long and completely failed to find a cancer cure entrusted with the expenditure of any unusual appropriations that may be made for the purpose of exterminating the king of all the frightful killers of men.

The people realize that the insatiable cancer monster is extending its horrifying encroachment upon the human race not only every day, and every hour but with every beat of the human heart. It is not losing. It is winning in every battle on earth that man is fighting against it. In the 5-year period from 1940 to 1945 there was an increase of 17,000 in the death rate from cancer in the United States. The deaths due to this increase alone exceeded the total number of deaths caused in this country in 1943 by any of the following afflictions: Diseases of the blood, intestinal ulcers, senility, influenza, syphilis, or cirrhosis of the liver.

The present worldwide death rate from cancer is so terrifying that it should impel all thoughtful human beings to take up arms immediately and fight to the finish the fiendish cancer foe. It devours some living human being every 12 seconds; it devours 5 every minute; 300 every hour, 7,200 every day in the year.

In the circumstances how can anyone doubt the necessity for setting up some new agency to solve the perplexing, staggering problem of cancer extermination? Our Government had thousands of agencies planning and conducting its activity during the Second World War. But it found it absolutely necessary to establish the entirely new one, known as the Manhattan Project, in order to solve the problems of utilizing atomic energy and making the two atomic bombs which in a matter of hours compelled Japan to surrender unconditionally to the United States.

Let us exercise our commonsense and learn a lesson from the thrilling chapter which our country has contributed to the history of the world. Let us emulate the example set by the immortal Franklin Roosevelt and the eminent Winston Churchill in mobilizing the experts of two hemispheres and through their united efforts solving the problem of making the atomic bombs which cost us \$2 billion. Let us similarly mobilize the experts of the world for united, concentrated action on the single problem of finding a cure for cancer. And let us place at the disposal of these assembled experts an initial appropriation of at least \$100 million with which to destroy a foe that has

proved itself to be twice as deadly and dangerous as all the bloodthirsty minions who, at the commands of the infamous Hitler and Hirohito, waged war against the world.

Let me most deferentially and earnestly urge the people of the United States to make the question of providing adequate Federal aid with which to exterminate cancer a paramount issue in the approaching campaign. Let me with equal deference and earnestness appeal to the voters to endeavor to obtain from their candidates for Congress pledges that, in the event of their election, they will support the granting of adequate Federal aid to make this Nation cancer-free. It is my heartfelt hope that any Congressional candidate of any political party who evades this issue or refuses to commit himself or herself to the support of such Federal aid will, for the sake of suffering humanity, be defeated by an overwhelming majority.

Ladies and gentlemen of the House who supported the cancer bill, we have lost our first battle. But let us not be discouraged. Our cause is as holy as the Master's command to heal the sick and cast out devils. It may be necessary for us to do the second of these in order to accomplish the first. But, regardless of difficulties, we shall eventually win, because—

"However the battle is ended,
Though proudly the victor comes
With fluttering flags and prancing nags
And echoing roll of drums,
Still truth proclaims this motto
In letters of living light—
No question is ever settled
Until it is settled right."

With emaciated hands, distracted minds, tortured bodies, and heart-rending voices, millions of the world's cancer victims are frantically and pathetically crying out to the Members of the Congress, "Save us or we perish."

Merciful Providence, help us to respond to this appeal in a manner that will deserve Thy blessing and free from the most frightful curse that has ever descended upon the world millions of those who were made in Thy image and whose agony was never exceeded, except by that of Thy sinless Son who died upon the cross.

THE CALENDAR

The PRESIDING OFFICER. (Mr. McNAMARA in the chair). The eulogies of the late Senator Neely and the late Senator Scott having been completed, the Senate under its previous order, will now proceed to the consideration of the bills and other measures on the calendar, beginning with Calendar No. 2029.

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

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

ORDER OF BUSINESS

Mr. WILEY. Mr. President—

The PRESIDING OFFICER. (Mr. ALLOTT in the chair.) The Senator from Wisconsin.

The Chair advises the Senator from Wisconsin that he must request unanimous consent to speak at this time.

Mr. WILEY. I think we need a loud-speaking system. I cannot hear the Presiding Officer.

The PRESIDING OFFICER. The Chair advises the Senator from Wisconsin that he must request unanimous consent to speak at this time, unless he is speaking on a bill, because under the unanimous consent agreement, a call of the calendar is now the order of business.

Mr. WILEY. I understood there was no bill before the Senate.

The PRESIDING OFFICER. That is the reason the Senator cannot speak.

Mr. WILEY. Then, Mr. President, I ask unanimous consent to speak. I have heard of dictators before, but this is the best yet. I ask unanimous consent that I may speak.

Mr. CLARK. Mr. President, reserving the right to object, and I shall not object—

Mr. WILEY. I thank the Senator.

Mr. CLARK. Since the call of the calendar has been ordered, how long does the distinguished Senator intend to speak?

Mr. WILEY. If the Senator will permit me to have 60 seconds, that will be enough.

Mr. CLARK. I am happy to do so. I was afraid my friend was going to request 60 minutes.

Mr. WILEY. I will say that I was present at 10 o'clock this morning, and I stayed around when some of my colleagues were speaking. I have come back several times since, but now is the first time I have something to say I want to say.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

NEED FOR ESTABLISHING A PRESIDENTIAL COUNTRY LIFE COMMISSION

Mr. WILEY. Mr. President, currently, as we know, there is pending before the Senate Agriculture and Forestry Committee a bill, S. 3596, to establish a Commission on Country Life. The purpose of the Commission is to first, assemble facts to give a comprehensive picture of the major trends in country community life; second, identify major gaps between the problems of rural residents and the means to handle their problems; third, evaluate the impact of technological developments on country life; fourth, assess the effect of the social and economic changes on farm living; and fifth, develop a set of principles and guidelines to serve as a basis for improved country living in the years ahead.

I am pleased that the House version of this proposal for a Country Life Commission, H. R. 11844, has been favorably reported by a subcommittee of the House Agriculture Committee. I would respectfully urge that the Senate Committee also speedily and favorably consider this meritorious legislation.

In view of the fact that our farmers are facing severely difficult problems these days, I believe that it is certainly pertinent that a constructive effort be

made to establish an improved long-range program to brighten the outlook for our farm people.

TREND TOWARD FEWER FARMS

As we know, the trend in the Nation is toward fewer, but bigger, farms.

In Wisconsin, for example, I point out the following facts: In 1935, our State contained 200,000 farms. The average size was 117 acres. Each farm had about 11 cows, with an output of approximately 5,380 pounds per cow annually.

By 1955, our Badger State was down to approximately 154,000 farms, averaging 147 acres each. The number of cows per farm increased to 18, with an output of 7,160 pounds of milk for each cow.

According to reports, we now have about 135,000 farms. The fact is, too, that in addition to working this land, about 35 percent of the farmers have part-time, urban jobs.

According to predictions, the number of farms will be down to 110,000 by 1975, representing a decline of 90,000 farms in 40 years.

As we all appreciate, this trend has important significance, not only for agriculture itself, but for the many, many farm folks affected by this disappearance of the small, family farm.

I want to stress that the proposed legislation to establish a Presidential Country Life Commission has received warm endorsement from agricultural organizations and marketing associations, religious groups of many faiths, economists, rural psychologists, educators, and many others interested in broad long-range research programs for coping with the trends in agriculture.

It will be recalled that over 3 months ago I urged action on this meritorious legislation. This bill, I believe, should not be allowed to die. Thus, I again respectfully urge approval of the measure prior to adjournment.

Recently, I received a resolution adopted by the Wisconsin Council of Agriculture Cooperative endorsing the objectives of the Presidential Country Life Commission. This resolution was kindly forwarded to me by the able executive secretary of the council, Mr. Milo Swanton. I request unanimous consent that this resolution be printed at this point in the RECORD.

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

PRESIDENTIAL COUNTRY LIFE COMMISSION—
RESOLUTION ADOPTED NOVEMBER 1, 1957, by
THE WISCONSIN COUNCIL OF AGRICULTURE
COOPERATIVE

A new and rapidly changing rural population is bringing new problems and challenges to the agriculture of America. As stated recently by an international authority on population trends, Dr. Carl Taylor, "We know less about the nature of rural trends today than we did 30 years ago." Decentralization of industry, the extensive role of suburban developments, the increase of part-time farming as well as the changing economic status of farmers, warrant comprehensive research, and study. We believe this can be achieved most effectively by a Presidential commission comparable with the Theodore Roosevelt Country Life Commission of 1908 which brought about many

developments that helped to meet the agricultural problems of that time.

The findings of such a commission would be of invaluable help to our Nation's citizens in objectively meeting these vital changes and in integrating such changes into their lives and their communities. It would be of great help in planning wisely to meet the future needs of America's rural people. Also, a careful and constructive review of rural life circumstances involving part-time and full-time farmers would give more enlightened direction to national farm policy and help toward a sounder relationship between agriculture and the other major economic segments in the United States.

LIBERALIZED SOCIAL SECURITY— ONE ELEMENT OF A FAIRER PROGRAM FOR ELDERLY CITIZENS

Mr. WILEY. Mr. President, I was pleased to hear, today, from Mr. John W. Mannering, chairman of the legislative committee of the south central Wisconsin chapter of the Wisconsin Association of Social Workers on the issue of liberalizing the social-security system.

I am glad that the House of Representatives has taken action for at least a modest increase in old-age pension benefits and for a liberalization of certain other provisions of the existing old-age and survivors' insurance law; including the disability provisions.

I may say, however, in all frankness, that I do not think social security should be revised in a hurried, end-of-the-session amendment, with a minimum of consideration. I state this as a matter of general principle.

Rather, I believe there should be a comprehensive study of the whole system. Such a study should not only include the inadequacies of existing benefits and coverage, but it should include the actuarial soundness of the old-age trust fund.

As we are aware, next year there will be a report on the financial soundness of the fund.

Pending the arrival of this report, I do not believe that benefits should be arbitrarily frozen, particularly because the House bill makes ample coverage for frozen receipts to offset large outlays. But I would have preferred a more orderly and systematic liberalization than we have seen within the past few days of hurried action.

In any event, the elderly citizens of America are expecting that, at the very least, we can help their meager benefits catch up with the cost of living. We cannot within the brief time remaining do a comprehensive job; but that is no excuse for doing no job of amendment whatsoever.

The 7-percent increase authorized by the House hardly enables us to cope with the rise in the cost of living. I would have preferred a 10-percent increase. Even partial relief is preferable to no reform whatsoever.

I send to the desk Mr. Mannering's letter and append to it the text of a statement which I had issued over the weekend describing a several-point program; not only for liberalized social security, but for a fairer break for our elderly citizens in other respects as well.

Better pensions are important. Our senior citizens want job opportunities

as well as recreation, housing, avocational facilities, and other ingredients of well-rounded living.

I ask unanimous consent that both items be printed at this point in the body of the RECORD.

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

NATIONAL ASSOCIATION OF
SOCIAL WORKERS,
SOUTH CENTRAL WISCONSIN CHAPTER,
Madison, Wis., August 1, 1958.
HON. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR: On behalf of the South Central Wisconsin chapter of the National Association of Social Workers, consisting of 120 members in the Madison area, we wish to strongly endorse the provisions of the above bill which contains many desirable steps forward in advancing the Federal social-security program. As you know, this bill just passed the House and we strongly urge early and favorable consideration by the Senate.

While we are in favor of the changes incorporated in H. R. 13549, we also believe that the bill falls short of carrying out what we believe to be other necessary and desirable amendments to the Social Security Act. We recognize, of course, it is not always possible to achieve all desirable goals at once. However, in this connection, we would like to suggest that an advisory council on social security be established by the Congress to study and make recommendations with respect to some of the proposed social-security extensions which have been left out of H. R. 13549—i. e., provisions of health care benefits including hospitalization, nursing home care, and surgical care, and the elimination of the age limit with respect to disability insurance.

We appreciate your past help in advancing the social-security program and hope that you will continue to lend your support to further improvement and extension of this program.

Sincerely yours,

JOHN W. MANNERING,
Chairman, Legislative Committee.

SEVEN PERCENT SOCIAL-SECURITY INCREASE WOEFULLY INADEQUATE—IMMEDIATE ACTION SHOULD BE TAKEN ON 4-POINT PROGRAM FOR SOLVING PROBLEMS OF AGING

Senator ALEXANDER WILEY, Republican, of Chippewa Falls, today urged Congress to boost the proposed 7 percent social-security increase in benefits to 10 percent.

"The 7 percent increase provided in legislation approved by the House of Representatives is woefully inadequate," WILEY said. "According to estimates, the cost of living has gone up 8 percent since the last increase—this is 1 percent above the proposed increase. By the time Congress gets a chance to take another 'look at' the program years from now, the level of benefits—starting out 'behind'—would be too far out of line with the unfortunately increasing costs of food, clothing, rent and other necessities of living.

"It is extremely important that we enable our senior citizens to maintain a self-respecting place in our society. According to surveys, over 50 percent of folks over 65 have an income of less than \$1,000 annually. Increases in social-security benefits for more than 11 million folks would brighten the future outlook. In Wisconsin, this would mean better living for over 281,000 persons, now receiving benefits."

WHITE HOUSE CONFERENCE ON AGING

Senator WILEY also urged Congressional approval of legislation calling for a White House Conference on Aging Problems in

1960. The legislation would direct the Secretary of Health, Education, and Welfare to plan and conduct such a conference by September 1960. Prior to the meeting, the measure recommends that States hold preliminary conferences to collect information, develop facts, and agree upon recommendations to be presented to the White House Conference. The bill would also authorize grants up to \$50,000 to States for expenses of preliminary meetings, as well as for defraying costs of delegates to the national conference.

IMMEDIATE ACTION NEEDED ON 4-POINT PROGRAM

"However, we cannot—in all good conscience—wait until 1960 to act," WILEY said. "We must begin immediate efforts for a constructive program for our golden years' citizens along the following lines:

"1. We need to provide improved housing suited to the special needs of older persons, at prices they can afford. A modest effort has been made to liberalize our housing programs for the elderly—under FHA, for example; however, this has only 'scratched the surface.' Far too many of these folks—who have helped to build this great country—are still existing in substandard housing on inadequate diets. The Government should expand and liberalize its housing programs. However, I believe that private enterprise should also 'pitch in' to fulfill this real need.

"2. We need to provide better opportunities for older workers. The Labor Department—although it had made some effort—should greatly increase its attempt to educate the public, especially the management of industry, to eliminate unjustifiable discrimination against such workers. The facts have shown that these folks often surpass their juniors in job performance and productivity, as well as in better work habits.

"3. We need an improved effort through local, State, Federal cooperation (a) to provide our senior citizens with an opportunity to function constructively, and (b) to utilize the abilities of our senior citizens to benefit community life. This means, among other things, greater participation in civic affairs, volunteer services, and advisory groups. For example, in Wisconsin, a splendid illustration is the establishment of the small industry advisory board, composed of retired industrial leaders. This board serves as management consultants to small firms that could not otherwise afford such consultants. The fee is based on a firm's ability to pay. This kind of activity, in other parts of our social and economic structure, indeed, would be beneficial not only for these individuals, but for the Nation.

"4. The Federal Council on Aging—composed of members of interested Federal departments and agencies—needs to make a stepped-up effort to design programs to help individuals make the physical, mental, and social adjustment of maturing years. As necessary, this should include providing vocational training programs to assist these folks in learning new vocations or avocations—if they can no longer work at formerly held jobs that require youthful physical ability.

"Too often, there is the mistaken idea that, upon reaching an arbitrary age, human beings should be turned out to pasture. Contrary to popular belief, this is not doing them a favor. Instead, it is often sentencing them to years haunted by loneliness, rejection, lack of usefulness, and insecurity," WILEY pointed out.

EVER-INCREASING SENIOR-CITIZEN POPULATION

"We have an ever-increasing number of senior citizens. For example, in 1900 there were over 3 million persons over 65 years in our country. Now, there are over 14 million. In 10 years, there will be an estimated 20 million. For the major portion of their lives,

these mature folks have contributed to the growth and development of our communities and country. Many of them still possess the capability of making constructive contribution to our social, economic, cultural, spiritual, and political life.

"It is high time that we stopped considering them a drag on society, and designed constructive plans for fully utilizing their potentials.

"The development of a comprehensive program, of course, will require maximum local, State, and Federal cooperation, as well as initiative by private citizens," WILEY concluded.

Mr. WILEY. I thank you very much, Mr. President. I thank all other Senators, too.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 12628) to amend title VI of the Public Health Service Act to extend for an additional 3-year period the Hospital Survey and Construction Act.

ENROLLED BILLS SIGNED

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

S. 3916. An act to amend the Shipping Act, 1916;

H. R. 3402. An act to provide for a display pasture for the bison herd on the Montana National Bison Range in the State of Montana, and for other purposes;

H. R. 7898. An act to revise the authorization with respect to the charging of tolls on the bridge across the Mississippi River near Jefferson Barracks, Mo.; and

H. R. 12948. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1959, and for other purposes.

CALL OF THE CALENDAR

The PRESIDING OFFICER. Pursuant to the order previously entered, the calendar will now be called for the consideration of bills to which there is no objection, commencing with Calendar No. 2029. The Clerk will state the first measure in order on the calendar.

BILL PASSED OVER

The bill (H. R. 8381) to amend the Internal Revenue Code of 1954, to correct unintended benefits and hardships and to make technical amendments, and for other purposes, was announced as first in order.

Mr. CLARK. Over, Mr. President. The bill is not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

NATIONAL CHILDREN'S DENTAL HEALTH WEEK

The Senate proceeded to consider the joint resolution (S. J. Res. 178) author-

izing the President of the United States of America to proclaim February 8-14, 1959, as National Children's Dental Health Week, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "unite," to strike out "upon that day" and insert "during that week", so as to make the joint resolution read:

Resolved, etc., That the President of the United States is hereby authorized to issue a proclamation setting aside February 8-14, 1959, as National Children's Dental Health Week and to invite all agencies and organizations interested in child welfare to unite during that week in the observance of such exercises as will call to the attention of the people of the United States the fundamental necessity of a continuous program for the protection and development of the dental health of the Nation's children.

The amendment was agreed to.

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

GEORGE E. KETCHUM

The Senate proceeded to consider the bill (S. 3321) for the relief of George E. Ketchum, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 5, after the word "of", to strike out "\$25,000", and insert "\$5,000" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to George E. Ketchum, of Cheyenne, Wyo., in full settlement of all claims of the said George E. Ketchum against the United States for injuries incurred by said George E. Ketchum on August 15, 1957, at Warren Air Base, Cheyenne, Wyo., when he was thrown from a painter's scaffold and permanently injured due to the action of a member of the Armed Forces: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

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

Mr. BARRETT. Mr. President, I believe this is a very meritorious bill. I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared in support of the bill.

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

STATEMENT BY SENATOR BARRETT

It may be strongly argued that the Ketchum case presents a fact situation in which, regardless of legal liability (1) there is a moral obligation on the part of the Federal Government to compensate him; and (2) there are precedents to support a direct grant by Congress. These precedents support relief where the injury occurred

without fault on the part of claimant and where it occurred on Government property. Moreover, the records are replete with private laws where the injury resulted from the negligent conduct of an enlisted man whether or not on Government property and whether or not within the scope of his duties or employment.

A striking precedent for a direct grant by Congress where a person sustained injury while on Government property is found in Private Law 258, 82d Congress, for the relief of Rose Mongrain. In that case an unidentified person dropped some liquid on the floor of the vestibule of a post office and an employee was called to clean the floor. Meanwhile, claimant, who was in the post office on business, left the money order window and approached the nearest doorway leading from the main lobby into the vestibule. It is not clear whether the custodial employee reached the scene and was engaged in mopping up the liquid when the claimant entered the vestibule. Claimant indicated he was, but the Government's statement denied it. In any event, claimant slipped on the liquid dropped by the unidentified person and as a result, sustained injuries requiring hospitalization and resulting in permanent injuries for which she was awarded \$5,000.

The Ongrain claim also has relevance to the question whether relief should be through direct grant or by court reference. In this connection the Senate Committee on the Judiciary had rejected the House version providing a direct grant and, instead, reported a bill which would have referred the claim to court. When this bill reached the Senate calendar, however, it was objected to by various Senators. It was subsequently recommitted and it was thereafter reported a second time with provision for a money award. It became law in that form.

Your attention is also directed to Private Law 708, 82d Congress, for the relief of the legal guardian of Norma J. Roberts. In this case the injured person, a minor, accompanied by her girl friend, arrived at an air base registration office for the purpose of obtaining a pass to visit the air base where they were to meet two airmen. The two airmen were awaiting them at this office when the girls arrived. The clerk had removed his gun from his person and placed it on the desk. While the pass was being prepared for the girls, one of the waiting airmen picked up the gun from the desk, pointed the pistol at the floor and squeezed the trigger without an explosion. He then pulled back and released the slide, which allowed a cartridge to ride into the chamber. The gun exploded when the slide was released and the bullet passed through the stomach and back of Miss Roberts. The House report concurred in a recommendation of the Air Force that compensation be paid because of the seriousness of the injury and lack of fault or negligence of the injured party. The Senate report, however, drew a finer line as a basis of relief. It stated:

"In the instant case, while the careless and irresponsible act which resulted in injury to this claimant was not within the scope of the authority of the perpetrator, that act was preceded by an act, also careless and irresponsible, of the clerk which was committed within the scope of his authority. The clerk's dereliction consisted of the removal from his person of the automatic pistol and the placing of it in a position of accessibility in an office where persons skilled and unskilled in the use of such a weapon mingled. Carelessness of this type in the place in which it occurred invited disaster if only because of the human falling which causes curiosity among the unskilled and ostentation among the semiskilled.

"While it appears that this negligence does not establish legal liability on the part of the Government, since the intervening act

of the serviceman breaks any legal chain of causation which might be drawn, the negligent act of the clerk does, nevertheless, serve as a convincing equitable consideration when added to the other equitable considerations advanced in the favorable report of the House committee."

In each case there was a serious injury, the injured party lacked fault or negligence, the injury occurred on Government property, and the injury was caused by the negligence of enlisted men during the commission of a prank.

There is another category of private laws which have been enacted to provide compensation for injuries on Government property. This category covers awards for injury to or death of minor children under the doctrine of "attractive nuisance," although the law of a particular State may not so recognize this doctrine. In this connection I refer you to Private Law 408 of the 83d Congress, for the relief of Mr. and Mrs. Edward Levandowski.

There is a large group of private laws providing awards for injuries caused by negligent, tortuous, or criminal actions of military personnel, despite such actions having been beyond the scope of employment. Such private laws may be broken down into various categories, some of which are as follows:

1. Unauthorized use of motor vehicles. Private Law 953, 81st Congress, for the relief of Robert C. Watters and others, is illustrative.

2. Unauthorized use of firearms. Private Law 98, 80th Congress, for the relief of George Corenevsky, is illustrative.

3. Injuries sustained by negligent or tortuous action of troops during troop movements. Thus, Private Law 206, 79th Congress, for the relief of Ernest L. Fuhrmann provided a \$5,000 award in the case of a freight-train conductor. In 1943, while his train was at a siding at Elton, Miss., he was struck by a block of ice which fell or was thrown from a kitchen car of a passing troop train. A similar award was provided in Private Law 225, 79th Congress, for the relief of Michael C. Donatelli, who was a fireman on a local train and was struck in the eye by an egg thrown from the kitchen car of a passing troop train at Tintah, Minn.

4. Injuries resulting from assault and battery, etc., inflicted on innocent parties. Private Law 1046, 81st Congress, for the relief of Mr. and Mrs. Ray Berrum provided a \$5,000 award for the parents of an 18-year-old girl who was recruited by United States Government publicity to work in Washington during the war years. She was raped and murdered in 1944 by a United States marine who subsequently received the death sentence.

I would call your attention to H. R. 1804 of the 85th Congress for the relief of Robert B. Cooper. The offender in this case was an officer, not an enlisted man, and he was not on official duty but was in travel status. This bill was enacted last month and is now Public Law 469.

For the reasons, stated, Mr. President, this bill should be passed and approved by the President.

THOMSON CONTRACTING CO., INC.

The bill (H. R. 5904) for the relief of Thomson Contracting Co., Inc., was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF SINCLAIR G. STANLEY

The bill (S. 122) for the relief of Sinclair G. Stanley 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 Treasury is authorized and directed to

pay, out of any money in the Treasury not otherwise appropriated, to the estate of the late Sinclair C. Stanley, of Cook County, Ill., the sum of \$33,333 plus interest at the rate of 6 percent per annum from November 1, 1946. The payment of such sum shall be in full satisfaction of all claims of the estate of the said Sinclair G. Stanley for just compensation for the yacht *Seventeen*, such yacht having been sold to the Navy in May 1941 for \$1 by the said Sinclair G. Stanley who was mentally incompetent at the time of such sale: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

JOAQUIN A. BAZAN

The bill (H. R. 8046) for the relief of Joaquin A. Bazan was considered, ordered to a third reading, read the third time, and passed.

REFERENCE OF SENATE BILL 922 TO THE COURT OF CLAIMS

The resolution (S. Res. 350) referring S. 922 to the Court of Claims was considered and agreed to, as follows:

Resolved, That the bill (S. 922) entitled "A bill for the relief of the Sanitary Equipment Manufacturing Co., Inc.," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

REFERENCE OF SENATE BILL 3274 TO THE COURT OF CLAIMS

The resolution (S. Res. 349) referring S. 3274 to the Court of Claims was considered and agreed to, as follows:

Resolved, That the bill (S. 3274) entitled "A bill for the relief of Claude S. Reeder," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

C. A. NOLAN

The bill (H. R. 6970) for the relief of C. A. Nolan was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGARET GRAHAM BONNALIE

The Senate proceeded to consider the bill (S. 3219) for the relief of Mrs. Margaret Graham Bonnalie, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the name "Bonnalie", to strike out "prior to January 31, 1960" and insert a colon and "Provided, That she returns to the United States for permanent residence within 2 years following the date of the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, section 352 (a) (1) shall be held not to have been or to be applicable in the case of Mrs. Margaret Graham Bonnalie: *Provided*, That she returns to the United States for permanent residence within 2 years following the date of the enactment of this act.

The amendment was agreed to.

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

CARMEN AMELIA PIEDRA (CARMITA PIEDRA)

The Senate proceeded to consider the bill (S. 2890) for the relief of Carmen Amelia Piedra (Carmita Piedra), which had been reported from the Committee on the Judiciary, with an amendment, on page 1, at the beginning of line 8, to strike out "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 1 number from the appropriate quota for the first year that such quota is available" and insert "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, for the purposes of the Immigration and Nationality Act, Carmen Amelia Piedra (Carmita Piedra) 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: *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.

The amendment was agreed to.

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

KAZUKO YOUNG

The bill (S. 2955) for the relief of Kazuko Young was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (23) of section 212 (a) of the Immigration and Nationality Act, Kazuko Young 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 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.

GEORGE KAZUSO TOHINAKA

The bill (S. 2723) for the relief of George Kazuso Tohinaka 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, George Kazuso Tohinaka 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 proper quota for the first year that such quota is available.

DEPUTY DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

The Senate proceeded to consider the bill (S. 4142) to amend chapter 41 of title 28 of the United States Code to provide for a Deputy Director of the Administrative Office of the United States Courts, and for other purposes, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 9, after the numerals "505", to strike out "(b)", so as to make the bill read:

Be it enacted, etc., That (a) section 601 of title 28 of the United States Code is amended to read as follows:

"§ 601. Creation; Director and Deputy Director

"The Administrative Office of the United States Courts shall be maintained at the seat of Government. It shall be supervised by a Director and a Deputy Director appointed and subject to removal by the Supreme Court."

(b) Section 603 of title 28 of the United States Code is amended (1) by striking out in the first paragraph "Assistant Director" and inserting in lieu thereof "Deputy Director", and (2) by amending the second paragraph to read as follows:

The Director shall fix the compensation of Administrative Office employees according to the Classification Act of 1949, as amended. The Director is further authorized, without regard to any other provision of section 505 of such act, to place a total of 2 positions in grade 18 of the General Schedule."

(c) Section 606 of title 28 of the United States Code is amended to read as follows:

"§ 606. Duties of Deputy Director

"The Deputy Director shall perform the duties assigned to him by the Director, and shall act as Director during the absence or incapacity of the Director or when the Director's office is vacant."

(d) The analysis of chapter 41 of title 28 of the United States Code is amended by striking out "Assistant Director wherever it appears therein and inserting in lieu thereof "Deputy Director."

The amendment was agreed to.

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

HARVEY L. FORDEN

The Senate proceeded to consider the bill (S. 3607) for the relief of Harvey L. Forden, 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, Harvey L. Forden shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1926.

The amendment was agreed to.

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

WAIVER OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 618) 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.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 610) 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 2, after line 7, to insert a new section, as follows:

Sec. 4. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, the minor child, Chan Yak Shing, shall be held and considered to be the natural-born alien child of Peter Chin, also known as Chan Jung Dot, a lawful permanent resident of the United States.

And, at the beginning of line 14, to change the section number from "4" to "5."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

WAIVER OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 611) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "Act", to insert "Patrick Brendan Cox"; at the top of page 2, to strike out:

That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Patrick Brendan Cox 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 suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

Sec. 2. In the administration of the Immigration and Nationality Act, Caecilia Stern, the fiancée of William Mack Foyles, a citizen of the United States, and her two minor children, Silvia Maria and William Heinrich, shall be eligible for visas as nonimmigrant

temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Caecilia Stern is coming to the United States with a bona fide intention of being married to the said William Mack Foyles and that they are found otherwise admissible under the immigration laws, except that the provision of section 212 (a) (9) of the Immigration and Nationality Act shall be inapplicable in the case of Caecilia Stern. In the event the marriage between the above named persons does not occur within 3 months after the entry of the said Caecilia Stern and her 2 minor children, Silvia Maria and William Heinrich, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above named persons shall occur within 3 months after the entry of the said Caecilia Stern and her 2 minor children, Silvia Maria and William Heinrich, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Caecilia Stern and her 2 minor children, Silvia Maria and William Heinrich, as of the date of the payment by them of the required visa fees.

Sec. 3. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Magdalena Lehmann and Domenica Buttarro may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That, unless the beneficiaries are entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

And, in lieu thereof, to insert:

Sec. 2. Notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Domenica Buttarro may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That unless the beneficiary is entitled to 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.

On page 4, at the beginning of line 15, to change the section number from "4" to "3", and at the beginning of line 20, to change the section number from "5" to "4."

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.

JOHNNIE P. SAYLORS

The bill (H. R. 4461) for the relief of Johnnie P. Saylor was considered, ordered to a third reading, read the third time, and passed.

MRS. JUANITA BURNA

The bill (H. R. 6593) for the relief of Mrs. Juanita Burna was considered, ordered to a third reading, read the third time, and passed.

WAYNE W. POWERS

The bill (H. R. 8313) for the relief of Wayne W. Powers, of Walla Walla, Wash., was considered, ordered to a third reading, read the third time, and passed.

TAMAS AKOS AND LILLA AKOS

The bill (H. R. 9884) for the relief of Tamas Akos and Lilla Akos was considered, ordered to a third reading, read the third time, and passed.

TIBOR WOLLNER

The bill (H. R. 10885) for the relief of Tibor Wollner was considered, ordered to a third reading, read the third time, and passed.

MRS. CHRISTINA TULES

The bill (H. R. 11108) for the relief of Mrs. Christina Tules was considered, ordered to a third reading, read the third time, and passed.

McCUNE C. OTT

The bill (H. R. 11611) for the relief of McCune C. Ott was considered, ordered to a third reading, read the third time, and passed.

DR. GORDON D. HOOPLE AND OTHERS

The Senate proceeded to consider the bill (H. R. 6283) for the relief of Dr. Gordon D. Hoople and others, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 5, after the word "Act", to strike out "in excess of 10 percent thereof."

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.

JOSEPH R. BURGER

The Senate proceeded to consider the bill (H. R. 8831) for the relief of Joseph R. Burger, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 3, after the word "sections", to strike out "18" and insert "15", and, on page 2, line 4, after the word "Act", to insert a colon and "Provided, That no benefits except hospital and medical expenses actually incurred shall accrue for any period of time prior to the date of enactment of this act."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 11) to amend the Robinson-Patman Act with reference to equality of opportunity, was announced as next in order.

Mr. TALMADGE. Over. The bill is not proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF REORGANIZATION PLAN NO. 1 OF 1958

The bill (S. 4059) to amend Reorganization Plan No. 1 of 1958, in order to change the name of the office established under such plan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Reorganization Plan No. 1 of 1958 is amended by striking out "Office of Defense and Civilian Mobilization" wherever appearing therein and inserting in lieu thereof "Office of Civil and Defense Mobilization."

Mr. TALMADGE. Mr. President, I send to the desk a statement prepared by the junior Senator from Virginia [Mr. ROBERTSON] and ask that it 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 OF SENATOR ROBERTSON

S. 4059 would change the title of the Office of Defense and Civilian Mobilization to the Office of Civil and Defense Mobilization.

The report accompanying this bill, Senate Report No. 1012, gives two reasons for this change in title. First, that the expression of "Office of Defense" might confuse this agency with the Department of Defense; and, second, because the absence of the words "civil defense" might destroy the identity of the present civil-defense program.

The letters supporting the amendment which are printed in the report lay stress on the importance of preserving the identity of the civil defense program.

These objectives are good. It would be unfortunate for anyone to confuse the new organization with the Department of Defense, but it is also good to avoid destroying the identity of the present civil-defense program. Certainly the reorganization plan is intended to assist that program rather than to interfere with it.

I should like, however, to point out that the civil-defense program is not the only program handled by the new agency. In addition to the civil-defense program, the agency is responsible under Reorganization Plan No. 1 of 1958 and Executive Order 10773 for activities under the Defense Production Act (including allocations, financial aids to industry to increase productive capacity and supply, and voluntary agreement programs); the Strategic and Critical Materials Stockpiling Act, the National Security Act of 1947, the Trade Agreements Extension Act, and a few more statutes. These important programs are still in operation though not so extensively as during the Korean war.

These statutes are important to the security of the United States. Functions and projects under these other statutes must be carried out just as vigorously as the civil-defense program. The new agency must not be so concerned over preventing the loss of identity of the present civil-defense pro-

gram that the other vital mobilization programs for which the agency is responsible are overlooked or their importance minimized.

FEDERAL SENTENCING

The Senate proceeded to consider the joint resolution (H. J. Res. 424) to improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing, to provide additional methods of sentencing, and for other purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 3, after line 21, to insert a new section, as follows:

SEC. 3. That chapter 311 of title 18, United States Code, is amended by adding the following section:

"§ 4208. Fixing eligibility for parole at time of sentencing.

"(a) Upon entering a judgment of conviction, the court having jurisdiction to impose sentence, when in its opinion the ends of justice and best interests of the public require that the defendant be sentenced to imprisonment for a term exceeding 1 year, may (1) designate in the sentence of imprisonment imposed a minimum term at the expiration of which the prisoner shall become eligible for parole, which term may be less than, but shall not be more than one-third of the maximum sentence imposed by the court, or (2) the court may fix the maximum sentence of imprisonment to be served in which event the court may specify that the prisoner may become eligible for parole at such time as the board of parole may determine.

"(b) If the court desires more detailed information as a basis for determining the sentence to be imposed, the court may commit the defendant to the custody of the Attorney General, which commitment shall be deemed to be for the maximum sentence of imprisonment prescribed by law, for a study as described in subsection (c) hereof. The results of such study, together with any recommendations which the Director of the Bureau of Prisons believes would be helpful in determining the disposition of the case, shall be furnished to the court within 3 months unless the court grants time, not to exceed an additional 3 months, for further study. After receiving such reports and recommendations, the court may in its discretion: (1) Place the prisoner on probation as authorized by section 3651 of this title, or (2) affirm the sentence of imprisonment originally imposed, or reduce the sentence of imprisonment, and commit the offender under any applicable provision of law. The term of the sentence shall run from date of original commitment under this section.

"(c) Upon commitment of a prisoner sentenced to imprisonment under the provisions of subsection (a), the Director, under such regulations as the Attorney General may prescribe, shall cause a complete study to be made of the prisoner and shall furnish to the board of parole a summary report together with any recommendations which in his opinion would be helpful in determining the suitability of the prisoner for parole. This report may include but shall not be limited to data regarding the prisoner's previous delinquency or criminal experience, pertinent circumstances of his social background, his capabilities, his mental and physical health, and such other factors as may be considered pertinent. The board of parole may make such other investigation as it may deem necessary.

"It shall be the duty of the various probation officers and Government bureaus and

agencies to furnish the board of parole information concerning the prisoner, and, whenever not incompatible with the public interest, their views and recommendations with respect to the parole disposition of his case.

"(d) The board of parole having jurisdiction of the parolee may promulgate rules and regulations for the supervision, discharge from supervision, or recommitment of paroled prisoners."

On page 6, at the beginning of line 8, to change the section number from "3" to "4"; at the beginning of line 22, to change the section number from "4" to "5"; on page 7, at the beginning of line 1, to change the section number from "5" to "6"; and, at the beginning of line 6, to change the section number from "6" to "7."

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.

JOHN C. WALSH

The bill (S. 2216) for the relief of John C. Walsh 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 Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Walsh, of New York, N. Y., the sum of \$5,800. The payment of such sum shall be in full settlement of all claims of the said John C. Walsh against the United States on account of professional services rendered by him as a special assistant to the Attorney General of the United States for the period beginning February 3, 1953, and ending June 30, 1953, both dates inclusive, his claim therefor (claim No. 21568787) having been disallowed by the General Accounting Office as exceeding a salary limitation which was established for such position, but of which he was not informed: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

CHARLES T. CROWDER

The bill (H. R. 1283) for the relief of Charles T. Crowder was considered, ordered to a third reading, read the third time, and passed.

RALPH N. MEEKS

The bill (H. R. 1317) for the relief of Ralph N. Meeks was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1435) for the relief of John I. Strong was announced as next in order.

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

Mr. CLARK. Mr. President, it appears to the calendar committee that the beneficiary of this private bill has not exhausted his administrative remedies. Unfortunately, no member of the Committee on the Judiciary is immediately available on the floor to make an explanation, which might end our doubts in this regard. I, therefore, ask that the bill be passed over, subject to the right to have it called up later or on a later Calendar call.

The PRESIDING OFFICER. The bill will be passed over.

LILLIAN CUMMINGS

The bill (H. R. 1602) for the relief of Lillian Cummings was considered, ordered to a third reading, read the third time, and passed.

QUIET TITLE AND POSSESSION TO CERTAIN REAL PROPERTY, SAN JACINTO, TEX.

The bill (H. R. 4768) to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 6595) for the relief of Markus H. Teitel was announced as next in order.

Mr. HRUSKA. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CAPT. CARL F. DYKEMAN

The bill (H. R. 7293) for the relief of Capt. Carl F. Dykeman was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN EMPLOYEES AT THE UNITED STATES NAVAL GUN FACTORY, WASHINGTON, D. C.

The bill (H. R. 8231) for the relief of certain employees of the Department of the Navy at the United States Naval Gun Factory, Washington, D. C., was considered, ordered to a third reading, read the third time, and passed.

S. A. ROMINE

The bill (H. R. 8833) for the relief of S. A. Romine was considered, ordered to a third reading, read the third time, and passed.

WESTERN UNION TELEGRAPH CO.

The bill (H. R. 10094) for the relief of the Western Union Telegraph Co. was considered, ordered to a third reading, read the third time, and passed.

WILLIAM E. NASH

The bill (H. R. 10220) for the relief of William E. Nash was considered, ordered to a third reading, read the third time, and passed.

J. HENRY ENNEN AND OTHERS

The bill (H. R. 10416) for the relief of J. Henry Ennen and others was considered, ordered to a third reading, read the third time, and passed.

STATE HOUSE, INC.

The bill (H. R. 11203) for the relief of State House, Inc., was considered, ordered to a third reading, read the third time, and passed.

GERALD EARLY

The bill (H. R. 12063) for the relief of Gerald Early was considered, ordered to a third reading, read the third time, and passed.

BOARD OF NATIONAL MISSION OF THE PRESBYTERIAN CHURCH IN THE UNITED STATES

The Senate proceeded to consider the bill (S. 540) for the relief of the Board of National Mission of the Presbyterian Church in the United States of America, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "of", to strike out "\$4,998. Such sum represents" and insert "\$2,337, which represents twenty-two forty-sevenths of"; on page 2, line 3, after the name "Arizona", to strike out the comma and "the said board having been led to believe by representatives of the Department of the Interior that it was not liable for payment of such costs under such contract", and, after line 5, to insert:

The 22 acres with respect to which construction charges are canceled by this Act shall not be eligible to receive irrigation water from the Ganado irrigation project unless the owner thereof contracts with the Secretary of the Interior to pay the construction charges allocated to such acres in installments as authorized by law. The Secretary of the Interior is authorized to agree to an amendment to said contract numbered I-130-Ind-270 that spreads the uncanceled portion of the construction charges over the remaining contract period.

So as to make the bill read:

Be it enacted, etc., That the Board of National Mission of the Presbyterian Church in the United States of America is hereby relieved of all liability for payment to the United States of the sum of \$2,337, which represents twenty-two forty-sevenths of the amount of the claim of the United States against the said board, under contract No. I-130-IND-270 entered into between the said board and the Department of the Interior on September 29, 1933, for reimbursement of certain costs incurred by the United States in the construction and rehabilitation of certain irrigation facilities located at Ganado Mission, Ganado, Ariz.

The 22 acres with respect to which construction charges are canceled by this act shall not be eligible to receive irrigation water from the Ganado irrigation project unless the owner thereof contracts with the Secretary of the Interior to pay the construction charges allocated to such acres in installments as authorized by law. The Secretary of the Interior is authorized to agree to an amendment to said contract No. I-130-Ind-270 that spreads the uncanceled portion of the construction charges over the remaining contract period.

The amendments were agreed to.

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

CLARIFICATION OF REEMPLOYMENT PROVISION, UNIVERSAL MILITARY TRAINING AND SERVICE ACT

The Senate proceeded to consider the bill (H. R. 8522) to amend and clarify the reemployment provision of the Universal Military Training and Service Act, and for other purposes, which had been reported from the Committee on Armed Services, with an amendment, on page 1, after line 5, to strike out over to and including line 7 on page 5, and insert:

(1) By inserting in paragraph (2) of subsection (g) the words "and other than for training" after the words "physical fitness" in the parenthetical phrase thereof.

(2) By amending paragraph (3) of subsection (g) to read as follows:

"(3) Any member of a Reserve component of the Armed Forces of the United States who is ordered to an initial period of active duty for training of not less than 3 consecutive months shall, upon application for reemployment within 60 days after (A) his release from that active duty for training after satisfactory service, or (B) his discharge from hospitalization incident to that active duty for training, or 1 year after his scheduled release from that training, whichever is earlier, be entitled to all reemployment rights and benefits provided by this section for persons inducted under the provisions of this title, except that (A) any person restored to a position in accordance with the provisions of this paragraph shall not be discharged from such position without cause within 6 months after that restoration, and (B) no reemployment rights granted by this paragraph shall entitle any person to retention, preference, or displacement rights over any veteran with a superior claim under the Veterans' Preference Act of 1944, as amended (5 U. S. C. 851 and the following)."

(3) By adding the following new paragraphs at the end of subsection (g):

"(4) Any employee not covered by paragraph (3) of this subsection who holds a position described in paragraph (A) or (B) of subsection (b) of this section shall upon request be granted a leave of absence by his employer for the period required to report for the purpose of being inducted into, entering, determining his physical fitness to enter, or performing active duty for training or inactive duty training in the Armed Forces of the United States. Upon his release from a period of such active duty for training or inactive duty training, or upon his rejection, or upon his discharge from hospitalization incident to that training or rejection, such employee shall be permitted to return to his position with such seniority, status, pay, and vacation as he would have had if he had not been absent for such purposes. He shall report for work at the beginning of his next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of rejection or training to the place of employment following his rejection or release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control. Failure to report for work at such next regularly scheduled working period shall make the employee subject to the conduct rules of the employer pertaining to explanations and discipline with respect to absences from scheduled work. If that employee is hospitalized incident to active

duty for training, inactive duty training, or rejection, he shall be required to report for work at the beginning of his next regularly scheduled work period after expiration of the time necessary to travel from the place of discharge from hospitalization to the place of employment, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control, or within 1 year after his rejection or release from active duty for training or inactive duty training, whichever is earlier. If an employee covered by this paragraph is not qualified to perform the duties of his position by reason of disability sustained during active duty for training or inactive duty training but is qualified to perform the duties of any other position in the employ of the employer or his successor in interest, he shall be restored by that employer or his successor in interest to such other position the duties of which he is qualified to perform as will provide him like seniority, status, and pay or the nearest approximation thereof consistent with the circumstances in his case.

"(5) For the purposes of paragraphs (3) and (4), full-time training or other full-time duty performed by a member of the National Guard under section 316, 503, 504, or 505 of title 32, United States Code, is considered active duty for training; and for the purpose of paragraph (4), inactive duty training performed by that member under section 502 of title 32, or section 301 of title 37, United States Code, is considered inactive duty training."

(4) By redesignating subsections (i) and (j) as "(j)" and "(k)" respectively, and by inserting a new subsection "(i)" as follows:

"(i) All construction workers employed by the Tennessee Valley Authority on hourly rates of pay shall continue to be deemed temporary employees for purposes of this act and the Veterans' Preference Act of 1944, as amended."

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.

SALARIES, PERSONNEL PRACTICES, ETC., RELATING TO DEPARTMENT OF DEFENSE SCHOOLS IN FOREIGN COUNTRIES

The Senate proceeded to consider the bill (S. 3460) to govern the salaries and personnel practices for teachers, certain school officers, and other employees of the dependents' schools of the Department of Defense in foreign countries, and for other purposes, which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 1, at the beginning of line 7, to insert "(33)"; on page 2, line 19, after the numerals "202", to insert "(33)"; on page 3, line 8, after the numerals "202", to insert "(33)"; and, on page 4, line 6, after the numerals "202", to insert "(33)"; so as to make the bill read:

Be it enacted, etc., That section 202 of the Classification Act of 1949 (5 U. S. C. 1082) is amended by changing the period at the end thereof to a semicolon, and by adding the following new clause:

"(33) citizens of the United States who are employed in schools operated by the Department of Defense in areas outside the United States, its Territories, and its possessions for dependents of members of the

Armed Forces and dependents of civilian employees of the Department of Defense who are employed on a school-year basis, and who are in positions that involve—

"(A) classroom or other instruction, or the supervision and direction of classroom or other instruction;

"(B) any activity, other than teaching, that requires academic credits in educational theory and practice that are equal to the academic credits in educational theory and practice that are required for a bachelor's degree in education from an accredited institution of higher education; or

"(C) any activity in, or related to, the field of education, even though the activity does not require academic credits in educational theory and practice."

Sec. 2. (a) This act applies to the positions that are excepted from the Classification Act of 1949 by section 202 (33) (5 U. S. C. 1082) of that act.

(b) The Secretary of Defense shall prescribe regulations governing the establishment of positions covered by this act; the fixing of the rates of compensation for such positions, taking into account the rates of compensation for similar positions in the United States; the conditions of employment of, and entitlement to and payment of compensation to, incumbents of such positions; and the length of the school year in overseas dependents' schools of the Department of Defense.

(c) Subject to section 203 of the Classification Act of 1949 (5 U. S. C. 1082), the Secretary of each military department shall place at the appropriate salary rate each position in his department that he determines is covered by section 202 (33) of that act (5 U. S. C. 1082).

Sec. 3. (a) Notwithstanding any other provision of law and under regulations to be prescribed by the Secretary of Defense, a person (other than a substitute teacher) who holds a position covered by this act is entitled to cumulative leave with pay at the rate of 1 day for each calendar month, or part thereof, of the school year. However, if the school year includes more than 8 months, a person who serves for the entire school year earns 10 days of cumulative leave. Not more than 75 days of leave may be accumulated at any one time under this section.

(b) Under regulations to be prescribed by the Secretary of Defense, leave earned under this section may be used for maternity purposes, or it may be used when the person is ill, when there is a contagious disease or death in his immediate family, or when he has any other pressing personal emergency. In addition, if timely notice of intended absence is given, 3 days of leave earned under this section may be granted during each school year for any purpose. Saturdays, Sundays, regularly scheduled holidays, and other administratively authorized nonwork days may not be counted against leave earned under this section.

(c) Any person holding a position when it is determined to be covered by section 202 (33) of the Classification Act of 1949 (5 U. S. C. 1082) shall be credited with the annual and sick leave with which he is then credited. Annual leave so credited may not be included in the leave provided for in subsection (a), but it may be used under such regulations as the Secretary of the military department concerned may prescribe. Any person credited under this subsection with 75 or more days of leave, exclusive of annual leave, may not earn leave under subsection (a) until the amount of such leave to his credit is reduced to less than 75 days.

(d) Any annual leave remaining to an employee's credit when he is separated from the service shall be liquidated in the manner prescribed by the act of December 21, 1944 (ch. 632, 5 U. S. C. 61b, and the

following). Leave earned under subsection (a) may not be liquidated.

(e) When any person occupying a position covered by this act is transferred, promoted, or reappointed to a position under a different leave system, without a break in service, the annual leave and any leave earned or credited under this section that remains to his credit, shall be transferred to his credit in the employing agency on an adjusted basis in accordance with regulations prescribed by the Civil Service Commission.

Sec. 4. (a) Notwithstanding any other provision of law and under regulations to be prescribed by the Secretary of Defense, a person (other than a substitute teacher) who holds a position covered by this act and who completes a school year and agrees in writing to serve for the next school year may be authorized, for the recess period between the school years—

(1) quarters;
(2) a quarters allowance; or
(3) storage, including packing, drayage, unpacking, and transportation to and from storage, of his household effects and his personal possessions.

(b) If a person covered by subsection (a) does not report for service at the beginning of the next school year, he shall pay to the United States an amount equal to any quarters allowance that he may have received under this section, or the reasonable value of any quarters or storage that he may have received under this section, as the case may be.

Sec. 5. Under regulations to be prescribed by the President, a person (other than a substitute teacher) who holds a position that is covered by this act, is entitled to—

(1) quarters or a quarters allowance like that authorized by the act of June 26, 1930 (ch. 622; 5 U. S. C. 118a);

(2) cost-of-living allowances like those authorized by section 901 (2) of the Foreign Service Act of 1946 (ch. 957; 22 U. S. C. 1131 (2)); and

(3) additional compensation like that authorized under section 207 of the Independent Offices Appropriation Act, 1949 (5 U. S. C. 118h).

Sec. 6. In the application of section 802 (a) of the Classification Act of 1949, as amended (5 U. S. C. 1132 (a)), the rates of pay established for any position covered by this act shall be increased by 20 percent to determine the annual salary rate.

Sec. 7. (a) Except as otherwise provided by this act, the Annual and Sick Leave Act of 1951 (ch. 631; 5 U. S. C. 2061, and the following), and the Federal Employees Pay Act of 1945 (ch. 189; 5 U. S. C. 901, and the following) do not apply to persons who hold positions covered by this act.

(b) The act of May 10, 1916 (ch. 117; 5 U. S. C. 58) and the act of July 31, 1894 (ch. 174; 5 U. S. C. 62), relating to dual employment and dual compensation, do not apply to persons who, during the recess period between the school years, are entitled to the allowances prescribed in section 5 of this act.

Sec. 8. The enactment of this act does not affect—

(1) any position existing, on the day before the effective date of this act, under the provisions of law amended or repealed by this act;

(2) the compensation attached to any such position; or

(3) any incumbent thereof, his appointment thereto, or his right to receive the compensation attached thereto; until appropriate action is taken under section 2 (c) of this act.

Sec. 9. The Secretary of Defense shall issue the regulations prescribed by this act on a date that is within 90 days after the date on which this act is enacted. The Secretary of each military department may issue regula-

tions to carry out his functions under this act.

Sec. 10. Section 9 of this act takes effect on the date on which this act is enacted. Sections 1-8 of this act take effect on the first day of the first pay period that begins more than 60 days after the date on which the Secretary of Defense issues the regulations under section 9 of this act.

Mr. HRUSKA. Mr. President, may we have an explanation of the bill?

Mr. CARLSON. Mr. President, the bill was reported unanimously from the Committee on Post Office and Civil Service. It is designed to correct what appears to be an injustice in the case of school teachers who are teaching in foreign lands in schools of the Department of Defense. The bill would give them the opportunity of serving on the basis of a 12-month period, rather than 9 or 10 months, as they are required to do under existing law. I sincerely hope the bill will be approved and passed by the Senate.

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. JOHNSTON of South Carolina subsequently said: Mr. President, I wish to thank the distinguished Senator from Kansas [Mr. CARLSON] for his statement a few minutes ago concerning Calendar No. 2078, Senate bill 3640, which the Senate has passed.

DISPOSAL OF A CERTAIN TRACT OF LAND IN WALLA WALLA, WASH.

The bill (S. 4014) to require that a certain tract of land in Walla Walla, Wash., be disposed of on an individual lot basis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the tract of land, consisting of 138 acres adjacent to the Veterans' Administration Hospital Reservation in Walla Walla, Wash., which has been declared excess to the needs of the Veterans' Administration, if disposed of as surplus property, shall not be disposed of as a single tract, but shall be disposed of by the Administrator of General Services on an individual lot basis.

CONVEYANCE OF CERTAIN REAL PROPERTY IN CLALLAM COUNTY, WASH.

The bill (H. R. 11694) to provide for the conveyance of certain real property of the United States situated in Clallam County, Wash., to the Department of Natural Resources, State of California, was announced as next in order.

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

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I ask unanimous consent to have printed at this point in the RECORD a statement which I have prepared on the bill, describing the bill and setting forth the reasons why it does not violate the Morse formula.

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

H. R. 11694 directs the Administrator of General Services to convey any interest of the United States to certain surplus property in the State of Washington to the department of natural resources of the State.

The property was originally acquired by the Federal Government from the State of Washington Forest Board for harbor defense purposes. According to the committee report there are 518 acres in the tract valued at \$158,500. The State of Washington wishes to acquire the property for 75 percent of the appraised fair market value for addition to an adjoining State park for park and recreational use.

This bill is in conformity to the so-called Morse formula inasmuch as a public purpose is involved.

Mr. MORSE. I wish to commend the two Senators from Washington for bringing the bill in this form to the Senate and for providing for the application of the longstanding policy which I have worked for in the Senate since 1946, namely, that Federal property shall be paid for at 100 percent of its appraised fair market value for private purposes, and at 50 percent for public purposes.

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

There being no objection the bill was considered, ordered to a third reading, read the third time, and passed.

RECEIPT AND DISBURSEMENT OF FUNDS, GOVERNMENT PRINTING OFFICE

The bill (S. 4010) to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, 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 (a) the disbursing clerk of the Government Printing Office is hereby designated as the disbursing officer for the Government Printing Office.

(b) In the case of the death, resignation, or separation from office of such disbursing officer, his accounts may be continued, and payments and collections may be made in his name, by the deputy disbursing officer or officers designated by the Public Printer, for a period of time not to extend beyond the last day of the second month following the month in which such death, resignation, or separation occurred. Such accounts and payments shall be allowed, audited, and settled, and checks signed in the name of the former disbursing officer for the Government Printing Office by any such deputy disbursing officer shall be honored, in the same manner as if the former disbursing officer for the Government Printing Office had continued in office.

(c) No former disbursing officer for the Government Printing Office, his estate, or the surety on his official bond, shall be subject to any legal liability or penalty for the official accounts or defaults of any deputy disbursing officer acting in the name or in the place of such former disbursing officer. Each such deputy disbursing officer shall be responsible for accounts entrusted to him pursuant to subsection (b), and such deputy disbursing officer and the sureties upon his

bond shall be liable for any default occurring during his service as such pursuant to such subsection.

TITLE AND POSITION TO CERTAIN REAL PROPERTY IN HUMBOLDT COUNTY, CALIF.

The bill (H. R. 8859) to quiet title and possession with respect to certain real property in the county of Humboldt, State of California was considered, ordered to a third reading, read the third time, and passed.

BILLS PLACED AT FOOT OF CALENDER

The bill (H. R. 11933) to provide for the conveyance of interests of the United States in and to uranium, thorium, and other materials in certain tracts of land situated in Jackson County, Miss., was announced as next in order.

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

Mr. MORSE. Mr. President, for the reasons to be discussed in connection with Calendar 2084, H. R. 12938, to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in Leon County, Fla., involving a similar release of a fissionable-materials reservation, I have no objection to the bill under the Morse formula.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

The bill (H. R. 12938) to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in Leon County, Fla., was announced as next in order.

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

Mr. MORSE. Mr. President, H. R. 12938 would authorize the General Services Administrator to quitclaim the Government's interest in reserved fissionable materials to the city of Tallahassee, Fla., in 1947 the Government had quitclaimed its interest in certain former airbase land to the city of Tallahassee but reserved this right to fissionable materials.

A 1954 amendment to the Atomic Energy Act (68 Stat. 919, sec. 68 b.) provided that reservations in fissionable materials in public land should be rescinded in favor of the transferees of such lands. The lands in question were acquired lands, not originally public lands.

There appears to be no logical basis for distinguishing between such reservations insofar as acquired and public lands are involved. In fact, Congressman HOLIFIELD has introduced the bill H. R. 12603 to remove such distinction.

It would appear that no violation of the Morse formula is involved.

Mr. HRUSKA. Mr. President, I ask unanimous consent that the bill be placed at the foot of the calendar.

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

CONVEYANCE OF CERTAIN REAL PROPERTY AT THE VETERANS' ADMINISTRATION HOSPITAL NEAR AMARILLO, TEX.

The bill (H. R. 5949) to provide for the conveyance of certain real property of the United States located at the Veterans' Administration Hospital near Amarillo, Tex., to Potter County, Tex., was announced as next in order.

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 Government Operations with amendments on page 2, line 10, after the word "purposes", to strike out "during a period of 20 years from the date of such conveyance", and, in line 12, after the word "time", to strike out "prior to the expiration of such 20-year period."

The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. MORSE. Mr. President, in 1938, Potter County, Tex., conveyed 364 acres of land to the United States for a nominal consideration (\$3) for the purpose of a veterans' hospital.

H. R. 5949 would authorize the United States to quitclaim to Potter County approximately 21.9 acres of this original tract, as excess to the needs of the Veterans' Administration.

Inasmuch as the land was acquired by donation in the first instance, there is no violation of the Morse formula. The case is comparable to that involved in H. R. 8123 of the 84th Congress—Public Law 292. My remarks on the latter bill appear in the CONGRESSIONAL RECORD, volume 102, part 7, page 9323.

Mr. TALMADGE. Mr. President, I offer two amendments on behalf of the senior Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. On page 2, line 10, after the word "purposes," it is proposed to insert "or other related health purposes."

On page 2, line 14, after the word "purposes," it is proposed to insert "or other related health purposes."

Mr. TALMADGE. I ask unanimous consent that a letter from Representative WALTER ROGERS to the majority leader be printed 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., August 1, 1958.

HON. LYNDON JOHNSON,
Majority Leader, United States Senate,
Washington, D. C.

Re. H. R. 5949, passed by the House of Representatives July 9, 1958. Reported by the Government Operations Committee of the Senate on July 29, 1958, with amendments.

DEAR SENATOR: H. R. 5949 provides for reconveyance by the Federal Government to Potter County, Tex., of 21.9 acres of land. This is a portion of the tract originally conveyed by Potter County to the Federal Government for nominal consideration, the land to be used for veterans' hospital purposes.

This 21.9-acre tract has been declared surplus by the Veterans' Administration.

Potter County, Tex., desires reconveyance of this land because it is essential to a proposed hospital project to be built on land adjacent to the Veterans' Hospital land, Amarillo, Tex. The tract in controversy is a pie-shaped chunk facing on Highway 66 that will partially separate the present Veterans' Hospital from the new proposed extensive hospital facilities project.

The new proposed hospital project will be a local undertaking designed to serve hospital needs of the people over a large area around Amarillo. The land on which this is to be erected adjoins the Veterans' Hospital tract. The overall plan anticipates a close coordination between the present Veterans' Hospital and the new hospital facilities. It anticipates a medical and health teaching facility. If the 21.9-acre tract is transferred to Potter County, as provided by H. R. 5949, all of these hospital facilities, both the Veterans' Hospital and the new hospital project and teaching facilities, can constitute one compact unit with easy access between the different divisions, sections, and buildings located thereon.

Its passage will insure the use of the 21.9-acre tract for purposes not inconsistent or incompatible to the Veterans' Hospital installation and the best interests of the patients therein.

If the bill is not passed, there will be a possibility of this land falling into the hands of third parties who may utilize it for purposes not wholly consistent with the best interests of the hospital needs of the two projects—the Veterans' Hospital and the new local hospital facilities, and may jeopardize the possibility of carrying out the local plan for providing excellent hospital facilities in this area.

The House version of the bill provided for a restriction in the conveyance limiting the use of the land for hospital purposes for 20 years. The 20-year provision was stricken from the bill by the Senate committee. Frankly, I think the 20-year provision should remain, but in view of the emergency nature of the situation involved, I would not insist upon it.

I do call to your attention the need for an amendment that will permit the use of this land for related health uses, as well as hospital purposes—the reason being that there is a possibility of obtaining a State medical school to be located on this tract. In order to avoid any argument or discussion with relation to the particular restriction in the deed of conveyance, I suggest the adoption of an amendment.

This proposed amendment would simply permit the use of the land for hospital purposes or other related health purposes. Certainly, the adoption of this amendment could not jeopardize the Veterans' Hospital installation, but could actually work to the benefit thereof.

In view of the fact that much work needs to be done on the proposed hospital project at Amarillo in order to comply with State laws in the creation of a hospital district, I urge that early action be taken on H. R. 5949.

Sincerely yours,

WALTER ROGERS,
Member of Congress.

Mr. TALMADGE. Mr. President, the amendments have been approved by the Committee on Government Operations. They merely permit the use of land for hospital or related health purposes.

The PRESIDING OFFICER. Without objection, the question is on agreeing, en bloc, to the amendments offered by the Senator from Georgia on behalf of the senior Senator from Texas [Mr. JOHNSON].

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and 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, and passed.

— BILLS PASSED OVER

The bill (S. 3185) to promote the conservation of migratory fish and game by requiring certain approval by the Secretary of the Interior of licenses issued under the Federal Permit Act, was announced as next in order.

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

Mr. TALMADGE. I ask that the bill go over. It is not properly calendar material.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

The bill (H. R. 13482) to amend the Atomic Energy Act of 1954, as amended, was announced as next in order.

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

Mr. CLARK. I ask that the bill go over. It is not calendar material.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

SUPPORT OF SCIENTIFIC RESEARCH

The Senate proceeded to consider the bill (S. 4039) to authorize the expenditure of funds through grants for support of scientific research, and for other purposes, which had been reported from the Committee on Government Operations, with amendments, on page 1, at the beginning of line 5, to insert "nonprofit", in the same line, after the word "higher", to strike out "education or other" and insert "education, or at"; in line 6, after the word "nonprofit", to strike out "organizations" and insert "organizations whose primary purpose is the conduct of scientific research"; in line 11, after the word "make," to strike out "such grants, or to make" and insert "grants or"; on page 2, line 2, after the word "at", to insert "nonprofit", in the same line, after the word "higher", to strike out "education or other" and insert "education, or at"; in line 3, after the word "nonprofit", to strike out "organizations" and insert "organizations whose primary purpose is the conduct of scientific research"; and, after line 10, to insert a new section, as follows:

SEC. 3. Each agency or department of the Federal Government exercising authority granted by this act shall make an annual report on or before June 30 of each year to the Committees on Appropriations and to the Committees on Government Operations of both Houses of Congress. Such report shall set forth therein, for the preceding year, the number of grants made pursuant to the authority provided in section 1 of this act, the dollar amount of such grants, and the institutions in which title to equipment was vested pursuant to section 2 of this act.

So as to make the bill read:

Be it enacted, etc., That the head of each agency of the Federal Government, engaged in making contracts for basic scientific research at nonprofit institutions of higher education, or at nonprofit organizations whose primary purpose is the conduct of scientific research, is hereby authorized, where it is deemed to be in furtherance of the objectives of the agency, to make grants to such institutions or organizations for the support of such basic scientific research.

SEC. 2. Authority to make grants or contracts for the conduct of basic or applied scientific research at nonprofit institutions of higher education, or at nonprofit organizations whose primary purpose is the conduct of scientific research, shall include discretionary authority, where it is deemed to be in furtherance of the objectives of the agency, to vest in such institutions or organizations, without further obligation to the Government, or on such other terms and conditions as the agency deems appropriate, title to equipment purchased with such grant or contract funds.

SEC. 3. Each agency or department of the Federal Government exercising authority granted by this act shall make an annual report on or before June 30 of each year to the Committees on Appropriations and to the Committees on Government Operations of both Houses of Congress. Such report shall set forth therein, for the preceding year, the number of grants made pursuant to the authority provided in section 1 of this act, the dollar amount of such grants, and the institutions in which title to equipment was vested pursuant to section 2 of this act.

The amendments were agreed to.

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

Mr. COOPER subsequently said: Mr. President, I wish to comment on Calendar 2090, Senate bill 4039, which has just been passed. The bill was introduced by the Senator from Minnesota [Mr. HUMPHREY] and was reported favorably by the Committee on Government Operations. I believe it is a very important bill, which deserves some comment.

The bill provides that all Federal agencies or departments which are now engaged in basic scientific research may henceforth, if the bill be passed by the House, support such basic research by grants as well as by contract. This is a very important matter.

Last week, when the Senate was debating the appropriation bill for the Department of Defense, I observed that the hearings on the bill disclosed that despite the fact that we are appropriating \$41 billion for defense in fiscal 1959, only \$46 million of that amount is to be devoted to basic research. That is about \$1 out of every \$1,000, or one-tenth of 1 percent for basic research.

I was also interested to note that the distinguished senior Senator from Colorado [Mr. ALLOTT] testified before the Committee on Appropriations, and urged that larger sums be appropriated for basic research.

A large amount—approximately \$2,700,000,000—was appropriated for research and development. So it may appear to many that a large sum has been appropriated for research. But in fact, almost all of that amount was for applied research and for development—that is, for the application of basic research.

In the report on the bill which has just been passed, "basic research" is defined as follows:

Basic research is that type of research which is directed toward increase of knowledge in science. It is research where the primary aim of the investigator is a fuller knowledge or understanding of the subject under study, rather than a practical application thereof.

The distinguished senior Senator from Colorado [Mr. ALLOTT] who is now presiding over the Senate, in his testimony before the Committee on Appropriations said:

Basic research, if it is truly basic, cannot relate itself to any definite end. Basic research is basic research, and it may contribute to the military or it may end up by contributing to medicine primarily.

Whether it be for our military needs or for the general advancement of knowledge and the progress of our Nation, basic research is essential. I am very glad the Senator from Minnesota introduced the bill that has now been passed by the Senate, and which would encourage additional support for basic scientific research.

I again call the attention of the Senate to the fact that out of the tremendous sum appropriated for the Department of Defense—\$41 billion—only \$46 million will be spent next year for basic research. If we are behind the Soviet Union today—in the field of weapons development and in many other fields, it is partly because we have not given sufficient attention and adequate sums to basic research. I think it is a great failing on the part of the Department of Defense and, I may say, of Congress, that this important subject has been neglected. I again commend the Senator from Minnesota for his foresight in introducing the bill which has now been passed by the Senate.

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

Mr. COOPER. I yield.

Mr. HRUSKA. Is it not true that the bill and the purpose which it seeks to subserve were recommended by the National Science Foundation and by governmental agencies as a solid step forward in the direction which the Senator has indicated?

Mr. COOPER. That is true. The National Science Foundation recommended the measure.

CONVEYANCE OF CERTAIN PROPERTY TO THE CITY OF ROSEBURG, OREG.

The bill (H. R. 6995) to amend Public Law 883, 84th Congress, to provide for the conveyance of certain additional property of the United States to the city of Roseburg, Oreg., and for other purposes, was announced as next in order.

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

Mr. MORSE. Mr. President, I wish to say that it is with a sad heart that I must object to the consideration of the bill. It involves a piece of property which has been before the Senate off

and on for some years. I have opposed the bill heretofore and shall continue to oppose it. In my opinion it violates the Morse formula, which I have cited many times since 1946 in objecting to any transfer of property, whether it be in my State or any other State, which violates the Morse formula. I have on previous occasions objected to the bill, and I shall again today. I do object.

The PRESIDING OFFICER. The bill will go over.

Mr. NEUBERGER. I should like to make a brief comment on the remarks of my distinguished senior colleague and to ask him a question.

First I should like the RECORD to show that the bill was introduced in the House by the distinguished Representative of the Fourth Congressional District, CHARLES O. PORTER. I introduced the companion bill in the Senate. I ask unanimous consent that my statement in behalf of the bill before the House Committee on Government Operations, together with certain documents, be printed in the RECORD at this point.

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

I appreciate the opportunity to present my statement in favor of H. R. 6995, a companion bill to S. 1915, which it was my privilege to introduce in the Senate on April 17, 1957.

If I may, I would like to give you a little history—first, a little history of legislative effort concerning the bills just referred to; second, a little history of the Lillie Lela Moore property and then I would like to report on the public response that accompanied the introduction of H. R. 6995 and S. 1915.

On February 29, 1956, I introduced a bill for conveyance of certain properties in Roseburg, Ore., to that city to be used in the public interest. The bill, with certain amendments, was enacted and became Public Law 833, 84th Congress. Briefly, it provided for the dwelling house, known as the Lillie Lela Moore house, "together with furniture, personal effects, and jewelry stored in said dwelling house or elsewhere," to be placed in the hands of the Douglas County Historical Society. The bill also required the removal of the house from the land "at no cost to the United States."

S. 3316, with the modifying amendments with which it was enacted, failed to accomplish certain objects which the bill, as originally drafted, would have achieved. These objectives would, generally speaking, be realized with the enactment of the Porter-Neuberger measures. My bill of 1956 would have conveyed the three lots and the house to the city. As enacted the Federal Government retained title to the lots, including the one on which the dwelling house stands, and removal of the house was, of course, required. I might add, by way of bringing events up to date, that the General Services Administration recently sold on bid 2 of the 3 lots and the bill passed by the House and the Senate Government Operations Committees would convey the lots on which the old home stands to the city of Roseburg for operation of the Douglas County Historical Society.

Perhaps I should explain the interest of the Douglas County Historical Society in what is known as the Lillie Moore home. Over 100 years ago, even before Oregon became a State, a young man from Maine built a home for his bride, Alice Gaylord. The home was representative of that stability and permanence befitting a commun-

ity conscious of its sudden emergence from its frontier days and its pioneer origins. It was proudly graced with many of the refinements of mid-Victorian living, which had been shipped around the Horn by the young groom, Mr. Moore. I have been told how the daughter, Lillie Lela Moore, who passed on at an advanced age, recognized that her childhood home had historical significance and should be preserved as a historical museum. May I say parenthetically that this home was never desecrated with gadgets and contrivances of a modern era. There are no electric lights, no central heating—it stands today, truly a museum piece—completely representative of a prosperous, middle-class home of the 1850's.

I have received letters which tell how Miss Lillie Moore sat with her neighbors and enumerated pieces of furniture within her home that should be included in some future historical exhibit. These former neighbors and friends tell me her will, drawn in 1927, evidenced her intent to see her property serve educational and public purposes. This will placed the property in what was to her the safe, secure hands of the Federal Government, and there was a very understandable reason why this was done.

It has been explained quite simply by those who were her close friends and confidantes just why Lillie Moore made the designation she did. Shortly before she made her will, Lillie Lela Moore had a misunderstanding with certain local officials, presumably over the price of a piece of land the authorities were endeavoring to get for public use. Rightly or wrongly, Lillie Moore resented what she believed was an attempt to acquire her land at a substantially lower figure than was paid for adjoining property. She drew her will to prevent, she thought, the misuse of her property and the neglect of her dreams. Not versed in the law, and not realizing the importance of explicitness, she failed to spell out in legal terms what she had frequently voiced to her friends. From the disclosures of her most intimate friends, it can be seen that this will in no way altered her frequently expressed plan of providing a setting for a museum which would catch and hold for posterity some feeling and evidence of a period receding quickly into its storied past. There is no reason to think that in her mind there was any doubt that her poverty would serve these historic ends. Throwing light on this matter and as corroborative material, Mr. Chairman, I have copies of affidavits I have received.

I have mentioned the response elicited by the introduction of H. R. 6995 and S. 1915. I would like to quote from some of the letters I have received. Mrs. Mabel K. Jaeger, of Roseburg, said in a letter: "Her intentions were clearly evident in all the papers in the house that she desired to use the proceeds of her property to establish a historical museum for this portion of Oregon."

Mrs. M. K. Bleakman, corresponding secretary of the Roseburg Junior Women's Club, wrote officially in support of S. 1915 as follows: "It is a commonly known fact that Lillie Moore desired to leave her money and property to found this museum. Due to faulty legal counsel, the will was made to the United States Government, making it impossible to create the museum as Miss Moore intended."

The Canyonville Lions Club, through their secretary, James Hancock, expressed officially the club viewpoint thus: "Douglas County has played a considerable part in the history of Oregon. Two of Oregon's most outstanding pioneers, Jesse Applegate and Gen. Joseph Lane, chose this particular section in which to make their homes and rear their families.

Mrs. Edith Ackert, of Riddle, writes: "Surely we would not be playing fair if we obstruct her intentions of using it for a mu-

seum." Pearl Lawson, another resident of Riddle, said in a letter to the editor of the Roseburg daily: "Since the Moore family played an active part in the early history of Roseburg, and Lillie Moore had cherished the hope of her personal possessions being placed in a museum, it seems proper that her desires be fulfilled."

In a letter the director of the Oregon Historical Society, Thomas Vaughn, said: "The State society considers the Lillie Moore home to be of unusual architectural interest. We are confident it was the implicit feeling of Lillie Moore that this home, her property, and personal effects could be most advantageously used in preserving and enlarging upon this pioneer setting in an area to which her family had contributed so much."

Guy Lutz, superintendent of schools at Oakland, Ore., sees the enactment of the proposed legislation as a great boon to school children who would benefit educationally. The mayor of Oakland, William Brislain, reiterates the fact that Miss Moore wanted her property to serve her own community.

Mrs. Katherine Lockwood affirms the cultural benefits enactment would assure. C. P. Hunter, chairman of the California Farm Bureau, refers to "her verbally expressed desires." And Mrs. Eva Love Watts, a granddaughter of Lincoln's friend, Joseph Lane, first Territorial Governor of Oregon, knew Lillie Moore personally. She says: "It was her family's wish their property be used for a museum, and Lillie tried to carry out their wishes. Somehow her will was not properly made, and her intention was not recognized."

Let me mention in conclusion that construction people are dubious about the structures ability to withstand a moving of the sort required in Public Law 833 of the 85th Congress, a fact emphasized in the excellent report on the bill issued by the Senate Government Operations Committee.

STATE OF OREGON,
County of Douglas, ss:

I, being first duly sworn, upon my oath, depose and say that I personally knew Lillie Moore for over 30 years. The last time I visited her, in company with my cousin, Winnifred Mosher, a few months before her death, and at the time bedfast, she permitted us to go through the house and look at the furnishings, kept the same as her parents had left them. She told us that she had everything marked, and ready for the house and all to be saved as a museum, and that she had made provision for it.

EVA LANE WAITE.
Subscribed and sworn to before me this 2d day of August 1957.

BETTY ECKER,
Notary Public for Oregon.
(My commission expires August 12, 1960.)

STATE OF OREGON,
County of Douglas, ss:

I, first being duly sworn, upon my oath, depose and say that I have heard Miss Lillie Moore say that her estate would provide for a museum and park, in memory of her father and mother, pioneers of Douglas County. I saw the plans she had drawn, and she told me she was ready to begin work on the planting of native plants in the park—a tract of 47 acres in the bend of the Umpqua River. There was a building drawn on the plan I saw.

AGNES B. WILCOX.
Subscribed and sworn to before me this 2d day of August 1957.

PAUL H. KRUEGER,
Notary Public.
(My commission expires June 6, 1960.)

STATE OF OREGON,
County of Douglas, ss:

I first being duly sworn, upon my oath, depose and say when I was a young girl, in

grade school, I used to accompany my mother to Roseburg, and when we had finished our buying, we would go to Lillie Moore's home to visit and rest awhile.

She loved our Oregon wildflowers, and I used to bring her lamb tongues and lady slippers in the springtimes. Many times, in the winters, I used to warm my feet on the hearth of her Franklin stove in the family parlor. One winter, I remember, Lillie spent her time at a little marble top table, drawn up near the window—for there were no electric lights. She was drawing plans for planting native shrubs and plants and making a park out of some land she owned on the other side of the Umpqua River. I remember she had roads and paths drawn on her maps, and had some sort of a building designed. She told me one time we visited her, that she would put her things there, and that my children would never see a stove like hers, unless she saved it for this building she was planning. She was awfully unhappy when the city of Roseburg made her sell it for the veterans' hospital that was to come here.

After that she did a lot of writing about where each piece of furniture came from, and where it was used in her home.

AGNES B. WILCOX.

Sworn to and subscribed before me this the 24th day of June 1957.

J. W. NICELLI,

Notary Public for Oregon.

(My commission expires October 25, 1960.)

STATE OF OREGON,

County of Douglas, ss:

I first being duly sworn, upon my oath, depose and say I am the granddaughter of Gen. Joseph Lane, first Territorial Governor of Oregon, and have taught in the schools of Douglas County for over 40 years. My grandfather chose Douglas County for his permanent home, and moved his family here in 1853.

No one, more than I, has a deeper realization of the values of historic preservation for Douglas County.

I personally knew Lillie Moore. Her parents and mine were intimate friends. It was her family's wish that their property be used for a museum, and Lillie tried to carry out their wishes. Somehow her will was not properly made, and her intention was not recognized.

I, and my cousin, Winnifred Mosher, now deceased, visited Lillie Moore about 3 months before her death, and at the time bedfast. She told us things were in readiness, and possessions labeled to become part of a museum. She expressed great satisfaction in that she had provided for the museum's creation.

EVA LANE WAITE,

Subscribed and sworn to before me this 24th day of June 1957.

A. C. ROLL,

Notary Public for Oregon.

(My commission expires April 17, 1959.)

Mr. NEUBERGER. I should like to ask a question of my distinguished senior colleague. I have respected his application of the Morse formula. I believe that certainly he should apply it to his own State as well as to other States, and he is being consistent when he does that.

There has reached my desk a letter sent to me by Representative PORTER, which he received from Ernest S. Griffith, Director of the Legislative Reference Service, Library of Congress. The letter is comparatively brief, and I would appreciate it if my distinguished senior colleague would bear with me while I read it.

Then perhaps he would care to comment on whether the Library of Con-

gress is correct or incorrect in its statement in the letter. It reads as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C., March 10, 1958.

The Honorable CHARLES PORTER:
House of Representatives,
Washington, D. C.

DEAR MR. PORTER: In connection with H. R. 6995, you have asked for a search for possible precedents—the precedent being, as we understand it, a situation where the United States, having acquired property by gift and having received profits therefrom is later asked to carry out an unwritten condition of the original donor. In the present instance it means dedicating a part of the property, for the purpose indicated (a museum) and returning, or contributing a share of the cash profits already received.

As so delimited, the situation is obviously quite specialized, and it would be beyond the reach of any tool we have available, to identify applicable legislation, if there is such.

You further indicate that your real interest is in avoiding any application of the Morse formula, which you feel does not apply in a case of this sort.

As a matter of fact, the author of the Morse formula is on record to this same effect. Attached is a copy of S. Rept. 2361 on H. R. 8123 in the 84th Congress. Senator MORSE's letter (see pp. 3-5) states very clearly his conception of the formula, and his thought that it did not apply to property donated to the Government and which was sought to be reconveyed to a city for public purposes. His criterion was that the proposed transfer in its essence represents fair play and equity. It would seem that the argument would equally hold in the present instance.

Sincerely yours,

ERNEST S. GRIFFITH,

Director.

I do not know whether the suggestion contained in the letter applies, because I am not wholly familiar with the long history of the Morse formula, which dates from 1946, which, of course, is long before I became a Member of the Senate. I should like to ask my colleague if there is any validity to the letter from the Legislative Reference Service of the Library of Congress regarding the application of the Morse formula where property was donated in a legacy, as is the case of the Lillie Lela Moore house and the lots of land adjacent thereto.

Mr. MORSE. My answer is that the Morse formula does apply to this property. I have said so on various occasions on the floor of the Senate over the years. We are discussing an exceedingly valuable piece of property, located in the business heart of Roseburg, Oreg. It would bring an exceedingly high price. It belongs to all the taxpayers of the United States. If the people of Roseburg, Oreg., want it, they ought, in my opinion, to proceed to raise a fund to pay 50 percent of the fair market value of the property.

Mr. NEUBERGER. I thank my distinguished colleague for his comment.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954—BILL PASSED OVER

The bill (H. R. 13455) to amend the Atomic Energy Act of 1954, as amended, was announced as next in order.

Mr. TALMADGE. Over. The bill is not properly calendar business.

The PRESIDING OFFICER. The bill will be passed over.

PORTSMOUTH, R. I.

The Senate proceeded to consider the bill (S. 2836) for the relief of the town of Portsmouth, R. I. which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "of", to strike out "2,452.50" and insert "\$3,433.50", and, in line 10, after the word "and", to strike out "June 30" and insert "August 31", so as to make the bill read:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the town of Portsmouth, R. I., the sum of \$3,433.50, representing the amount due such town from the Public Housing Administration as payments in lieu of taxes for projects RI-1-D-1 and RI-2-D-1, Melville Trailer Park, Portsmouth, R. I., for the period between February 1, 1956, and August 31, 1956: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

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

DONALD J. MARION

The bill (S. 3789) for the relief of Donald J. Marion was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Donald J. Marion of West Newbury, Mass., is hereby relieved of all liability for payment to the United States of the sum of \$571.20, representing overpayments of per diem which he received as an employee of the Department of the Navy while he was assigned to duty at the Golcuk Navy Yard, Ismet, Turkey, such overpayments having been made as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Donald J. Marion, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this act.

DONALD R. PENCE

The bill (H. R. 1565) for the relief of Donald R. Pence was considered, ordered to a third reading, read the third time, and passed.

JAMES L. McCABE

The bill (H. R. 8233) for the relief of James L. McCabe was considered, ordered to a third reading, read the third time, and passed.

JOHN C. HOUGHTON, JR.

The bill (H. R. 9006) for the relief of John C. Houghton, Jr., was considered, ordered to a third reading, read the third time, and passed.

GERALD K. EDWARDS AND OTHERS

The bill (H. R. 9756) for the relief of Gerald K. Edwards, Lawrence R. Hitchcock, Thomas J. Davey, and Gerald H. Donnelly was considered, ordered to a third reading, read the third time, and passed.

1ST LT. LUTHER A. STAMM

The bill (H. R. 9986) for the relief of Luther A. Stamm was considered, ordered to a third reading, read the third time, and passed.

LUCIAN ROACH

The bill (H. R. 12261) for the relief of Lucian Roach, doing business as the Riverside Lumber Co., was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. CARMEN SCOPPETTUOLO

The Senate proceeded to consider the bill (H. R. 4059) for the relief of Mr. and Mrs. Carmen Scoppettuolo, which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 6, after the word "of", where it appears the first time, to strike out "\$1,540" and insert "\$300."

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.

LUMP-SUM PAYMENT OF ACCUMULATED ANNUAL LEAVE OF DECEASED EMPLOYEES

The Senate proceeded to consider the bill (H. R. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees, which had been reported from the Committee on Post Office and Civil Service with amendments, on page 1, after line 10, to insert a new section, as follows:

SEC. 2. Section 215 of the Postal Rate Increase Act, 1958, is amended by striking out "205 (5)," in subsection (b) and by adding at the end of such section a new subsection as follows:

"(g) The provisions of section 205 (5) of this title shall become effective on May 1, 1959."

And, on page 2, after line 5, to insert a new section, as follows:

SEC. 3. Section 501 of the Postal Field Service Compensation Act of 1955, as amended, is amended by inserting "(a)" after the section number and by adding at the end thereof a new subsection as follows:

"(b) Any employee of the legislative branch whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, and who has completed two or more years of service as

such an employee, may upon appointment to a position to which this act applies have his initial rate of compensation fixed at the minimum rate of the appropriate level of the basic salary schedule applicable to such position, or at any step of that level that does not exceed the highest previous rate of compensation received by him during such service in the legislative branch."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ANNUITIES OF SURVIVORS OF EMPLOYEES WHO ARE ELECTED AS MEMBERS OF CONGRESS

The Senate proceeded to consider the bill (H. R. 8606) to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress, which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 1, line 4, after the word "words", to "or survivor of a Member", and insert "Member service" in the last sentence and inserting in lieu thereof "civilian service"; on page 2, after line 8, to insert:

(d) Section 4 of such act is amended by adding at the end thereof a new subsection as follows:

"(h) For purposes of survivor annuity, deposits authorized by subsections (c) and (d) may also be made by the survivor of an employee or Member."

After line 13, to insert:

(e) The amendments made by this section shall take effect as of March 1, 1958.

And, after line 15, to insert a new section, as follows:

SEC. 2. (a) In the administration of the Civil Service Retirement Act, George Morris Fay shall be considered to have retired for disability under the provisions of such act on May 31, 1957, the date of his separation from service as an employee of the United States Senate, to have elected a reduced annuity, and to have designated his wife, Dorothy D. Fay, to receive an annuity after his death equal to 50 percent of the annuity which he would have received upon such retirement in the absence of such election.

(b) No annuity shall be payable under this section—

(1) until there shall have been repaid to the Civil Service Retirement and Disability Fund the amount of any lump-sum benefit heretofore paid on account of the death of the said George Morris Fay, or

(2) for any period prior to the first day of the month in which this act is enacted.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (S. 4146) providing for payments as incentives for the production of certain strategic and critical minerals, and for other purposes, was announced as next in order.

Mr. TALMADGE. Let the bill go over. It is not proper calendar business.

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

EXTENSION OF CERTAIN VETERANS' BENEFITS

The bill (H. R. 5322) to extend certain veterans' benefits to or on behalf of dependent husbands and widowers of female veterans was announced as next in order.

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

Mr. BENNETT. Mr. President, I do not intend to object. The bill has been reported from the Finance Committee. I have a statement which I ask unanimous consent to have printed at this point in the RECORD.

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

BRIEF ANALYSIS OF H. R. 5322

This bill extends dependency and survivor benefits to the dependent husband of the female veteran providing he is totally and permanently disabled and incapable of self support due to such physical or mental disability. It does not apply to a husband who is not totally disabled and dependent, the female veteran because of his mental or physical incapacity.

Under existing law the dependent wife of a male veteran is eligible for such benefits, without having to meet the disability clause.

It is the belief of the Committee on Finance that such legislation is highly desirable both on the basis of providing uniformity and because it is sound policy to make the benefits available to the dependent husbands or widowers of female veterans in the same manner as they are available to the wives and widows of male veterans. In view of the service rendered to the country during World War II particularly, and to a lesser extent during World War I, by female components of the Armed Forces, it is believed that such action is only fair and just.

There are approximately 341,000 living female veterans of World War II, 77,000 of the Korean conflict and 26,000 of the World War I period, but there is no information on which to base an estimate of the number who would be affected by the passage of this legislation. Therefore, no fixed-cost estimate can be provided.

The Veterans' Administration favors enactment of this measure.

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

These being no objection, the bill (H. R. 5322) was considered, ordered to a third reading, read the third time, and passed.

COMPENSATION FOR CERTAIN BLIND VETERANS

The bill (H. R. 10461) to amend section 315 (m) of the Veterans' Benefits Act of 1957 to provide a special rate of compensation for certain blind veterans was announced as next in order.

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

Mr. BENNETT. Mr. President, I do not intend to object. The bill has been reported from the Finance Committee.

I have a statement which I ask unanimous consent to have printed at this point in the RECORD.

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

BRIEF ANALYSIS OF H. R. 10461

This bill, which was advocated by the Blinded Veterans Association, provides that veterans who have suffered blindness in both eyes and have only light perception as a result thereof, shall receive monthly compensation at the rate of \$359 monthly in lieu of the rate of \$309 monthly which is generally applicable under existing law.

The Veterans' Administration has advised that data are not available from which an accurate estimate of the cost of the bill can be made; however, on the basis of certain related statistics, has assured the Committee that not more than 600 cases would be affected.

The Veterans' Administration favors enactment of this legislation.

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

There being no objection, the bill (H. R. 10461) was considered, ordered to a third reading, read the third time, and passed.

INCREASE IN NATIONAL SERVICE LIFE INSURANCE BENEFITS

The bill (H. R. 11577) to increase from \$5 to \$10 per month for each \$1,000 national service life insurance in force the amount of total disability income benefits which may be purchased by insureds, and for other purposes, was announced as next in order.

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

MR. BENNETT. Mr. President, I do not intend to object. The bill has been reported from the Finance Committee. I have a statement which I ask unanimous consent to have printed at this point in the RECORD.

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

BRIEF ANALYSIS OF H. R. 11577

The National Service Life Insurance Act authorizes, upon application, proof of good health and payment of an extra premium, inclusion in the policies of a provision for the payment of monthly disability income to an insured who becomes totally disabled for a period of 6 consecutive months or more. The total disability must commence after the date of application, while the payment of any premium is not in default, and before the insured attains the age of 60. The amount of the monthly disability income is computed at the rate of \$5 for each \$1,000 of insurance in effect when the benefit becomes payable. Thus, the maximum amount of total disability income payable on a \$10,000 policy is \$50 monthly.

The purpose of the subject bill is to authorize an increase in the total disability income for the World War II veterans from the present limit of \$50 per month, when carried on a \$10,000 policy, to \$100 per month, and to authorize the inclusion of the total disability income rider in policies issued under section 621 of the National Service Life Insurance Act. Under the bill the total disability income could range between \$10 and \$100 monthly, depending on the premium paid and the principal amount of the insurance carried by the insured.

The Veterans' Administration has advised that the proposed increase in the amount of the total disability income benefit is in line with the current practice of commercial companies; thus, the Veterans' Administration recommends favorable consideration of the bill.

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

There being no objection, the bill (H. R. 11577) was considered, ordered to a third reading, read the third time, and passed.

INCREASED BURIAL ALLOWANCE FOR DECEASED VETERANS

The bill (H. R. 11801) to amend sections 802 and 803 of the Veterans' Benefits Act of 1957 to increase the burial allowance for deceased veterans from \$150 to \$250 was announced as next in order.

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

MR. BENNETT. Mr. President, I do not intend to object. The bill has been reported from the Finance Committee. I have a statement which I ask unanimous consent to have printed at this point in the RECORD.

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

BRIEF ANALYSIS OF H. R. 11801

This bill increases from \$150 to \$250 the funeral and burial allowance paid by the Veterans' Administration.

This benefit is payable for a veteran who served during a period of war or who had been discharged from the service with a service-connected disability or who was receiving disability compensation.

The present increase in this rate simply reflects the economic facts of life—the increase in the cost of living.

The Veterans' Administration favors the legislation.

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

There being no objection, the bill (H. R. 11801) was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 237) to regulate the interstate transportation of lobsters, and to define the term "lobster" for the purposes of the Federal Food, Drug, and Cosmetic Act, was announced as next in order.

MR. CLARK. Let the bill go over.

THE PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

FISHERY EXTENSION SERVICE

The Senate proceeded to consider the bill (S. 2973) to authorize the Secretary of the Interior to establish a fishery extension service in the Fish and Wildlife Service of the Department of the Interior for the purpose of carrying out cooperative fishery extension work with the States, Territories, and possessions, which had been reported from the Com-

mittee on Interstate and Foreign Commerce with amendments, on page 1, after the enacting clause, to strike out "That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to the fishing industry, and to encourage the application of such information, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to inaugurate a fishery extension service in connection with colleges and universities receiving grants under the provisions of the act entitled "An act to promote the fishing industry in the United States and its Territories by providing for the training of needed personnel in such industry", approved August 8, 1956 (70 Stat. 1126), and in connection with such other public and nonprofit private colleges and universities as the Secretary deems appropriate in carrying out the purposes of this act." and, in lieu thereof, to insert "That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to the fishing industry, and to encourage the application of such information, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to inaugurate a fishing extension service in connection with such public and nonprofit private colleges and universities or with such agencies of the governments of the States, Territories, and possessions, as the Secretary deems appropriate in carrying out the purposes of this act."; on page 3, line 3, after the word "necessary", to insert "preparation"; at the beginning of line 7, to strike out "college or university" and insert "college, university, or agency"; on page 4, line 24, after the word "which", to strike out "colleges and universities" and insert "colleges, universities, or agencies"; on page 5, line 2, after the word "which", to insert "each", in the same line, after the word "such", to strike out "college or university" and insert "college, university, or agency"; on page 6, line 2, after the word "the", where it appears the second time, to strike out "colleges and universities" and insert "colleges, universities, or agencies"; after line 6, to insert:

(d) Whenever the Secretary finds from a review of the annual statement of receipts and expenditures that a portion of the total sums (from all sources) provided any State, Territory, or possession for any year for carrying out the purposes of this act remains unexpended at the expiration of such year, such amount shall be considered available to such State, Territory, or possession, as the case may be, for such purposes for the next succeeding year; and appropriate adjustments shall be made by the Secretary in the apportionment of Federal funds for such succeeding year.

And, on page 7, line 2, after the word "the", to insert "general fund of the"; so as to make the bill read:

Be it enacted, etc., That in order to aid in diffusing among the people of the United States useful and practical information on subjects relating to the fishing industry, and to encourage the application of such information, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to inaugurate a

fishing extension service in connection with such public and nonprofit private colleges and universities or with such agencies of the governments of the States, Territories, and possessions, as the Secretary deems appropriate in carrying out the purposes of this act. Such extension service shall be carried out through the United States Fish and Wildlife Service, Department of the Interior.

Sec. 2. Cooperative fishery extension work shall consist of (1) the giving of instruction and practical demonstrations in fishery and subjects relating thereto to persons engaged in commercial fishing or desiring to engage in commercial fishing, and who are not attending or resident in a college or university, (2) the imparting of information on such subjects through demonstrations, publications, and otherwise, and (3) aid for the necessary preparation, printing and distribution of information in connection with the foregoing; such work to be carried on in such manner as may be mutually agreed upon by the Secretary and the college, university, or agency concerned.

Sec. 3. (a) There are authorized to be appropriated for the purpose of carrying out the program provided for in this act such sums as the Congress may from time to time determine to be necessary.

(b) Any amount appropriated for the purpose of carrying out the provisions of this act, except such amounts as may be appropriated pursuant to subsection (d) of this section, shall be apportioned on an equitable basis, as determined by the Secretary, among the several States, Territories, and possessions. In making such apportionment the Secretary shall take into account the extent of the fishing industry within each State, Territory, and possession as compared with the total fishing industry of the United States (including Territories and possessions), and such other factors as may be relevant in view of the purposes of this act.

(c) No payment shall be made under the provisions of this act in any year to a State, Territory, or possession until a sum equal to the sum ascertained by the Secretary to be available for payment to such State, Territory, or possession for such year has been appropriated for such year by the legislature of such State, Territory, or possession, or provided by State, county, college, local authority, or individual contributions from within the State, Territory, or possession for maintenance of the cooperative fishery extension work provided for in this act.

(d) The United States Fish and Wildlife Service shall receive such amounts as the Congress shall determine for administration, technical, and other services and for coordinating the extension work of such Service in the States, Territories, and possessions.

Sec. 4. On or about the first day of July in each year, beginning with the fiscal year 1958, the Secretary shall ascertain as to each State, Territory, and possession whether it is entitled to receive its share of the annual appropriation for cooperative fishery extension work under this act and the amount which it is entitled to receive. Before the funds herein provided shall become available to any State, Territory, or possession for any fiscal year, plans for the work to be carried on under this act shall be submitted by the proper official of each such State, Territory, or possession indicating which colleges, universities, or agencies of such State, Territory, or possession are to receive benefits under the provisions of this act, and the specific manner in which each such college, university, or agency intends to use such funds. Such sums shall be paid in equal semiannual payments on the first day of January and July of each year to the treasurer or other officer of the State, Territory, or possession duly authorized by the laws of the State, Territory, or possession to receive the same.

Sec. 5. (a) If any portion of the moneys received by the designated officer of any State, Territory, or possession, for the support and maintenance of cooperative fishery

extension work, as provided in this act, shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by such State, Territory, or possession, and until so replaced no subsequent appropriation shall be appropriated or paid to such State, Territory, or possession.

(b) No portion of any moneys paid to any State, Territory, or possession under this act shall be applied directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings, or the purchase or rental of land, or any other purpose not specified in this act.

(c) It shall be the duty of each State, Territory, or possession receiving benefits under the provisions of this act to submit to the Secretary annually, on or about the first day of January, a full and detailed report of the operation of the extension work carried on by the colleges, universities, or agencies of such State, Territory, or possession, receiving benefits under the provisions of this act, including a detailed statement of receipts and expenditures from all sources with respect to such work.

(d) Whenever the Secretary finds from a review of the annual statement of receipts and expenditures that a portion of the total sums (from all sources) provided any State, Territory, or possession for any year for carrying out the purposes of this act remains unexpended at the expiration of such year, such amount shall be considered available to such State, Territory, or possession as the case may be, for such purposes for the next succeeding year; and appropriate adjustments shall be made by the Secretary in the apportionment of Federal funds for such succeeding year.

Sec. 6. If the Secretary finds that a State, Territory, or possession is not entitled to receive its share of the annual appropriation, the facts and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the expiration of the Congress next succeeding a session of the legislature of the State, Territory, or possession from which funds have been withheld in order that the State, Territory, or possession may, if it should so desire, appeal to Congress from the determination of the Secretary. If the next Congress shall not direct such sum to be paid, it shall be covered into the general fund of the Treasury.

Sec. 7. The Secretary shall make an annual report to Congress of the receipts, expenditures, and results of the cooperative fishery extension work in all the States, Territories, and possessions receiving the benefits of this act, and also whether the appropriation of any State, Territory, or possession has been withheld, and if so, the reason therefor.

Sec. 8. The Secretary is authorized to make such rules and regulations as may be necessary for carrying out the provisions of this act.

The amendments were agreed to.

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

VALIDATION OF BONDS ISSUED BY MUNICIPAL CORPORATIONS, PUBLIC UTILITY DISTRICTS OR SCHOOL DISTRICTS, TERRITORY OF ALASKA

The bill (H. R. 4183) to amend an act entitled "An act to provide for the refunding of the bonds of municipal corporations and public-utility districts in the Territory of Alaska, to validate bonds which have heretofore been issued by a municipal corporation or any public-utility district in the Territory of Alaska, and for other purposes" (54 Stat. 14), approved June 17, 1940; to

validate bonds which have heretofore been issued by any municipal corporation, any public-utility district or any school district in the Territory of Alaska; and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, reserving the right to object—although I shall not object—let me say that the bill provides for an exchange of land of equal value. I wish to commend the committee for the application of the Morse formula, in effect, to the bill.

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

There being no objection, the bill (H. R. 4183) was considered, ordered to a third reading, read the third time, and passed.

SUBSECTION OF CERTAIN EMPLOYEES TO THE CIVIL SERVICE LAWS OF THE TERRITORY OF HAWAII

The bill (H. R. 4675) to provide that certain employees under the jurisdiction of the commissioner of public lands and those under the jurisdiction of the board of harbor commissioners of the Territory of Hawaii shall be subject to the civil service laws of the Territory of Hawaii was considered, ordered to a third reading, read the third time, and passed.

CIVIL GOVERNMENT FOR ALASKA

The bill (H. R. 6785) to amend section 26, title I, chapter 1, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (48 U. S. C. 381), was considered, ordered to a third reading, read the third time, and passed.

STATUS OF CERTAIN PUBLIC LANDS, TERRITORY OF HAWAII

The bill (H. R. 10423) 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 was considered, ordered to a third reading, read the third time, and passed.

HEADQUARTERS SITE FOR MOUNT RAINIER NATIONAL PARK

The bill (S. 2905) to authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Wash., 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 in order to apply the present headquarters site in Mount Rainier National Park to public use for which it is more suitable and to provide an efficient operating base for the park, the Secretary of the Interior is authorized to provide a park headquarters in the general vicinity of Ashford, Wash., and for such purpose to acquire in this vicinity, by such means as he may deem to be in the public interest, not more than three hundred acres of land, or interest therein.

SEC. 2. The headquarters site provided pursuant to this act shall constitute a part of Mount Rainier National Park and be administered in accordance with the laws applicable thereto.

SALE OR EXCHANGE OF CERTAIN LANDS, PIMA COUNTY, ARIZ.

The bill (S. 3682) to authorize the sale or exchange of certain lands of the United States situated in Pima County, Ariz., and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all or any part of the national-forest lands comprised of 349 acres, more, or less, and being situated in sections 10 and 15, township 14 south, range 13 east, Gila and Salt River base and meridian, together with the improvements thereon, may be conveyed to the board of regents of the university and State colleges of Arizona, hereinafter called "board," a body corporate of the State of Arizona, for the use of the University of Arizona, by the Secretary of Agriculture, hereinafter called "Secretary," either (a) in exchange for lands to be conveyed to the United States by the board or by the State of Arizona, within any of the national forests in the State of Arizona, having a value at least equal to the lands and improvements to be conveyed to the board: *Provided,* That any lands conveyed to the United States under the provisions of this act shall thereupon become parts of the national forests in which they are situated and shall be subject to all laws, rules, and regulations applicable to lands acquired under the act of March 1, 1911 (36 Stat. 961), as amended, or (b) for a sum of money equal to 50 percent of the appraised value thereof, as determined by the Secretary, the conveyance to be made upon the condition that the described property shall be used for research or educational purposes and that if it ceases to be so used the title thereto shall revert to the United States, which shall have the immediate right of reentry thereon, and upon the further condition that the board shall enter into such agreement as may be satisfactory to the Secretary to continue to provide suitable space and other facilities for the work of the Department of Agriculture as may be agreed upon. The lands conveyed by either party under (a) or by the Secretary under (b) may be subject to such other reservations, exceptions, and conditions as the Secretary and the board may approve.

PROCUREMENT AND SUPPLY OF GOVERNMENT HEADSTONES AND MARKERS

The bill (S. 3882) to amend the act of July 1, 1918, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers, 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 the first section of the act of July 1, 1918, chapter 791 (24 U. S. C. 279a), is amended to read as follows:

"That the Secretary of the Army is authorized and directed to furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

"(1) Soldiers of the Union and Confederate Armies of the Civil War.

"(2) Members of the Armed Forces of the United States dying in the service and

former members whose last service terminated honorably.

"(3) Persons buried in post and national cemeteries.

"(4) Members of a reserve component of the Armed Forces of the United States, and members of the Army National Guard or the Air National Guard, whose death occurred under honorable conditions while they were—

"(A) on active duty for training, or performing full-time service under section 316, 503, 504, or 505 of title 32, United States Code;

"(B) performing authorized travel to or from that duty or service;

"(C) on authorized inactive duty training, including training performed as members of the Army National Guard or the Air National Guard; or

"(D) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were—

"(i) on that duty or service;

"(ii) performing that travel or inactive duty training; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States.

"(5) Members of the Reserve Officers Training Corps of the Army, Navy, or Air Force whose death occurred under honorable conditions while they were—

"(A) attending an authorized training camp or on an authorized practice cruise;

"(B) performing authorized travel to or from that camp or cruise; or

"(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were—

"(i) attending that camp or on that cruise;

"(ii) performing that travel; or

"(iii) undergoing that hospitalization or treatment at the expense of the United States."

DEVELOPMENT OF INDEPENDENCE NATIONAL HISTORICAL PARK

The bill (H. R. 1244) to provide for the development, by the Secretary of the Interior, of Independence National Historical Park, and for other purposes, was announced as next in order.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. CLARK. Mr. President, this bill, which comes from the Committee on Interior and Insular Affairs, provides for the development of Independence National Historical Park, in Philadelphia. By the act of June 28, 1948, certain lands were authorized to be acquired—by purchase, donation, or otherwise.

It is desired that certain additional lands be authorized to be acquired in similar fashion.

I have introduced Senate bill 4216 for that purpose; and my colleague from Pennsylvania, in the House of Representatives, Representative JAMES BYRNE, has introduced an identical bill, H. R. 12720. That bill has been approved by the House committee, and is supported by the administration, including the Secretary of the Interior.

I have just now cleared this matter with my distinguished friend, the junior Senator from Wyoming [Mr.

O'MAHONEY], who represents our committee in this regard. He has indicated that the committee would approve either my bill or House bill 12720, which are identical in language, if I were to offer either of them as an amendment to the pending bill, to constitute an additional section of it.

Accordingly, Mr. President, I send to the desk an amendment which I ask to have stated, and to have included as section 3 of the bill.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, following line 2, it is proposed to insert:

Sec. 4. (a) Subsection (d) of section 1 of the act of June 28, 1948 (16 U. S. C. 407m), is hereby amended by striking out the colon and inserting in lieu thereof, immediately before the proviso, the following: "and certain land and buildings adjoining 'project E', being known and numbered as 8, 10, and 12 North Second Street, and 201, 203, 205, 207, 209, 211-213, 215, 217, 219, and 221 Market Street."

(b) The first sentence of section 6 of such act of June 28, 1948 (16 U. S. C. 407r), is amended by striking out "\$7,700,000" and inserting in lieu thereof "\$7,950,000."

Mr. O'MAHONEY. Mr. President, I wish to state for the RECORD that 10 years ago I had a part to play in the approval by the Committee on Interior and Insular Affairs, and later the passage by the Senate, of the act of June 28, 1948, to establish Independence National Historical Park, in the city of Philadelphia. I know how worthy that project is.

The amendment the Senator from Pennsylvania has offered to the pending bill has, as he has said, been approved by the House committee. It is in entire harmony with the pending measure. On behalf of the committee, I am very willing to accept the amendment, and also to take it to conference, if that should be necessary.

Mr. CLARK. Mr. President, I should like to express my deep appreciation and gratitude to my friend, the Senator from Wyoming, for his consideration in this regard; and I should also like to express my appreciation and gratitude to my good friend on the other side of the aisle [Mr. HRUSKA], who has also agreed to the amendment, in order that this needed procedure may be taken to expedite the matter at issue.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I am happy to yield.

Mr. MORSE. I understand the project is a most meritorious one, indeed; and I wish to commend the Senator from Pennsylvania for his sponsorship of it.

Do I correctly understand that the amendment authorizes the acquisition of additional property which it has been decided is needed in order to carry out the full purposes of the project?

Mr. CLARK. That is correct. Christ Church, in Philadelphia, as the Senator from Oregon knows, is one of the old, historical landmarks. Christ Church cemetery is where Benjamin Franklin is buried. The amendment merely authorizes the acquisition of sufficient additional property, so that access to Christ Church and the historical shrine where so many distinguished Americans

are buried can properly be protected as a part of this great national historical park.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

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

The bill (H. R. 1244) was read the third time, and passed.

CONVEYANCE OF RIGHT, TITLE, AND INTERESTS IN CERTAIN REAL PROPERTY TO STELLA VUSICH

The bill (H. R. 2689) to provide for the conveyance of all right, title, and interest of the United States in and to certain real property to Stella Vusich was announced as next in order.

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

Mr. MORSE. Mr. President, I have no objection to the bill; but I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning it.

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

STATEMENT BY SENATOR MORSE

H. R. 2689 would authorize the conveyance of all right, title, and interest of the United States in and to certain real property to a Stella Vusich.

The purpose of the bill is to remove a cloud on the title to the land in question. The United States, however, reserves all rights to oil, gas, and other minerals in the land.

According to the committee report, the land was part of a right-of-way granted to the Southern Pacific Railroad under an act of 1871. The railroad did not use the right-of-way and apparently disposed of it. An act of 1922, however, validates such dispositions only if the right-of-way is abandoned or forfeited by decree of a court of competent jurisdiction or act of Congress. The land was not abandoned in this manner.

This bill is similar to many other bills passed by Congress in the past few years, and is designed merely to remove a cloud on the title.

No objection of Morse formula is involved.

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

There being no objection, the bill (H. R. 2689) was considered, ordered to a third reading, read the third time, and passed.

FURNISHING OF HEADSTONES OR MARKERS FOR DECEASED MEMBERS OF THE ARMED FORCES

The bill (H. R. 4381) to amend the act of July 1, 1948, to authorize the furnishing of headstones or markers in memory of members of the Armed Forces dying in the service, whose re-

mains have not been recovered or identified, or were buried at sea, was considered, ordered to a third reading, read the third time, and passed.

Mr. O'MAHONEY. Mr. President, I have before me Calendar No. 2122, which appears not to be on the printed calendar.

The PRESIDING OFFICER. The Chair informs the Senator from Wyoming that that bill was passed on a previous occasion.

Mr. O'MAHONEY. I thank the Chair.

QUITCLAIM OF CERTAIN LAND TO KENTUCKY

The bill (H. R. 4503) to provide that all interest of the United States in a certain tract of land formerly conveyed to it by the Commonwealth of Kentucky, shall be quitclaimed to the Commonwealth of Kentucky was announced as next in order.

Mr. MORSE. Mr. President, H. R. 4503 provides that all interests of the United States in approximately 12 acres of land located in Kentucky shall be conveyed to the Commonwealth of Kentucky without consideration.

The Department of the Army reports that the property which was originally conveyed to the Government, without consideration by the State of Kentucky, for a particular purpose, is now surplus to its needs. The Department of the Army under the bill retains the rights to cross the land involved as are required for the operation, repair, maintenance, or reconstruction of existing or future improvements on the river.

Because the property is no longer needed for the purposes for which it was intended, the bill does not violate the Morse formula.

Mr. President, I make this statement for the benefit of the researchers in the Library of Congress, who apparently do not understand the consistent application of that particular formula. At no time have I applied it to a piece of property which was given to the Federal Government by a State, a municipality, or other donor for a specific Federal purpose and, when that purpose has been accomplished or can no longer be subserved, the property went back to the donor. That is not like the Oregon case which came up earlier this afternoon. In the Oregon case the property was given to the Federal Government, and thereby to all the taxpayers of the United States, as an out-and-out gift. It belongs to the people of the United States. The fact that now a city in my State seeks to get property back without any consideration at all, because it was originally given to the Federal Government, is a clear violation of the Morse formula.

Let me repeat, when a piece of property is given to the Federal Government for a specific Federal purpose and the Federal Government thereafter ceases to exercise that purpose, the Morse formula is not violated when the property is then given back to the donor, in this case the State of Kentucky. It is not a violation of the Morse formula.

Mr. COOPER. Mr. President, I appreciate very much the correct statement by the Senator of facts which are applicable to H. R. 4503. The Senator from Oregon has made a very clear distinction between this case and a case in which he calls into application his formula, and I thank him for his statement.

The PRESIDING OFFICER. Is there objection to the present consideration of H. R. 4503?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

ENLARGEMENT OF HEADQUARTERS SITE FOR ISLE ROYALE NATIONAL PARK, MICH.

The bill (H. R. 5450) to authorize the enlargement of the administrative headquarters site for Isle Royale National Park, Mich., was considered, ordered to a third reading, read the third time, and passed.

REVISION OF BOUNDARY OF KINGS CANYON NATIONAL PARK, CALIF.

The bill (H. R. 6038) to revise the boundary of the Kings Canyon National Park, Calif., was considered, ordered to a third reading, read the third time, and passed.

EXCLUSION OF CERTAIN LANDS FROM THE SEQUOIA NATIONAL PARK, CALIF.

The bill (H. R. 6198) to exclude certain lands from the Sequoia National Park in the State of California, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

ACCEPTANCE OF TITLE TO GRANT'S TOMB, NEW YORK

The bill (H. R. 6274) to provide that the Secretary of the Interior shall accept title to Grant's Tomb in New York and maintain it as the General Grant National Memorial was considered, ordered to a third reading, read the third time, and passed.

FORFEITURE OF RIGHT-OF-WAY HERETOFORE GRANTED TO ATLANTIC & PACIFIC RAILROAD CO., CALIFORNIA

The bill (H. R. 7790) to provide for the forfeiture of the right-of-way located within the State of California heretofore granted to the Atlantic & Pacific Railroad Co. by the United States was considered, ordered to a third reading, read the third time, and passed.

QUITCLAIM TO JOSEPH G. PETTET OF TITLE AND INTEREST IN CERTAIN LANDS, MONTANA

The bill (H. R. 8211) to authorize and direct the Secretary of the Interior to quitclaim to Joseph G. Pettet all right, title, and interest of the United States in and to certain lands in the State of

Montana was announced as next in order.

Mr. MORSE. Mr. President, I wish to make the comment that this land involves the payment of fair market value. Therefore, I have no objection to the bill.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

QUITCLAIM INTEREST TO CERTAIN LAND IN SMITH COUNTY, MISS.

The bill (H. R. 8842) to quitclaim interest of the United States to certain land in Smith County, Miss., and to terminate restrictions against alienation thereon was announced as next in order.

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—this bill simply involves a clearing of a cloud on title.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

VALIDATION OF CONVEYANCE OF CERTAIN LAND IN THE STATE OF CALIFORNIA

The bill (H. R. 9792) to validate the conveyance of certain land in the State of California by the Southern Pacific Co. to James Giono was announced as next in order.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a statement in explanation of Calendar No. 2132, H. R. 9792. I have no objection to the bill.

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

STATEMENT BY SENATOR MORSE

H. R. 9792, if enacted, would validate the conveyance of certain land in California by the Southern Pacific Co. to James Giono.

There has been some question for years about the exact location of the right-of-way. The land adjacent to it has been occupied by Mr. Giono since 1906. Mr. Giono secured a quitclaim deed from the railroad company but because of a cloud over the title it is apparently an unmarketable one. The United States reserves all mineral rights in the land in question.

The PRESIDING OFFICER. Is there objection to the present consideration of H. R. 9792?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN LAND AT VICKSBURG NATIONAL MILITARY PARK, MISSISSIPPI

The bill (H. R. 11008) to authorize the Secretary of the Interior to exchange certain land at Vicksburg National Military Park, Miss., and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PRESERVATION OF HISTORIC PROPERTIES IN NEW YORK CITY

The bill (H. R. 11868) to amend the act of August 11, 1955 (69 Stat. 632), relating to the rehabilitation and preservation of historic properties in New York City area, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

VALIDATION OF CONVEYANCE OF CERTAIN LAND, STATE OF CALIFORNIA

The bill (H. R. 13026) to validate the conveyance of certain land in the State of California by the Central Pacific Railway Co. and the Southern Pacific Co., to D'Arrigo Bros. Co., of California was announced as next in order.

Mr. MORSE. Mr. President, this bill simply involves the problem of removing a cloud on a title. I have no objection.

Mr. HRUSKA. Mr. President, reserving the right to object, and I shall not object, it is felt that inasmuch as the amount of land involved in this particular bill has not been disclosed, either in the bill itself or in the report, the legislative record would be more complete and satisfactory if that information could be furnished. May I ask if that information is available?

Mr. TALMADGE. In answer to the Senator from Nebraska, I hold in my hand a letter dated August 4, 1958, signed by N. D. McSherry, assistant chief clerk, United States Senate Committee on Interior and Insular Affairs, in which this statement is made: "Congressman CHARLES S. GUBSER, sponsor of the bill advises the total acreage involved is 2½ acres."

Mr. HRUSKA. I thank the Senator from Georgia.

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

There being no objection, the bill (H. R. 13026) was considered, ordered to a third reading, read the third time, and passed.

EXCHANGE OF CERTAIN LANDS AT HOT SPRINGS NATIONAL PARK, ARKANSAS

The bill (H. R. 8980) to authorize an exchange of lands at Hot Springs National Park, Arkansas, and for other purposes, was announced as next in order.

Mr. MORSE. Mr. President, I wish to point out that this bill merely involves an exchange of land.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over. The bill is not properly calendar business.

AMENDMENT OF NATIONAL DEFENSE PRODUCTION ACT OF 1950

The bill (S. 4162) to further amend the Defense Production Act of 1950, as amended, was announced as next in order.

Mr. HRUSKA. Over.

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

Mr. HRUSKA. Yes.

Mr. CLARK. Will the Senator withhold his objection until I can ask him a question or two about the bill?

Mr. HRUSKA. Yes.

Mr. CLARK. The bill comes from the Senate Committee on Banking and Currency, with the approval of all Senators on our side of the aisle, except the Senator from Illinois [Mr. DOUGLAS] who indicates he has no objection to the passage of the bill.

This bill was proposed by the administration. I happened to preside at the hearings of the committee, at which strong testimony was given by the head of the General Services Administration, Mr. Floete, and the head of the Defense Production Administration. The witnesses indicated a sense of urgency and a need to obtain the additional \$300 million authorization, considering the possibility that they might find themselves, while Congress was in adjournment, without adequate funds to purchase the materials which are required under the Defense Production Act.

The distinguished senior Senator from Indiana [Mr. CAPEHART], the ranking Republican member of the Committee, sat with me during the hearings. It was because of his insistence that the bill was reported by the committee so promptly. Therefore I am surprised to find the bill objected to on behalf of the distinguished minority leader, and I wonder if my friend will advise me why he objects.

Mr. HRUSKA. It is felt on this side of the aisle that the measure is possessed of merit, that there is an urgency about it, and that it should be approved. It is the intention of the Senator from Nebraska to vote for the bill and to urge its passage. However, there is involved some \$300 million of borrowing authority. It was not felt this was proper calendar business for that reason. We would have no objection to putting the bill at the foot of the calendar and having it taken up on motion, if that is the desire of the Senator from Pennsylvania, but we do not feel it is properly calendar business on the consent calendar because of the amount involved.

Mr. CLARK. I thank my friend for his explanation. I hope the minority leader will join the majority leader in having the bill promptly considered by motion.

Mr. HRUSKA. If the motion is made I assure the Senator from Pennsylvania I will not only support the motion, but will support the bill itself.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 13021) to amend section 41 of the Longshoremen's and Harbor Workers' Compensation Act, so as to provide a system of safety rules, regulations, and safety inspection and training, and for other purposes, 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.

REDUCTION IN WIDTH OF NEWS-
PRINT PAPER IMPORTED INTO
THE UNITED STATES

The Senate proceeded to consider the bill (H. R. 10277) to reduce from 15 to 13 inches the minimum width of paper in rolls which may be imported into the United States free of duty as standard newsprint paper, which had been reported from the Committee on Finance, with amendments, on page 2, after line 3, to insert a new section, as follows:

SEC. 3. (a) Paragraph 1313 of the Tariff Act of 1930 (19 U. S. C., sec. 1001, par. 1313) is amended to read as follows:

"PAR. 1313. As used in this title, the term 'rayon or other synthetic textile,' means any fiber, filament, or fibrous structure, and any band or strip (suitable for the manufacture of textiles) not over 1 inch in width, all the foregoing whether formed by extrusion or by other processes from substances derived by man from cellulosic or noncellulosic materials by chemical processes, such as, but not limited to, polymerization and condensation, but the term does not include fibers, filaments, fibrous structures, or bands and strips of glass or other nonmetallic mineral, or of metal, paper, or natural rubber."

(b) Notwithstanding the provisions of subsection (a) of this section, nothing in this section shall change the existing customs classification of nylon monofilament fishing line, nylon surgical sutures, nylon tennis racket strings, or nylon brush bristles.

(c) The amendment made by subsection (a) of this section shall apply to articles entered, or withdrawn from warehouse, for consumption after the 30th day after the date of the enactment of this act.

And, on page 3, after line 2, to insert a new section, as follows:

SEC. 4. (a) Paragraph 1670 (b) of the Tariff Act of 1930, as amended (19 U. S. C., sec. 1201, par. 1670 (b)), is amended by striking out "all the foregoing" and inserting in lieu thereof the following: "and extracts, decoctions, and preparations of eucalyptus (irrespective of their chief use) suitable for use for tanning; all the foregoing."

(b) The amendment made by subsection (a) of this section shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this act and prior to September 29, 1960, and to articles covered by entries or withdrawals which have not been liquidated or the liquidation of which has not become final on such date of enactment.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read:

An act to reduce from 15 to 13 inches the minimum width of paper in rolls which may be imported into the United States free of duty as standard newsprint paper, and for other purposes.

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of H. R. 10277, and the 2 amendments.

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

EXPLANATION OF H. R. 10277 AND ITS TWO
AMENDMENTS

At the present time standard newsprint paper is allowed to come into the United States free of duty. The minimum width is and has been in recent years 15 inches. This bill would reduce the minimum width, for import purposes, to 13 inches. Newspapers using narrower paper than 15 inches but not narrower than 13 inches would benefit. While there is no general trend toward narrower widths, the adoption of this bill would permit those who do use it to have the same benefits as are now extended to those who use the wider paper.

The Finance Committee amended the bill to provide for specific classifications of synthetic textiles. When the Tariff Act was last written such things as nylon, orlon, and similar noncellulosic fibers were unknown. This amendment would recognize them as permanent additions to our economy and classify them for tariff purposes. This amendment is not intended to and would not change any of the rates of duty being currently assessed, so no industry or importer will be injured or helped by tariff alterations.

The committee also added an amendment to provide for the temporary free importation of certain eucalyptus extracts regardless of their chief use. Such extracts may now be entered free of duty if chiefly used for tanning purposes. Other uses now take substantial quantities of such extracts, and if the chief use should fall in some other field, then all imports would become dutiable. There is little, if any, produced in the United States.

The PRESIDING OFFICER. The clerk will state the two bills which have been placed at the foot of the calendar.

CONVEYANCE OF INTERESTS IN
URANIUM, THORIUM, AND OTHER
MATERIALS IN CERTAIN TRACTS
OF LAND IN JACKSON COUNTY,
MISS.

The bill (H. R. 11933) to provide for the conveyance of interests of the United States in and to uranium, thorium, and other materials in certain tracts of land situated in Jackson County, Miss., was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF INTEREST IN FIS-
SIONABLE MATERIALS IN TRACT
OF LAND IN LEON COUNTY,
FLA.

The bill (H. R. 12938) to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in Leon County, Fla., was considered, ordered to a third reading, read the third time, and passed.

VETERANS' LEGISLATION

Mr. COOPER. Mr. President, I ask unanimous consent that there be printed in the RECORD a statement I have prepared commenting on many measures passed by the Senate today providing for benefits to veterans and their families.

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

STATEMENT BY SENATOR COOPER

The Senate today passed six measures affecting veterans and the families of veterans. Since these bills have already been passed by the House of Representatives, they will become law when signed by the President.

Some of these measures will help limited numbers of veterans or their families, but are important to those who will benefit from them. Others, such as the increase in benefits of the total-disability rider available to holders of National Service Life Insurance, and the extension of job protection for members of the National Guard who go on active duty, can benefit large numbers.

I have long taken a particular interest in matters affecting veterans, and am myself a veteran. For this reason, I would like to describe briefly the measures passed by the Senate today, for the information of veterans and their families in Kentucky who may be able to benefit from these new provisions of law.

1. The first of these six bills will double the benefits which may be purchased on the total-disability rider, by veterans who have kept their National Service Life Insurance in force. The bill, H. R. 11577, increases from \$5 to \$10 per month the amount of total-disability income benefits which may be purchased for each \$1,000 of national service life insurance held by insureds.

The National Service Life Insurance Act now authorizes, upon proof of good health and payment of an extra premium, monthly disability income payments to an insured under the age of 60 who becomes totally disabled for a period of 6 consecutive months or more. The maximum amount of total-disability income payable on a \$10,000 policy, now \$50 monthly, will be increased to \$100 monthly by the new provision. The total-disability income could range between \$10 and \$100 monthly, depending on the premium paid and the principal amount of the insurance carried by the veteran.

The bill also provides for the first time for the addition of a total-disability income rider to the special term insurance policies issued under section 621 of the National Service Life Insurance Act.

2. Another measure passed by the Senate today, H. R. 5322, extends veterans' benefits to dependent husbands and widowers of female veterans. It makes the same benefits available to them as now are available to the wives and widows of male veterans. There are some 321,000 female veterans of World War II, 77,000 of the Korean conflict, and 26,000 of World War I, and in view of their service to their country such action seems only fair and just.

3. A third measure, H. R. 8522, extends to members of the National Guard who perform 3 to 6 months of active duty for training the same reemployment rights now available to members of the Ready Reserve. Persons who now enlist in the Reserve for the 6-month training program established in 1955 have reemployment rights and job protection for 6 months. National Guard members performing the same type and length of duty do not now have the same job protection. Under the new law, both Reservists and members of the National Guard will have job protection for 6 months

after restoration, if they apply within 60 days after release from the satisfactory performance of their training duty.

4. The Veterans' Administration is now authorized to pay up to \$150 for the funeral and burial expenses of a deceased veteran. A fourth bill passed by the Senate today, H. R. 11801, increases this amount to \$250. Where death occurs in one of its facilities, the Veterans' Administration now pays the actual cost of the burial—but cannot exceed the legal \$150 limit. The costs of burial services have increased considerably since enactment of the \$150 maximum 12 years ago. Cemetery costs alone often exceed \$100 today. The new allowance is designed to meet these increased costs of proper burial for veterans who die in a VA facility, and in other cases where the cost is born by the Veterans' Administration.

5. Another measure passed by the Senate, H. R. 4381, authorizes appropriate Government headstones or markers, for erection in any public or private cemetery, in memory of members of the Armed Forces dying in the service whose remains have not been recovered or identified, or who were buried at sea. A previous law, passed in 1954, authorized setting aside suitable plots in national cemeteries to honor members of the Armed Forces missing in action. This statute did not authorize the use of Government funds for markers. The Senate Committee which considered the bill recommended that the Federal Government should furnish a headstone or marker to the families of lost servicemen who wish to so commemorate their loved ones, saying, "It is believed that if solace can be found by the families of these servicemen by having such a marker, the Federal Government should meet the expense of these headstones."

Another bill passed by the Senate at the same time would provide headstones for unmarked graves of any member of the Reserves, National Guard or Air National Guard or of the ROTC, who dies in the service of the United States.

6. A final veterans measure passed by the Senate today, H. H. 10461, provides that veterans who have suffered blindness in both eyes, and as a result have only light perception, shall receive an additional \$50 monthly. At present, the rate of \$359 provided in the new measure is reserved for blinded veterans so helpless as to require regular attendance of another person. Under the new law, blinded veterans would be entitled to that amount without having to show that they are helpless.

ORDER OF BUSINESS

The PRESIDING OFFICER. That completes the call of the calendar.

Mr. BUSH. Mr. President—

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. WILLIAMS rose.

Mr. BUSH. Does the Senator from Delaware desire to have me yield? I am about to speak for approximately 30 minutes. Does the Senator desire to make an insertion in the Record?

Mr. WILLIAMS. I was wondering if the majority leader would tell us the schedule for the remainder of the day.

The PRESIDING OFFICER. May we have the attention of the Senator from Texas, the distinguished majority leader? There is no business pending before the Senate.

Mr. JOHNSON of Texas. The Senator from Connecticut seems to be attempting to get recognition.

The PRESIDING OFFICER. That is correct; but there is no pending business.

Mr. JOHNSON of Texas. I am so informed. I will say to the Presiding Officer, so what?

The PRESIDING OFFICER. The Chair is informed that there should be some business laid before the Senate.

Mr. JOHNSON of Texas. The Senator from Connecticut is seeking recognition. If the Chair will recognize him, I would be glad to listen.

Mr. CLARK. Mr. President, will the Senator yield to me?

Mr. BUSH. Mr. President, the Senator from Connecticut has been recognized. If the Senator from Pennsylvania wishes to have me yield, I shall be glad to do so, but for only a moment.

The PRESIDING OFFICER. The Senator from Connecticut has been recognized.

THE NEED FOR SOUND FISCAL POLICY

Mr. BUSH. Mr. President, it is time for the American people to face the unpleasant fact that the current and foreseeable rate of Federal spending will require either honest, open increases in the burden of taxation or deceptive, hidden taxation in the form of continued inflation and further debasement of the dollar.

We ended the last fiscal year with a Federal deficit of \$2.8 billion. We face an estimated deficit of \$12 billion in the current fiscal year. The budget for the next fiscal year, 1960, is in preparation. We are told that total expenditures will approximate \$80 billion. What deficit will result one can only guess with apprehension. In my judgment, the cumulative deficits for the fiscal years 1958, 1959, and 1960 will exceed \$20 billion unless the administration and the Congress have the courage to regain control of our fiscal affairs.

Successive deficits totaling \$20 billion or more will create inflationary pressures which are frightening to contemplate. The purchasing power of the dollar, already cut by more than half since 1940, will be reduced still more, inflicting the severest hardships on those least able to withstand them.

A further decline in the value of the dollar will hurt the people of this country far more than a tax increase could possibly affect them. It will have the most serious consequences to all who must live on fixed incomes: Social security pensioners—indeed, all pensioners—teachers, preachers, civil servants, and many others who are unable to offset the effects of inflation.

As I have often said upon this Senate floor, in a period of continuous inflation the rich get richer and the poor get poorer. The rich can invest their dollars in real estate, in stocks, and in commodities to protect themselves against inflation. The poor and the families of moderate income, whose savings are in bank accounts or life insurance policies, are helpless as the cost of living gets higher and higher. Inflation offers opportunities to the speculator, the get-rich-quick artist, and the opportunistic union leader; it spells disaster for the average American.

Why do we face such a grim fiscal outlook?

First and foremost among the reasons is the cruel fact that we must now—and for the indefinite future—spend enormous sums on defense in order to insure our survival as a free nation.

The threat to our safety, and to the hope of a peaceful world, is Communist imperialism.

To survive, we must keep the military power of the United States, augmented by that of other free nations, so great as to convince the rulers of the Soviet Union that if they dare to unleash war upon the world they face the virtual annihilation of their own country.

We must be prepared not only for massive retaliation in the event of all-out war but also for the brush-fire war situations such as might result any time in the Middle East.

The costs have become staggering as science, serving the arts of war instead of the arts of peace, as it would in a better world, produces new and more terrible weapons of destruction.

As President Eisenhower pointed out in his State of the Union message, since the Korean armistice, the American people have spent \$225 billion upon our defense shield.

We are now spending at a rate of \$40 billion a year to maintain and strengthen our Military Establishment, and additional billions in mutual security programs which contribute to the strength of allied free nations.

The payroll of our military forces overseas, and the civilians employed by the military overseas, now totals \$3½ billion. By way of contrast, the total Federal budget in 1935 was \$4½ billion, only \$1 billion more than our present overseas payroll for military purposes. Compared with that \$4½ billion budget in 1935, one can now think of the interest on our Federal debt alone, approaching \$8 billion, the Veterans' Administration, costing \$5 billion; the farm program another \$5 billion, and so on. Each of those items is substantially larger than the entire budget of the Federal Government in 1935, which does not seem so very long ago.

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

Mr. BUSH. I yield.

Mr. DWORSHAK. The Senator from Connecticut is rendering a distinct service in stressing the importance of the United States maintaining a strong fiscal structure. He has pointed out that our current defense budget involves about \$40 billion annually. Did the Senator from Connecticut recently see the observation made by Secretary McElroy, that probably by 1970 our defense budget would amount to \$60 billion or \$65 billion?

Mr. BUSH. My distinguished friend has taken the words of the next paragraph right out of my mouth. If he will permit me, I will answer by continuing.

Experts in the field have warned us that increased defense expenditures of several billion dollars a year will be necessary to meet the threat created by the growing military power of the Soviet

Union. The Secretary of Defense, Neil McElroy, has indicated that the defense budget may reach \$70 billion—I repeat \$70 billion—in a relatively short time if we continue with the size forces we now have.

Has anyone thought where we may find that extra \$30 billion, over and above what we are now appropriating?

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

Mr. BUSH. I yield.

Mr. DWORSHAK. During the past few weeks the Appropriations Committee has been hearing testimony from the top military officials, including Secretary McElroy. It has been pointed out that there is an annual increase of about 5 percent in the cost of our military program by virtue of inflationary trends, and that in order to maintain the status quo it is costing 5 percent more each year, and that we are now rapidly approaching the point where we cannot afford as much national preparedness as the Nation should have in the face of Soviet aggression.

Mr. BUSH. I thank the Senator for that observation. My address will continue to emphasize the very danger he has so ably pointed out. I am grateful to him for his sympathetic interest in what I am trying to do this afternoon.

In the Defense Reorganization Act, Congress has recently given the President and the Secretary of Defense broad powers to make our Military Establishment a more effective fighting force and to eliminate waste and duplication wherever they may be found. Economies to offset partially the sky-rocketing costs of new weapons systems may be achieved by more efficient administration in the Pentagon, but it would be folly to suppose that such savings would be more than a drop in the bucket as compared with a potential \$30 billion increase in the defense budget.

We might look forward to a saving on the order of \$2 billion through careful and able reorganization under the new defense bill, but hardly to any kind of economies which would possibly approach a saving of \$30 billion.

One can only regret the grim necessity which forces us to spend such vast sums for the sterile purposes of preparation for war, a war which we pray will never come. Think what could be done for the betterment of the American people, for the betterment of the human race, if the armaments contest between the United States and the Soviet Union could be halted. Think of the deficits in schools, hospitals, medical research and many other pressing social needs which could be satisfied with only fractions of the sums we spend for defense.

As I said on the Senate floor earlier this year, the ultimate security of the United States, the Soviet Union, and of all the nations on this earth lies in an enduring peace in a world ruled by law rather than by naked power. We must continue, in the United Nations and every other international forum, to pound home that truth, grounded in the ethical systems of all the world's great religions.

Unhappily, unless there occurs a drastic change in the policies of the Soviet

Union's atheistic rulers, our world of law lies in the distant future, perhaps never to be achieved in the lifetime of the present generation.

In the meantime, we face the stark necessity of devoting a larger share of our national resources to the national defense.

In the present session of Congress, alerted by the Russian sputniks placed into orbit last fall, there is no reluctance to appropriate whatever sums appear to be necessary for defense. In contrast to the situation a year ago when Congress—unwisely in my judgment—cut the President's defense budget \$5.5 billion, we are now voting larger amounts than the President requested. The defense budget of approximately \$40 billion passed by the Senate was about \$1¼ billion more than the revised budget estimates submitted by the Department of Defense.

Yet there is reluctance to face up to the fact that increased spending for defense requires offsetting reductions in spending for domestic programs, or increased revenues from taxation if we are to escape the ruinous consequences of more inflation.

Earlier in the year, the administration was placed under extremely heavy pressures for a massive cut in taxes, pressures which came from business, labor, and the radical wing of the Democratic Party.

I desire at this time to pay tribute to President Eisenhower, Dr. Gabriel Hauge, his economic adviser, who, to my deep regret, is leaving the Federal service, the Secretary of the Treasury, Robert W. Anderson, and others in the administration who had the courage and wisdom to resist these extreme pressures. I pay tribute, too, to the responsible leaders of the Democratic Party, the Speaker of the House of Representatives, SAM RAYBURN; the distinguished majority leader of the Senate, LYNDON JOHNSON; the distinguished chairman of the Senate Finance Committee, the senior Senator from Virginia, HARRY BYRD, and others who cooperated with him and with the administration in holding the line.

That includes the present occupant of the chair, the distinguished Senator from Utah [Mr. BENNETT], with whom I have discussed these matters in great detail many times in recent weeks.

I have had prepared a summary of events related to the decision to recommend against tax reductions as an anti-recession measure, and I ask unanimous consent that this summary be printed in the RECORD as an exhibit following these remarks.

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

(See exhibit 1.)

Mr. BUSH. Mr. President, this country has recently escaped by a very narrow margin the danger of an extremely bad fiscal decision. This danger started as early as November 1957, and increased in tempo well into late spring. It was a dangerous 6 months. Extreme pressure was exerted on the administration and the Congress to sponsor a substantial tax cut, the stated purpose of which was to reverse recessionary tendencies in the economy. This pressure came from

many directions and, in total, was extremely severe.

Some people were for a tax cut simply because they wanted their taxes reduced.

Others were for a tax cut because they sincerely believed that the country was in danger of going into a serious depression and that a cut in taxes would reverse this trend.

Others were for a tax cut because they felt that the unquestioned need for tax reform could be incorporated as a part of a tax cut.

Still others favored a tax cut, especially for the lower brackets, for no better reason than political prestige.

When politicians, businessmen, economists, and many others all join together, the pressure on responsible officials, whether it be the President, Secretary of the Treasury, or Members of Congress, can be—and it was—enormous.

If this pressure had been effective in breaking down the courage and judgment of the administration, there is little doubt that the long-run effect on the country would have been disastrous.

For example, a tax cut made in February or early March, when the pressure was at its height would obviously have seriously increased the 1959 deficit, which is already formidable and disheartening. That is what it would have done.

Bad as that would have been, the extreme danger lay in the effect that such might have on future thinking and future public actions. In February and March we had no indication of a turn in the economy. The pattern was definitely downward. The turn or at least the stopping of the decline manifested itself in May.

One need not speculate on the results of this time sequence if we had cut taxes in February or earlier. Every advocate of tax reduction for any reason whatsoever would have shouted to the sky that at long last we had found out how to regulate a free economy closely, that no longer do we need to worry the slightest about recessions; they are immediately corrected by a quick, deep tax cut.

Because all of us like reasonable stability in the economy, particularly stability accompanied by an upward pattern of employment and gross national product, one may easily imagine what would have happened had we made a tax cut. The inflationary bias in this country would have been magnified many times over. As it is, we have constructively met a period of readjustment, even though it is still far from over. This is vital.

We cannot have a free economy without some periods of readjustment. We cannot have full employment and growing production on a large and continuous basis under any form of economy, including a socialistically planned one.

The citizens of our country as a whole do not realize that they have had a narrow escape.

They do not realize the great debt of gratitude they owe the President, the Secretary of the Treasury, their advisers, and those Members of Congress who had the courage and judgment to withstand the pressure for a tax reduction, thereby

avoiding what might have been a national catastrophe.

Now, although the Congress has exercised commendable restraint in the face of heavy pressures for tax cuts in an election year, it has, in my judgment, gone much too far in increasing domestic spending programs.

Masked as antirecession measures, a number of programs have been rushed through this Senate which will require substantially increased domestic spending in future years, but not in time to

have effect upon the immediate unemployment with which we have all been concerned. Some already have been passed by the House; others may be called up for imminent action.

I have had prepared a table showing the actions which had been taken on the fiscal 1959 budget as of July 25, 1958, and ask unanimous consent that it be printed at this point in my remarks.

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

Action on 1959 budget (new obligational authority in millions) as of July 25, 1958

	Budget estimate (as amended)	House action	Senate action	Enrolled bill	Difference between budget estimates and latest Congressional action
Appropriation bills:					
Agriculture and Farm Credit Administration.....	\$3,702	\$3,786	\$3,802	\$3,786	+84
Commerce and related agencies.....	953	887	950	908	-45
General government matters.....	16	16	16	16	—
Interior and related agencies.....	389	388	464	408	+19
Labor, and Health, Education, and Welfare.....	3,035	3,028	3,267	3,202	+167
Legislative branch.....	101	275	101	101	—
State, Justice, Judiciary, and related agencies.....	594	575	593	583	-11
Treasury-Post Office.....	1,377	1,363	1,363	1,363	-14
Independent offices:					
Veterans' Administration.....	4,969	4,932	4,945	4,938	-31
Civil Service Commission.....	21	610	21	—	—
Other.....	889	960	1,094	986	+97
District of Columbia (Federal funds).....	36	31	30	—	-6
Public works.....	1,082	1,082	1,164	—	+82
Defense (military).....	38,886	38,508	40,132	—	+1,246
Military construction.....	1,731	1,219	—	—	-512
Mutual security.....	3,950	3,078	—	—	-872
The supplemental:					
Atomic Energy Commission.....	2,672	2,655	—	—	-17
Administration, Ryukyu Islands.....	9	3	—	—	-6
Other.....	575	528	—	—	-47
Other bills providing new obligational authority:					
Postal-rate increase.....	-700	-550	-730	-453	+247
Highway Act of 1958.....	0	72	91	80	+80
Public facility loans.....	0	1,900	900	—	+1,000
Housing Act of 1958.....	400	—	975	—	+575
Area assistance program.....	0	250	300	—	+250
Small Business Investment Act.....	0	40	250	—	0
Airport grants.....	0	—	175	—	+175
Domestic Minerals Stabilization Act.....	0	—	350	—	+350
Amendment to Navajo-Hopi Rehabilitation Act.....	0	—	20	—	+20
Permanent authorizations.....	8,403	8,585	8,522	8,522	+119
Total considered by Congress to date.....	73,090				+3,850

¹ Less than 1/2 million.

² House does not consider Senate estimates.

³ Includes \$500,000,000 for military pay, not considered by House.

⁴ Committee action.

Mr. BUSH. It will be noted that as of July 25 actions by Congress or committees of the Congress proposed to add \$3,850 million in new obligational authority to the revised budget requests. Of this amount, \$1,246 million, or less than one-third, was for the purpose of strengthening our Defense Establishment. For purely domestic programs, about \$2.6 billion had been added to the budget requests as of that date.

I hope that some of the unwise actions taken by the Senate may yet be corrected in the House of Representatives, as apparently has been done in the case of the community facilities bill; or, if they are not, that the President will exercise his veto power, as he did today in connection with the independent offices appropriation bill. The President vetoed that bill to save \$590 million.

I hope that the House will stand by its action of last week and will continue to refuse to consider the community facilities bill, which would have opened up new spending of almost \$2 billion.

America cannot afford to embark on such large, long-range domestic spending programs while at the same time paying the enormous bills coming due for defense, and which, in all probability, will increase in the future.

The Congress, and the American people, must exercise a far higher degree of careful judgment in establishing priorities on domestic spending; and the States, as in the urban renewal program, for example, should be called upon to share in the cost of desirable programs which should go forward without interruption.

While it is late in the present session, it is not too late to start thinking about actions which the administration and the next Congress should take to recapture control of the financial affairs of the United States.

At a minimum, I believe the 86th Congress should take the following steps:

First. Establish a commission to review the tax structure and long-range fiscal problem of the Nation. I have proposed such a commission to examine,

study, and report on (a) the long-range fiscal problem of the United States, with especial reference to the capacity of the economy to provide the resources necessary for national security and essential governmental services, and (b) methods of raising required governmental revenues which will distribute the burdens of taxation most equitably, contribute to the maintenance of a currency with reasonably stable purchasing power, and foster the growth of the economy.

A joint resolution to establish such a commission should be introduced in the House of Representatives, the body with primary jurisdiction over taxation. It is my hope that the President will recommend the creation of such a Commission when the 86th Congress convenes.

Second. Amend the Employment Act of 1946 to include the goal of price stability among the explicit aims of the act.

Third. Initiate an amendment to the Constitution of the United States to provide for the item veto of appropriation bills and of bills calling for expenditures by the device of a borrowing "pipeline" to the Treasury.

Fourth. Use the single appropriation bill, as repeatedly proposed by the Senator from Virginia [Mr. BYRD] and, the Senator from New Hampshire [Mr. BRIDGES].

Fifth. Consider the advisability of consumer credit controls, at least on a stand-by basis.

This is not a new subject. The Federal Reserve Board, in my considered judgment, needs to have this weapon in its arsenal. We give the Federal Reserve Board control of stock market credit. We give it control of the money market. We give it control of bank credit. But there is one avenue of credit over which the Board has no control whatever. It is the so-called consumer credit. The absence of any control whatever over consumer credit, I think, actually contributed substantially to the recession which began last year and in which we still find ourselves.

The overuse of consumer credit in the preceding 2 or 3 years resulted in enormous declines in production for the automobile industry and other manufacturers who make consumer items, particularly durable consumer items. The result was not only the borrowing of money with which to pay for the automobiles, but also borrowing against the future production of the automobile industry. That is why the production of automobiles fell off from some 7 million passenger cars to approximately 4,500 million this year, at the current rate.

So we must consider the advisability of imposing consumer credit controls in the next Congress.

Sixth. Examine the causes of wage increases in excess of productivity, and review existing laws to determine whether they permit too great concentrations of power, contrary to the public interest, in industry and in labor unions.

To implement my second point, the inclusion of price stability among the goals of the Employment Act of 1946, I intend to reintroduce S. 2824, perhaps with some modifications in language, when the 86th Congress convenes. The

distinguished junior Senator from Utah [Mr. BENNETT] has consented to become a cosponsor, and I hope that other Senators will join in this effort to help bring inflation under control.

The objective of my amendment has been endorsed by a number of distinguished economists, including Dr. Arthur F. Burns, president of the National Bureau of Economic Research, former Chairman of the President's Council of Economic Advisers.

I ask unanimous consent that an article entitled "Some Expert Views on Inflation," which summarizes the opinions of economists on this proposal to amend the Employment Act, and which was published in the August 1958, issue of the magazine *Banking*, be printed in the RECORD following my remarks.

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

(See exhibit 2.)

Mr. BUSH. Mr. President, these comments are by such authorities as Dr. E. Sherman Adams, deputy manager, American Bankers Association; Prof. Henry C. Wallich, of Yale University; G. Keith Funston, president of the New York Stock Exchange; Dr. Burns himself, whom I have mentioned; Dr. Edwin G. Nourse, Chairman of the Council of Economic Advisers under President Truman; and other distinguished authorities who have discussed the bill I have mentioned, S. 2824, to make stable prices a coordinate objective of maximum employment.

I also ask unanimous consent that the summary and conclusions of a recent study entitled "Defense Against Inflation," by the Research and Policy Committee of the Committee for Economic Development be printed in the RECORD following these remarks. This study also recommends amendment of the Employment Act to include stable prices as a specific policy objective.

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

(See exhibit 3.)

Mr. BUSH. Mr. President, the American people are faced with unpleasant choices.

We are confronted with the necessity of spending large sums for purposes of the highest national priority—defense, mutual security, science, education, and the provision of essential Federal governmental services.

How can we pay the bills?

As I see it, there are two permissible alternatives, or a combination of them:

One way is to cut back in expenditures on the less essential domestic programs, however appealing and desirable they may appear to be.

The second is to continue spending as we have been, but to have the courage to raise the required revenues by approving whatever levels of taxation are necessary. This may mean an increase in taxes, or the maintenance of the present high Federal tax rates to provide rising revenues as the economy expands. It may mean both, or it may mean new sources of tax income.

The only other alternative—which I find unacceptable—is to drift along as we have been doing, and pay the bills by the cruel, hidden taxation which re-

sults from inflation. This I consider dishonest.

In his state of the Union message, President Eisenhower outlined the ways in which the American people "must funnel our energies more efficiently into the task of advancing security and peace." He said:

These actions demand and expect two things of the American people: sacrifice, and a high degree of understanding. For sacrifice to be effective it must be intelligent. Sacrifice must be made for the right purpose and in the right place—even if that place happens to come close to home.

After all, it is no good demanding sacrifice in general terms one day, and the next day, for local reasons, opposing the elimination of some unneeded Federal facility.

It is pointless to condemn Federal spending in general, and the next moment condemn just as strongly an effort to reduce the particular Federal grant that touches one's own interest.

These words of the President have gone unheeded by Congress in the present session. I believe the American people are ready and willing to make the sacrifices required to preserve our free institutions from the threat of Communist imperialism. I believe they need to be told by Members of Congress about the choices they face.

I believe that when the people know the facts they will reject inflation as a way of paying the bills because it is essentially cruelly unfair to the people who can least afford to lose anything.

Severe as would be the financial effects of continuous inflation upon millions of Americans, more tragic would be the consequences to the future of this Nation.

History affords many lessons about the fate of governments and nations which have failed to maintain control of their fiscal affairs and have debased their currency as a means of paying their bills.

The instability of governments in France, since World War I, is attributable, in large part, to an inflation which cut the value of the franc from 20 cents, in 1914, to about one-quarter of a cent at the present time.

I remember that when I was in France, during World War I, the franc was valued at about 5 to the dollar. But when I was there last November, one could buy 400 francs for \$1. What a change that has been.

The fall of the Weimar Republic, and the rise to power of Hitler in Germany, resulted from the terrible hardships inflicted upon the population by the collapse of the mark resulting from floods of printing-press money.

A more recent frightening example is the fall from power of the Chinese Nationalist Government and the Communist conquest of the mainland of China.

Recently I placed in the RECORD a review of the book entitled "The Inflationary Spiral, the Experience in China, 1939-50," by Chang Kia-NGAU, former governor of the Bank of China, in which he traces the successive steps by which the government debased the currency until the value of the Chinese dollar, in relation to the United States dollar, fell to \$8,683,000—Chinese—to \$1—United States.

That is in contrast to the situation existing in 1935, when the Chinese dollar was worth about 36 cents.

What Mr. Chang wrote about the Chinese Nationalist Government provides food for sober thought:

Not possessing the wisdom and courage to undertake unpopular measures, the Government could of course have reduced the scale of its spending. But it persisted in its refusal to take any effective step to trim expenditures and, over-emphasizing the importance of prestige and outward military power, it underwrote political and military expenditures regardless of their economic consequences. It was curiously blind to the fact that in the long run economic health is a prerequisite of political power. It sought an easy way out of its financial difficulties, only to court eventual disaster.

I pray that the Government of the United States, a government in which Congress shares responsibility with the executive branch, will reject any easy way out of the financial difficulties we face.

America is a rich, powerful Nation, the leader of all free nations in resistance to Communist imperialism. The soundness of our national economy and its productive power are the foundation of our national defense. If we permit our economy to be undermined by the corrosion of continuous inflation, we shall court eventual disaster, and the end of the United States as a world power will then be in sight.

Mr. President, let us have the courage to recapture control of our fiscal affairs.

Mr. CLARK. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield to my friend, the Senator from Pennsylvania.

Mr. CLARK. I have listened with great interest to the closing comments of my distinguished friend, the Senator from Connecticut, who serves with such great ability on the Banking and Currency Committee. Unfortunately, I was unable to be in the Chamber to hear all of his remarks. However, the colloquy we have had in the committee has made me generally familiar with his views.

He may be somewhat startled and surprised when I say that I desire to commend him for his excellent and timely speech, which perhaps could well have been delivered earlier.

I wonder whether he will agree with me and with the distinguished Senator from Missouri [Mr. SYMINGTON], who expressed on the floor, not long ago, that view that either we shall have to obtain more revenue for the Federal Government, or the United States will have to disarm unilaterally, or our Government will have to start the printing presses rolling, or, again, in the alternative, the Government will have to abandon a number of domestic programs, which perhaps I favor somewhat more than does my friend from Connecticut, although I know he is in favor of many of them. Does he agree that those are stark alternatives the country must consider?

Mr. BUSH. Mr. President, I am not surprised, but I am delighted that my friend, the Senator from Pennsylvania, would comment as he has. Certainly I

agree with him that the alternatives we face are not pleasant to contemplate, and that perhaps we shall have to choose one or two of those alternatives, or perhaps a combination of them, to wit, either reduce governmental spending, or reduce the Government programs, or, perhaps, as I indicated earlier in my remarks, increase taxes sufficiently to meet the spending.

However, I hope the economy will expand so rapidly that existing tax rates will provide substantially larger revenues. But as to that, we shall have to wait to see.

Mr. CLARK. Of course, we hope for such an expansion of the economy.

I believe I heard my friend from Connecticut say, the other day, that he had in mind the submission, to the Employment Act of 1946, of amendments to bring the question of inflation into the picture. Is that correct?

Mr. BUSH. That is correct; and the Senator from Pennsylvania may also recall that I said I introduced such a measure last August. However, it has not been considered by the committee. Earlier in my remarks—perhaps when the Senator from Pennsylvania was not present—I said that I intend to reintroduce, at the opening of the next session, that bill, which will make stable prices an objective of the Employment Act.

Mr. CLARK. I hope my friend will press forward with that measure. Certainly, so far as I am concerned, I believe it is desirable that such a measure be enacted.

I believe my colleague has, on occasion, also thought it desirable to provide the President with authority to reimpose regulation W, which has to do with installment purchasing. Is that correct?

Mr. BUSH. That is correct. Earlier in my remarks, I referred to it; it is 1 of the 6 points in the program I advocate, and which I believe the Congress should consider during the session which will begin next January. So I am delighted to hear that the Senator from Pennsylvania is also interested in it, because I think therein lies a very important control which would greatly fortify the Federal Reserve in connection with its very heavy responsibilities. In fact, I go so far as to say that, in my judgment, if such controls had been available in 1955 and 1956, we would never have gotten into a recession of the size and depth of the one with which we are confronted this year.

Mr. CLARK. I thank my friend, the Senator from Connecticut, for yielding to me. Again, I should like to commend him for his very excellent presentation on so timely a subject.

Mr. BUSH. Mr. President, I am very grateful to the distinguished Senator from Pennsylvania.

Finally, I ask unanimous consent to have printed at the end of these remarks, and following the insertions previously authorized, an editorial entitled "Harsh Alternatives" published in a recent edition of the Wall Street Journal.

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

(See exhibit 4.)

Mr. BUSH. Mr. President, I yield the floor.

EXHIBIT 1

THE DECISION AGAINST A TAX CUT IN THE 1957-58 RECESSION

BACKGROUND

In the early part of the recession in 1957 the possibility of tax relief had been largely abandoned because of the recognized need for higher Federal expenditures to meet the sputnik challenge. On December 2, Speaker RAYBURN told a press conference that the outlook for a significant tax cut was not very favorable. Congressman MILLS, of the House Ways and Means Committee, indicated that no tax relief was likely in the following year, and that it might be delayed for some time. The President, in a December 4 White House meeting with Republican leaders in Congress, said that immediate tax cuts were all but ruled out.

During December it became quite clearly evident that an important business decline was underway. Unemployment rose to a new high for the year and the industrial production index dropped sharply further to the lowest in more than 2½ years.

On December 23 the administration announced the first of a series of antirecession steps in a program to cushion the decline, including a speedup in defense contracts and actions to stimulate housing. This followed earlier moves by the Federal Reserve to relax credit, the principal one being a reduction in the discount rate in mid-November.

TAX CUTS ADVOCATED

Around January 1, three members of the House Ways and Means Committee—SIMPSON (Republican, of Pennsylvania), HERLONG (Democrat, of Florida), and SADLAK (Republican, of Connecticut)—took the position that tax cuts were needed as a stimulus to the economy.

On January 2, Robert Nathan, of Americans for Democratic Action, termed the proposed increase in defense spending inadequate, and called for a \$78-\$80 million budget with a \$3-\$5 billion temporary cut in income taxes.

Secretary Anderson, testifying January 16 on tax changes before the Ways and Means Committee, strongly opposed any tax cut at that time. He expressed confidence that the business situation would improve without tax relief. Although conceding that situations might arise in which tax relief might appropriately be considered, he said, "I do not believe these conditions exist at the present time." He cited, as at his budget press conference earlier, a list of factors to sustain his belief that economic expansion would shortly be resumed.

In January the economic situation continued to weaken. Unemployment increased rapidly, and many workers were reduced to part-time employment. The extent of the decline was indicated by figures released during the following month, which showed a continued drop in industrial production, with the decline centered very largely in durable goods. Factory employment reached the lowest level since 1954. Wage and salary income declined, but this was partly offset by an increase in unemployment compensation, and total personal income showed little reduction.

The Wall Street Journal at the end of January commented that "The possibility of antirecession tax cuts has been growing in recent weeks, with influential Congressional Democrats indicating such relief must be considered unless a business upturn develops in the spring."

On January 30, President Curtice, of General Motors, called on Congress to vote a tax cut to stimulate business confidence in the Nation's economy.

On February 4, a number of nationally known economists testifying before the Joint Economic Committee recommended tax cuts to bolster consumer buying and help the country out of the recession. (In earlier

testimony before the committee, Dr. Saulnier, Chairman of the Council of Economic Advisers, had predicted a business upturn about the middle of the year.)

The President indicated in his press conference on February 5 that if business did not turn up quickly enough a tax reduction was a prospect.

Senator DOUGLAS on February 10 advocated tax reductions at once to combat the recession. He introduced a bill calling for a cut of \$4.4 billion in personal income and excise taxes, and said "We are not only in the danger zone. The time to act has arrived."

The expressed view of White House officials at that time was that the beginning of a recovery should be evident within a few months, and that April and May would be the test period. The attempt was made to stave off drastic action until after this period. Various widely known economists, however, said they could foresee no upturn soon and feared a prolonged recession.

PRESSURE FOR TAX CUT INCREASES AS BUSINESS WEAKENS

The January unemployment figures, released February 11, showed the largest month-to-month rise in unemployment since the present series of figures was started in 1940, the total reaching 4½ million. Senator DOUGLAS characterized the figures as "most alarming." Senator ELLENDER said the President "has been whistling in the dark when he states there will be an upturn within the next 2 or 3 months." Senator KEFAUVER said "the situation is more serious than even the figures indicate." Mr. Keyserling, former chairman of the Council of Economic Advisers under President Truman, issued a statement saying the unemployment report should convince anyone in the country "that the recession is already serious and getting worse."

The President on February 12, in an unusual White House statement obviously designed to relieve anxiety over unemployment, forecast "the beginning of the end" of the recession during March. He listed the important steps taken to strengthen the economy and hasten recovery. No mention was made of tax cut proposals.

Tax reduction sentiment gained ground during February. On February 13 Speaker RAYBURN promised that Democratic leaders would start consideration of antirecession tax cuts "pretty soon."

Dr. Burns, former chairman of the President's Council of Economic Advisers, said on February 16 that he saw no evidence to back up the President's forecast of an "upturn in March." He called for massive Government intervention as the only means to end the slump, and predicted this intervention would come "on a large scale before very long."

ADMINISTRATION ATTEMPTS TO POSTPONE DECISION ON TAX CUT

On February 18 (following a White House meeting with the President, Secretary Anderson, Secretary Mitchell, and other Government officials), Senator KNOWLAND and other Republican leaders, expressed their belief that business could recover without a tax cut or big public works spending. (At the meeting, Secretary Anderson presented a list of favorable factors in the economy.)

At his press conference February 26, the President repeated his views that the recession would begin to slacken by March, and that a general recovery would be evident by midyear. He repeated that a tax cut was a possibility if any deepening of the recession required it.

On March 2 the National Planning Association released a 165-page study of the American economy, asserting that the Government could prevent the business slump from becoming a full-scale downswing by taking strong counter measures. Tax reduction and public works spending were suggested.

Senator KNOWLAND, after a meeting of Republican leaders with the President, mentioned mid-April as the time for decision on tax cuts and other alternative proposals if the recession did not lose steam in March, as the administration believed it would.

The President said in his press conference on March 5 that the administration maintained a flexible position on tax cuts and other recession remedies. He said "the private economy has a way of steering its own course, and the Federal Government and the State governments are not in themselves the most important factor in the dips and upturns of the economy." He said "No" to a question whether a tax bill had already been worked up, to be used when needed, and gave no clue as to when he would support a tax cut.

On March 10, Vice President Nixon said he would favor a tax cut over other antirecession proposals, but emphasized that he was not advocating an immediate tax reduction.

The unemployment figures for February, released March 11, showed a further increase to 5,173,000, exceeding the 5-million figure that many had taken as a critical level. This gave greater urgency to the demand for immediate antirecession actions.

Secretary of Labor Mitchell, on March 11, told an AFL-CIO economic conference that a substantial cut in personal and business taxes was being considered and its details being worked out, to be ready for use if necessary. It was reported in the press on March 11 that following conferences between Speaker RAYBURN and Chairman MILLS, of the Ways and Means Committee, the Democrats had worked out a plan for a \$6-\$7 billion package cut.

Senator DOUGLAS, on March 12, presented a \$5.2 billion tax cut proposal, and said the quickest and most effective way to stop the recession was by a tax cut for the lower- and middle-income groups.

It was around this time that the pressures for tax reduction, coming from many sources and with various plausible arguments, reached their greatest intensity. One reason for the urgency in pushing for a decision on tax legislation was the fear of both political parties that the opposing party might take credit for a tax reduction. Secretary Anderson on March 12, following a White House discussion of the economic situation, presented in a special White House press release a statement on the status of decisions regarding further moves to stem the recession. He said that both the current implications and the long-term effects of various approaches to the problem must be carefully weighed. He indicated his disapproval of "huge, slow-acting public works programs of dubious value." He concluded his statement with this significant paragraph: "No decision regarding taxes has been made. Whatever decision regarding taxes is taken will be reached only when the impact of current developments on the future course of the economy has been clarified, and after consultation with Congressional leaders."

Speaker RAYBURN on the following day revealed that an understanding had been arrived at between Secretary Anderson and Congressional leaders to inform each other before seeking tax-cut legislation.

The leaders of the AFL-CIO and major associated labor unions proposed tax reductions and other antirecession measures. The president of the Steelworkers' Union said on March 13 that unless needed tax cuts were made immediately, greater reductions might be needed to meet a worsened recession.

On March 23, former Chairman Burns, of the Council of Economic Advisers, called for an immediate \$5 billion slash in taxes, with no expiration date, to encourage consumption and investment.

The first signs of a coming business turn actually appeared in March, and were partly

influenced by seasonal factors. The monthly review of the business survey committee of the National Association of Purchasing Agents, issued at the end of the month, indicated that "the sharp downturn in production, prevalent for many months, may be ending." New orders received by manufacturers improved more than seasonally in March. Machine tool orders rose for the third successive month. Applications for FHA insurance on new homes increased markedly. Employment rose sharply, though not quite as much as usual for the month.

Aside from the few optimistic indications, however, the statistics generally presented a discouraging situation. The drop in industrial production had already exceeded the declines in the previous recessions of 1949 and 1954. Nearly 8 percent of the labor force—5.2 million workers—had no jobs, and others were working only a few days a week. To add to workers' difficulties, the cost of food and other living costs continued to rise rapidly.

By early April the situation began to look a little better. The President said in his press conference on April 2 that tax reductions should be approached cautiously. The Wall Street Journal of April 3 noted a feeling that the recession was slowing and pressure for antirecession tax cuts was lessening. It said: "Up to now, tax relief has been blocked largely by agreement between Treasury Secretary Anderson and Democratic leaders of Congress." It noted at that time a shift in emphasis toward tax reduction to stimulate recovery rather than to stop the recession.

The Wall Street Journal of April 17 quoted Acting Senate Majority Leader MANSFIELD as saying that he thought tax-cut sentiment had "cooled off," and that he attributed this to Treasury Secretary Anderson and Bernard Baruch, who had recently called tax cuts a folly.

But the chairman of the National Planning Association, calling for tax reduction and heavy Government spending, suggested that Baruch was "30 years at least, behind the times." Robert Nathan, of Americans for Democratic Action, urged a massive \$8-\$10 billion tax cut and increased Federal spending projects. The Council of State Chambers of Commerce assailed the inflationary aspects of proposed public works programs and suggested tax reduction to stimulate business incentives and investment.

The March unemployment figures, released April 8, showed the smallest rise since the beginning of the increase in November, with an expansion in employment that carried it within 2½ percent of the record figure for the month. The President stated that this indicated the recession was slowing down. Some claimed, however, that the failure of unemployment to decline seasonally indicated further deterioration.

The President said at his press conference on April 9 that business conditions were not critical enough then to warrant tax slashes or other emergency measures. He indicated that the decision on tax reduction might be delayed until June or later.

Others, however, differed strongly from this view. Former President Truman, in testimony before Congress April 14, proposed a \$5 billion tax cut for low and middle income families to boost purchasing power, together with an increase in spending programs. He suggested, however, plans for compensating increases in Government revenues (largely impracticable) in order to avoid increasing the deficit.

Former Chairman Eccles of the Federal Reserve Board, in testimony April 16, said the recession was getting increasingly severe and might get even worse unless tax relief were provided promptly. He advocated tax reductions amounting to \$7 billion.

Secretary Anderson, on April 18, told the American Society of Newspaper Editors, "We

are not headed for a depression, but for new horizons of progress." He added: "We confidently believe that our present recession will not be of long duration and that sustainable growth in our economy will soon be realized."

He expressed his views on tax reduction by saying:

"Modification of taxes in an economy as complex as ours must be based on a very careful review of what, in fact, can be accomplished, and not on the theory that a single dramatic action will automatically be all that is required to assure business recovery. The very fact that the present downturn in business developed at a time when personal income was at the highest level in history would seem to indicate many other considerations are involved."

He mentioned factors that should be taken into account in making any decision on taxes: Our present and future fiscal position; the need for a reasoned plan as to how to pay for what we spend; and the need to identify the results in terms of sustainable growth, new job opportunities, new incentives, and justified confidence. "These considerations," he said, "do not always coincide with the most popular. They have, however, motivated the understanding that any action in this field would be preceded by bipartisan consultation with the leaders in Congress. The welfare of the people and not any party must first be served. This country is indebted to the leaders on both sides of the aisle for an attitude of statesmanship."

On April 20, Commerce Secretary Weeks reported that we were seeing the worst of the decline. (This proved to be accurate since April saw the low point in industrial production.) He said the present leveling out should produce "some solid progress along in June and July."

An economic report by the Rockefeller Brothers Fund prepared by a panel of 17 distinguished economists, financial writers, and other widely known authorities, was made public on April 20. It called the current recession "relatively moderate," but said it required a tax cut, a speedup of short-term public-works projects and other measures to "help overcome the current recession and expand employment."

The presidents of the 12 Federal Reserve Banks, in joint views presented on request to the Senate Finance Committee and released April 27, advocated temporary tax cuts and stepped-up public spending if the recession showed signs of deepening, but said these should be avoided unless absolutely necessary.

In a press conference April 29, Senate Majority Leader JOHNSON said that unless public works construction was speeded immediately, the only alternative to cure a recession would be a tax cut. Senator KNOWLAND announced that administration officials planned to confer before the end of May with House and Senate tax-writing committees.

At the beginning of May the business news continued to indicate a slackening of the decline and the beginning of some improvement, led by the steel industry. At his press conference April 30, the President had mentioned continued and emphatic indications that the downtrend was leveling off. Over the second weekend of May, the press reported that most of the 100 business and financial leaders making up the Business Advisory Council of the Department of Commerce took a strong stand against general tax reduction, saying the recession was at or near the bottom and such stimulus was not required.

Secretary Anderson told the Governors' Conference on May 21 that the Government's tax decisions would be made in the light of the specifics of our improving economic situation, and would reflect a full evaluation of both the probable short- and long-term consequences. He said "month by

month we can see proof that our basic strengths are effectively resisting the downturn. . . . Our free, private-enterprise economy is putting on an impressive performance of resistance to further decline without so-called massive intervention by the Government." He cautioned against injudicious spending programs or tax cuts:

"Every time we examine a proposal for Government action let us ask these questions. Can we reasonably predict the likely results of the suggested program in terms of resumed and sustained growth, new job opportunities, new expansion, and new incentives? If it is a spending proposal, can we predict what effect \$10 or \$20 million more a week would do in light of the fact that the Federal Government right now is spending \$1½ billion from Monday morning to Friday night? Will the program contribute a real and justifiable continuation of confidence? Is it the type of thing a prudent government would normally do—the type of action which inspires confidence and does not create doubt? Will it do these things without unduly increasing the fiscal burdens—Federal, State, and local—which must be sustained by the American economy?"

In a long-promised address to the Nation on the evening of May 20, the President said:

"Reports from the country strongly indicate that the economic decline of recent months is slowing down. Not all our economic troubles are over by any means. But there is a change in the making. That it will prove to be a change for the better, I have no doubt. . . .

"There is another area of policy that has aroused intense interest, both in and out of government. That is taxation. . . .

"The timing of tax changes always poses problems. During periods of high business activity and high employment there is concern with inflationary effects. In a time like the present, with its rising Government expenditures, we are particularly sensitive to tax burdens, but there is likewise great concern with the future impact of increasing current deficits.

"After consultation with Congressional leaders, certain decisions will shortly be taken in the field of taxation. They will be made in the light of the latest information regarding the economic situation and with a full evaluation of the probable short and long-range consequences. This matter of taxation is so important to the American people that by no means should it be the subject of political competition."

Chairman Henry Alexander, of J. P. Morgan & Co., in a speech before the Bond Club of New York on May 16, recommended an across-the-board percentage tax cut of "85 billion, or perhaps more" applying to both individuals and corporations. He advocated this as a quick cure for the recession because we could not afford to take chances that the situation might get worse.

Virtual abandonment by Congress of tax reduction as a remedy for the current recession became apparent near the end of May. The Wall Street Journal of May 26 stated "Sentiment in Congress and the Eisenhower administration has just about jelled—against general tax reductions for individuals or corporations. . . . The only factor that could alter this outlook would be a last-minute change, however unlikely, within the Administration, or a revolt of rank-and-file House Members against the leadership of Mr. Anderson, Speaker RAYBURN, and Chairman MILLS (Democrat of Arkansas), of the Ways and Means group. The strong support for broad, general tax cuts that seemed evident only a few weeks ago within Congress and the Administration has just about vanished."

The President on May 26, in a letter to Vice President Nixon recommending continuation of current corporate and excise tax rates, made no mention of the individual

income tax. This was interpreted, and so explained by his press secretary, as indicating no present intent to send tax reduction proposals to Congress. Top Democratic and Republican leaders in both House and Senate concurred in this decision. Senator DOUGLAS, however, said, "I think the President has made a very bad mistake. The country is in a severe recession and there is no immediate sign of recovery." He renewed a suggestion for a \$6 billion tax reduction.

In a statement on June 12 before the Senate Finance Committee on the extension of corporate income and certain excise tax rates, Secretary Anderson said:

"Many proposals in recent months have been put forward suggesting certain tax reductions as a means of encouraging prompt resumption of economic improvement. We in the Treasury, as well as you, have given them most careful consideration and analysis. In the best interests of the Nation we cannot at this time propose any general reduction in individual income taxes. To do so would further widen the gap between revenues and expenditures. Nor can the serious disadvantages of so increasing the deficits be offset by a reasonable certainty that any particular individual income tax adjustment would predictably assure resumption of growth either in specific areas of the economy or the economy as a whole."

RECOVERY NOW UNDERWAY

The business improvement that was evident in May was confirmed by a continued rise through June, and the higher economic levels have apparently been well maintained in July.

The Federal Reserve Board index of industrial production, after reaching a low of 126 in April, rose 2 points in May and 2 points further in June. This amount of gain in 2 months represents a marked improvement in production. The improvement was marked in steel and other durable goods, but was not confined to these areas. On the contrary, it extended into most major manufacturing fields, with effects which were felt also in the distributive industries.

The gross national product made its low in the first quarter. In the second quarter, the annual rate of GNP rose \$2.2 billion to \$428 billion. Improvement was shown by all major components except private domestic investment.

Personal income in recent months has made a particularly strong showing. It rose in June for the fourth consecutive month, reaching a level only one-tenth of 1 percent below the alltime record high of last August. Personal income has been supported in part by unemployment-benefit payments, but the increase in June was attributable to higher wage and salary disbursements.

Employment has been rising steadily since February, aided by seasonal influences. It increased about 900,000 in June to a total of 65 million, with a rise of 150,000 in factory employment. An increase of nearly 1 hour in the average factory workweek since April has been the largest 2-month gain of the postwar period. Unemployment increased in June to 5,437,000 due to the usual influx of students into the labor market, but the increase was less than seasonal.

Personal consumption expenditures in the second quarter showed a renewed rise to 2 percent above a year ago, despite a reduction in spending for durable consumer goods.

An improvement in farm income was one of the strong features of the economic situation, contrary to the usual experience in recessions. The realized net income of farmers rose sharply in the first half of this year to reach a figure 22 percent higher than a year earlier—the highest for any half year since 1953.

Another strong feature has been residential construction. Under the stimulus of special aids to housing and more freely available in-

vestment funds, new housing starts this year have risen sharply to the highest level since August 1956. Foreshadowing further advances, VA appraisal requests and FHA mortgage-insurance applications have shown steep increases in recent months.

The various evidences of a broadly based upturn, which have been accompanied by a marked revival of confidence throughout the country, provide rather clear evidence that a definite recovery has begun and that the economy is entering on a new period of sustained growth.

SIGNIFICANCE OF RECOVERY

A most significant fact is that this recovery is getting underway without the massive Government intervention which many had considered essential if we were to avoid a serious depression. The economy has responded to the curative powers inherent in its own basic strength, aided by effective monetary actions of the Federal Reserve and by various supporting actions available to the Government for maintaining stability. The downturn in activity turned out to be neither as deep nor as widespread as many had feared. Initiated largely in durable goods and their associated industries, it remained within that area while large sections of the country continued prosperous. It did not cause any material drop in consumption or incomes.

This evidence of the strong recuperative power of the economy came in time to save us from a serious error that might have led to erroneous decisions in future years. If a large tax cut had been put into effect last spring, when the pressure for such a cut was greatest, the rise in the economy immediately thereafter would inevitably have been accepted as proof of the effectiveness of a tax cut to pull us out of a recession, with disastrous effect on our thinking and on governmental actions in the future. One important result would undoubtedly have been to increase enormously the tendency toward continuous inflation.

A tax cut would have taken from the economy the opportunity of demonstrating its own basic strength. It would have undermined the confidence of people in the ability of the economy to right itself without recourse to massive Government help.

EXHIBIT 2

[From the Journal of the American Bankers Association of August 1958]

SOME EXPERT VIEWS ON INFLATION

(By Thomas W. Miles)

In view of inflation threats, a number of respondents to the Senate Finance Committee questionnaire and witnesses at recent hearings of the Joint Economic Committee want the goal of reasonable stability in the consumer price level formally incorporated, along with full employment, as the aim of Federal economic policy.

Once made official, they see it committing the machinery of the vast Federal establishment to finding an answer to the dangerous seesawing of inflation and deflation. It is a sign of the times that the idea is being pushed again—and by such eminent men.

FATE OF BUSH BILL

During its 1st session last year when this 85th Congress was really worried about inflation, a former banker, Senator PRESCOTT BUSH, of Connecticut, submitted a bill (S. 2824) to make stable prices a companion objective to full employment.

The Bush bill languished in the Senate Banking and Currency Committee as Congressional concern over inflation was diverted by the more immediate pressures of the recession. Nothing was done, and now it is almost too late for this session. But this idea can be expected to crop up again in the next Congress.

BURNS' VIEW

Of all those who advocated this idea in the last 3 of the 6 chapters of replies published by the Senate Finance Committee, Dr. Arthur F. Burns, president of the National Bureau of Economic Research, spoke with perhaps the greatest background of immediate experience as the recent Chairman of the Council of Economic Advisers. He said:

"What we need more than anything else at this juncture of our great experiment in the management of prosperity is a national declaration of purpose with regard to the level of prices that could have a moral force such as the unemployment act already exercises with regard to our levels of production and employment."

Dr. Burns explained that this can be simply accomplished by including reasonable stability of the consumer price level among the objectives of the employment act.

Although he believed the maintenance of stable prices is implicit in the act, Dr. Burns maintained it would be a highly constructive step if Congress stated explicitly what the act appears to state implicitly. He said:

"A declaration by the Congress that it is the continuing policy of the Federal Government to promote reasonable stability of the consumer price level as well as maximum employment, production, and purchasing power, could go a considerable distance in dissipating the widespread belief that we are living in an age of inflation and that our Government, despite official assertions and even actions to the contrary, is likely to pursue an inflationary course over the long run."

REFERENCE POINT

Dr. Burns pointed out that broadening of the act would tend to make it a constant reference point for public and private actions that bear on the level of prices. Further: Policies that promote stability of the price level would, therefore, tend to gain in prestige and to exercise increasing power over the thoughts and actions of both Government officials and private citizens.

Dr. Burns explained that he attached so much importance to the proposed declaration because it may be expected to have an influence that is incomparably greater than exhortation by high officials, for it would put private groups as well as public officials on notice that the Government is determined to find a way to reasonable stability of the price level.

ABA'S ADAMS; YALE'S WALLICH

Dr. E. Sherman Adams, deputy manager, American Bankers Association, found an inflationary bias in the statement of economic objectives of the Employment Act which could be easily corrected by an amendment making it clear that one of the primary objectives of public economic policy in the United States is to avoid inflation. He held that such an amendment would have a salutary effect over the years.

Prof. Henry C. Wallich, of Yale, suggested that price stability as an objective of policy might be written into the Full Employment Act. This was 1 of 4 points he outlined to improve our anticyclical policy.

FUNSTON AND TALBOTT

After endorsing the idea, G. Keith Funston, president of the New York Stock Exchange, commented: "We should not accept a gradually inflationary trend as desirable or necessary to achieve and maintain full employment."

Philip M. Talbott, then president of the Chamber of Commerce of the United States, urged amending the act "to espouse explicitly reasonable stability of the general price level as a policy goal." The new president of the chamber is William A. McDonnell, chairman of the board of the First National Bank of St. Louis. He was chairman

of the chamber's finance committee when this recommendation was made.

The question whether the objective of stable prices is implicit in the Full Employment Act was discussed earlier at some length at the opening panel conference of the series held by the Joint Economic Committee on the relationship of prices to economic stability and growth.

FISHMAN ON PRICE STABILITY

Prof. Leo Fishman, of West Virginia University argued against amending the act to include price stability. He pointed out that policymaking officials would sometimes be faced with the necessity of choosing between price stability and the other objectives of the act. He said:

"If price stability is always granted priority, this will greatly limit the flexibility of action which it is desirable and presently possible for policymaking officials to exercise. It may seriously reduce our chances of realizing or approximating the optimum growth rate."

Professor Fishman also doubted that price stability constitutes a feasible goal of public policy. It was his opinion that officials already have ample basis for adopting measures to restrain undesirable price rises.

NOURSE, ASCHHEIM, BACH STATE OPINIONS

Dr. Edwin G. Nourse, Chairman of the Council of Economic Advisers under President Truman, believed that the act as presently drawn includes the goal of price stability with equal, though no greater, emphasis than the goals of maximum employment and maximum production.

Prof. Joseph Aschheim, of the Johns Hopkins University, expressed the fear that the Employment Act objectives of maximum employment, production, and purchasing power which could be inflationary are open, as now written, to the interpretation that it is the obligation of the Federal Government to pursue them regardless of what happens to the price level.

Dean George L. Bach of the Graduate School of Industrial Administration, Carnegie Institute of Technology, thought it was significant that there was so much discussion and disagreement about whether the price level objective was included.

Another idea for greater flexibility in meeting economic changes was propounded by two economists. It involves the use of tax rates as an instrument of fiscal policy.

Dean Lee recommended new legislation by means of which Congress might set basic tax rates but allow the executive branch to move the effective rates up or down within a moderate range. He maintained this could add to the flexibility of fiscal policy and produce a greater awareness of stabilization responsibilities among fiscal authorities.

Professor Wallich also called for flexibility in withholding taxes, at the discretion of the President, for limited periods, say up to 6 months.

ANDERSON STUDYING STANDBYS

Secretary of the Treasury Robert Anderson is also reported to be considering recommending the regulation of downpayments and installment terms on autos and appliances as at least a standby tool against the possibilities of inflation.

Many of the letters to Senator BYRD had something to say about the influence of rising wages as an inflationary factor in the economy.

Prof. Paul A. Samuelson, of the Massachusetts Institute of Technology, commented that inasmuch as labor and management accept it as axiomatic that money wages will rise each year, the wage push no longer requires a collective bargaining battle or a grim recourse to strike. Then he added,

"Labor's wage push is, so to speak, a push against an open door."

To George Terborgh, research director for the Machinery and Allied Products Insti-

tute, the problem of wage-induced inflation was regarded as the most important for the next 20 years, in part, he said, "because the remedy seems so far away." The necessary climate of public opinion for an attack on the problem does not yet exist.

Mr. Terborgh called unions huge, monopolistic labor monopolies endowed with special privileges and immunities by the State. Because of them he said the basic problem is "a lopsided balance of power in modern collective bargaining."

In Dr. Adams' opinion there is clearly need for carefully thought out modifications in the rules under which this game (labor-management relations) is played. Although he was hesitant about infringing on the freedoms of either side, he thought the problem could not be ignored when the combined actions of these two groups seriously threaten the stability of the American economy at this critical juncture in history.

EFFECT OF WAGES

Noting that an attack on credit and fiscal policies is not enough, Dr. Adams said:

"Notably, whether we like it or not, there remains the wage-price spiral. Financial measures may temper this spiral, slow it down at times, but they cannot, as a practical matter, keep it under control. Wage negotiations reset the valves that control a substantial part of the money flow through our economy. When these valves are opened too rapidly, their effects cannot be offset by tightening the financial valves without causing a business recession and unemployment."

Dr. Burns wanted the finances as well as the elections of union officers subject to standards defined by law. He commented:

"Such legislation would of itself have no effect on what happens at the bargaining table; but it should help to remind the leaders of our trade unions that unless they practice greater restraint and foresight, the Government may need to take drastic steps to curb their power to push up costs and prices."

Theodore O. Yntema, vice president of the Ford Motor Co., declared that the "only satisfactory way to prevent cost-push inflation induced by the monopoly power of unions is to reduce that monopoly power." As a first step, he wanted the special privileges and immunities reduced, and as a second, long-range studies leading to a foundation in technical knowledge and in public opinion for appropriate action.

By the time this is published in Banking the six chapters of replies to the BYRD questionnaire will have been published in a single volume. In hitting on the device of a questionnaire, so carefully developed, the committee was able to tap some of the best financial, business, and economic brains of the country without unduly inconveniencing its heavy schedule of hearings and regular work.

FUTURE OF THE INQUIRY

What the Senate Finance Committee will do with this material beyond publication was not determined at this writing. It will undoubtedly be used to support whatever recommendations or report the committee may make. Whether the hearings will be resumed was also still a question. Chairman William McChesney Martin of the Federal Reserve Board may return for further questioning. Senator ROBERT S. KERR of Oklahoma, indicated when Mr. Martin was last before the committee that he might want to pursue certain lines of inquiry.

EXHIBIT 3
DEFENSE AGAINST INFLATION1. SUMMARY
Introduction

Inflation is one of the major unsolved economic problems of our times.

For almost two decades, we as a nation have enjoyed a high degree of prosperity.

Our people are better housed, better clothed, and better fed than ever before. Our economy is highly productive and we can count on it to continue to expand. Despite the present recession, we believe there is small chance that the Nation will suffer a major depression.¹

But we have not yet learned how to prevent inflation.

The problem is one that occupies the minds of men all over the world. Prices have skyrocketed everywhere, largely as a result of the heavy demands of war and its aftermath. But recent developments have demonstrated that the cessation of hostilities does not automatically produce price stability. Most countries are still grappling with inflation—6 years after the last gun was fired in Korea.

The United States was spared much of the destruction of human and physical resources suffered by other nations during World War II, but, as chart 1 shows, even here consumer prices have more than doubled since 1939. That is, the dollar now buys only half as much as the 1939 dollar. During 1956 and 1957 alone, the consumer price index rose 6 percent, a rate which, if continued, would double the price level in 23 years.

This committee believes—as we think most people believe—that inflation is an evil which must not be tolerated. In its simplest terms, it is a cruel tax on people who live on fixed incomes. This is not a small group. Pensioners, holders of annuities and life insurance policies, investors in bonds and other fixed-money obligations, Government employees, private schools, hospitals, and other endowed institutions, these and many other groups and organizations suffer when the value of money goes down. In an economy of abundance, it is grossly unfair to place such heavy burdens on those who are least able to protect themselves.

We subscribe without reserve to the belief that the national goal should be to have a steadily rising living standard for everyone. It is because we are as an organization dedicated to this goal that we have undertaken to assess the nature, the causes, and the results of inflation, and to propose public and private policies that will maintain price stability in an economy of growth and abundance.

Our concern is with long-range inflation. By this we mean inflation resulting from economic forces of more than temporary nature; inflation, that is, as a built-in trend, the kind of inflation that settles in as a way of life.

There is some tendency to believe that the acceptance of inflation is necessary to maintain high employment. But there is no evidence to support this belief. There have been periods in this country's history when the economy grew at a rapid rate while prices were rising, but there were other periods of rapid growth when prices were stable or falling. Even during the periods of rising prices, there was no general expectation that inflation would continue. It is this expectation that differentiates the present situation from the past. If we learn to accept inflation, the forces making for economic growth will certainly not be strengthened—the likelihood is that they will be weakened.

While we have behind us a long experience of inflation, only in the last few years has the possibility of inflation as a permanent way of life in America been generally recognized as real. During most of the period that began in 1940, there were certain powerful and temporary inflationary forces at

work—World War II, its aftermath of pent-up demand, and the Korean war. One could believe, even though one could not be certain, that when these temporary forces disappeared so would the inflation.

But the inflation of 1955-57, although much smaller than the surges of 1940-48 and 1950-51, was more troubling. We were not at war. Our productive capacity had increased greatly. Employment was high. The Federal budget was in balance and the money supply was growing only slowly. The causes of this inflation were difficult to distinguish. They might be similar in character to the causes of the war and postwar inflation, although less powerful and different in origin. Or they might be new forces—forces that did not exist or did not operate or were concealed by more powerful influences in the earlier period. Whatever the causes, since the inflation occurred in conditions expected to be characteristic of America for a long time to come, we are left with no reason for thinking such inflation would not recur.

This experience has brought to the fore a number of questions:

Why do prices rise under such conditions?

Does the rise mean that inflation is inevitable?

Even if not strictly inevitable, is inflation a necessary price we must pay to achieve higher living standards?

How can we maintain a satisfactory rate of growth of employment and production without inflation?

This policy statement considers and attempts to answer these questions.

Although recent experience has focused American public attention on these questions, they are not new. In essentially their present form they have concerned students of the American economy since the Nation committed itself, as reflected in the Employment Act of 1946, to maintenance of high employment and high and rising standards of living. And they continue to be important questions through all phases of economic activity.

The problem with which we are concerned is not whether prices will be higher in 1958 than in 1957 but whether prices will be much higher in 1967 and much higher still in 1977. We are concerned, and we believe the Nation is concerned, about the effects of long-run inflation on the welfare of important groups in our population and on the growth of the economy.

Summary of conclusions

The questions we have just asked are difficult; we cannot answer them quickly or dogmatically. But just because the considerations to which these questions lead us are complex, we feel it desirable to put down here in summary form the conclusions to which we come:²

1. We do not accept the idea that creeping inflation is desirable, or even acceptable, because there are forces that could convert a creep to a gallop and because even a creeping inflation erodes the value of long-run fixed-money obligations, which are important in our economy, and crucifies the weaker groups in our society.

2. A rising price level is not essential to real growth and sustained, productive employment. In fact, by distorting the normal incentives for efficiency in business and increased productivity of labor, it may well endanger the sustainability of growth.

¹Footnote by Elliott V. Bell, in which William Benton has asked to be associated: "I do not believe that this policy statement comes to grips with the real difficulties of the inflation situation. There is no real effort to say why the policies of recent years have so signally failed to defend us against inflation. If we cannot even agree on where we failed, I do not think we can get very far in prescribing a recipe for success."

3. There is danger of long-term inflation in this country, but inflation is not inevitable. The Nation can have both stable prices and high employment—if it is willing to adopt the policies required to make them consistent.

4. We do not have to sacrifice high production to avoid inflation. The only thing we need to give up is an illusion: the illusion that we can get more out of the economy than we put into it, that we can consume more than we produce.

5. The responsibility for preventing inflation is a joint responsibility of government, business, labor and agriculture.

6. The Government's chief responsibility is, through the exercise of its monetary and fiscal policies, to keep demand from rising faster than the Nation's ability to produce. To clarify the responsibilities of Government in this regard, the Employment Act of 1946 should be amended to include stable prices as a specific objective of policy along with maximum production, employment and purchasing power.

7. There is danger that, even if government succeeds through monetary restraint and tax policy in keeping demand within bounds, prices may still rise because production costs rise, or for other reasons. We must rely on the forces of competition and on the voluntary exercise of restraint in price and wage policies by business and labor to prevent this from happening.³ We reject Government controls of prices and wages, in peacetime, to restrain inflation. Such controls would seriously impair the freedom and efficiency of the economy and, in any case, they could not restrain inflation for very long. But we do believe that government has the responsibility to enact and enforce legislation to preserve competition in business and labor markets.

8. Business or labor should not force excessive increases in wages. By excessive, we mean: (a) Average wage rates (including fringe benefits as well as cash wages) should rise as fast—but not faster—than the rise of output per man-hour for the economy as a whole, which has averaged just over 2 percent a year since 1900 and close to 3 percent a year since World War II. Larger increases of wage rates would be justified if productivity for the economy as a whole could be raised more rapidly. We emphasize that wages should not rise in line with productivity in particular industries or firms. Moreover, labor and capital should both share the benefits of increased productivity, that is, wages should rise in proportion to the average gain in productivity, but should not absorb the whole gain. (b) Average profits per unit of output would be roughly constant if wages behaved in this way and if prices were stable on the average. The main justification for departure from this average behavior in particular cases is a surplus or shortage of particular categories of labor or product.

9. If the existing degree of competition in product and labor markets should prove to be inadequate, and the exercise of business and labor power insufficiently responsible, to preserve general price stability, we shall have to seek measures to strengthen competition. The laws to maintain competition in business need to be more vigorously enforced and constantly reviewed to assure their effectiveness. But the main problem is in the field of labor, where there is no law and not even a public philosophy or policy for the limitation of economic power. There is urgent need for objective consideration of the proper extent, character and uses of union power in our society. Existing laws should be reviewed to see whether they give or leave a degree of power to labor

²Footnote by William Benton: "My experience leads me to reject wholly the hope of voluntary exercise of restraint in price and wage policies by business and labor."

¹Footnote by Allan Sproul: "I cannot equate the war decade with the kind of prosperity discussed in this statement. Moreover, not all of our people have improved their material status during the past two decades; the cruel tax of inflation on certain community groups has been collected from year to year."

organizations that is not in the public interest.⁴

EXHIBIT 4

HARSH ALTERNATIVES

[From the Wall Street Journal of July 31, 1958]

The other day the House passed and sent to the Senate a bill to provide special tax relief to small business. The initial cost to

⁴Footnote by Allan Sproul, in which William C. Foster and Philip D. Reed have asked to be associated: "The principles set forth in paragraph No. 8 picture the kind of a balanced economic situation we would like to achieve; they do not provide a practical guide to economic action. Nor can I place much confidence in the voluntary exercise of restraint (par. No. 7) where arbitrary power exists. I believe we must concentrate, now, on trying to promote a better balance of power in product and labor markets, through measures which strengthen competition (par. No. 9) in these markets. This comment also applies to the more extended discussion of these matters on pages 57-63."

⁵Footnote by William Benton: "Regretfully I disassociate myself from point nine above and from the body of the important statement which follows; regretfully, because I agree so completely with the preceding pages which brilliantly state the problem and the objectives of price stability in a growing economy."

"I cannot agree with the emphasis throughout the body of this statement which so largely equates rising prices with rising wages. Wages, of course, can be a measurable factor in rising prices, but many distinguished economists feel the business community is today putting excessive emphasis on so-called labor monopoly as the whipping boy for inflation. Example: Many economists attribute the rising prices of recent years in large part to the rise of investments; plant and equipment expenditures rose 26 percent from 1955 to 1957. This is not even discussed in this statement. A further deficiency of this document, it seems to me, is that in its discussion of inflation it lumps together the inflation developing over a long period of years without separating for analysis the war years, the reconversion years, and the most recent years."

"I favor business competition and deplore the fact that the CED in its 16-year history has not devoted itself to the implementation of the Sherman and Clayton Acts. Point 9 above glosses over the problem of competition throughout our business economy."

"Finally, I regret that this statement does not sufficiently stress the urgent need for a high level of United States productivity, and the present need for national policies to implement the objectives of the Employment Act of 1946. I fear that the statement read by itself seems to elevate stability of prices over the national objectives of high employment and rapid economic growth. Some may feel that it is a rationalization for a position widely held in the business community—that we must have occasional unemployment and recession, including a receding or non-existent rate of economic progress, because it is necessary for stability of prices."

"This seems to me a dangerous position, with the U. S. S. R. industries forging ahead 11 percent in the first quarter of this year while we were going backward with unemployment of 5½ million and part-time employment of 4 million."

"Of highest urgency are national policies which will help to create annual increases in productivity of at least 4 percent, in contrast to our 50-year average of 3 percent. Last month the Rockefeller Brothers report urged as essential a goal of 5 percent. This problem seems to me not only central to our national security but to an examination of the problem of inflation and other questions discussed herein."

the Treasury will be some \$280 million a year.

On the same day, the Treasury reported that the Federal deficit for the year ending last June 30 came to \$2.8 billion. And yesterday Secretary of the Treasury Anderson forecast a deficit for the current fiscal year of some \$12 billion.

All these items of news must pose a harsh dilemma for any thoughtful Senator. For he knows, on the one hand, that our present tax system does indeed put terrifically heavy burdens upon everyone and particularly upon small-business men. And on the other, he is confronted with the harsh fact that any tax reductions for anybody will increase the deficit, add its mite to inflationary pressure and simply mean that others, in one form or another, will have to make up the taxes some are relieved of.

The cruelty of the alternatives is not lessened by the knowledge that most of the provisions in the House bill, considered by themselves, are advisable. One provision, for example, makes it possible for small business to "write off" capital investments at a faster rate. This strikes at one of the particular hardships of any small business, the difficulty of raising capital for growth. Smaller taxes from faster amortization will make it somewhat easier for these businesses to generate their own capital out of earnings.

Another section gives special treatment for capital losses in the stock of small concerns. Such losses could, under this bill, be deducted from ordinary income for tax purposes, up to a limit of \$25,000, without having to be balanced against capital gains.

Still another section would give some relief from the high estate taxes. There have been cases where a man's heirs had to sell out a business that keeps them going to pay the taxes demanded by the Government.

The merit of these provisions is not limited to small business. Our present rigid tax amortization rules put undesirable burdens upon all business. The proposed more liberal treatment of capital losses generally makes more sense than the present tax rules. And certainly no man's life estate ought to be destroyed to pay his death taxes.

But the difficulty is that much the same thing can be said about a very large part of our tax laws. They are shot full of inequities, undesirable features and they are in their entirety oppressive. The case of the wage-earner is just as strong as the case of the small-business man.

And overshadowing all is the fact that neither the House nor the Senate nor the administration is willing to reduce the Government's spending. So long as they will not, so long as the Government spends not only every last penny of its revenues but more besides, there is no way for Congress to relieve the burdens of some without increasing the burdens of others. One way or another, from one person or another, the Government is going to get the money it decides to spend.

It seems too much to hope that the Congress will stop the spending. That being the case, no matter which way they vote on this bill for the relief of some taxpayers, the Senators will be harsh on somebody.

SECRETARY BENSON'S HIGH SPENDING WASTEFUL AND UNNECESSARY

Mr. PROXIMIRE. Mr. President, the American people are becoming increasingly aroused by the fantastic and increasing rate of spending that has taken place in our farm programs since Ezra Taft Benson became Secretary of Agriculture.

An economic analysis made at my request by the Library of Congress indi-

cates that the present administration is needlessly wasting billions of dollars of the taxpayers' money in its farm program operations.

The fantastic waste of the taxpayers' money on the administration's farm programs is one of the most shocking examples of fiscal irresponsibility in all history.

Under Secretary Benson's operation of the farm price support programs, the bill to taxpayers for just 1 year is running twice as high as the total bills for 20 years under past Democratic administrations.

Secretary Benson's waste is so fantastic that it almost defies belief. Unfortunately, unbelievable as it might be, it is true.

In fiscal year 1957 alone—the last year for which full figures are available—Mr. Benson spent \$2,059 million on price-support operations and the acreage reserve of the soil bank.

Contrast this with the record under previous Democratic administrations:

In all the 20 years of farm price-support operations under Presidents Roosevelt and Truman, from 1933 through 1952, the total realized and accrued losses added up to only \$1,223 million—just over half as much as in Benson's latest year alone.

This enormous burden on the Treasury is tragedy enough for the taxpayers. But it is compounded with tragedy for farmers—for this unprecedented spending has been carried out so senselessly and recklessly that it has given the farmers very little help.

Mr. President, it is possible to give the farmers genuine and effective protection without anything approaching the enormous costs of the Benson record.

I have asked the Legislative Reference Service of the Library of Congress to make an economic analysis of the cost of operating the programs proposed in my own farm bill, compared with the cost of continuing the present programs of this Administration.

The results of this analysis show that under my farm plan, farm prices could be protected at the full parity levels that prevailed in 1952, and it could be done with savings to the taxpayers of well over \$1 billion a year.

In addition, it would be possible to carry out a nationwide food stamp program to provide additional food to America's needy families, and still allow savings to the taxpayers of hundreds of millions of dollars a year.

Mr. President, I ask unanimous consent to have the report on this analysis, which was prepared by Dr. Walter W. Wilcox, Senior Specialist in Agriculture of the Legislative Reference Service of the Library of Congress, printed in the Record at this point.

There being no objection, the analysis was ordered to be printed in the Record, as follows:

APPRAISAL OF THE MINIMUM LEVEL OF COST OF OPERATING A FARM PROGRAM BASED ON S. 2952 (By Walter W. Wilcox, Senior Specialist in Agriculture)

S. 2952 is an unusually comprehensive farm bill containing 13 titles, as follows:

Title I authorizes a dairy products marketing act including the use of marketing

quotas, processing taxes, purchase, and diversion operations and parity income deficiency payments to assure dairymen incomes equivalent to 80 to 100 percent of parity.

The Secretary has sufficient authorization in this title to balance supplies with market outlets and limit parity payments and other costs to funds made available by processing taxes and fees collected from producers who have exceeded their marketing quotas.

This title could be administered without cost to the Government.

Title II authorizes a farm income improvement and protection program including use of all commodity marketing quotas, loans, purchases, and parity income deficiency payments to maintain incomes equivalent to 80 to 100 percent of parity.

As in title I the Secretary has sufficient authority under this title to balance supplies with market outlets and limit parity payments and other costs to fees collected from producers who exceeded their marketing quotas.

However, it seems probable that minimum costs of a workable program of this type would be \$200 million to \$500 million including the cost of an expanded crop insurance program as authorized in this title.

Title III authorizes and directs the Administrator of Defense Mobilization to establish a security reserve and stockpile of food and fiber. In view of the current large stocks of many farm commodities in CCC inventories, it appears probable that this title could be administered with smaller total stocks than are now on hand, although some changes would be needed in their composition and location.

Estimated minimum costs of administering this title are less than current storage costs on CCC inventories.

Title IV authorizes farmer processing and marketing loans to existing and newly organized farmer-owned cooperatives.

Such loans would be repaid with interest. Only administrative costs would be involved in carrying out the program authorized by title IV.

Title V authorizes a food allotment program whereby nonfarm families and individuals would be enabled to purchase a minimum nutritious diet for an amount not in excess of 40 percent of their income.

The USDA has estimated the probable cost of such a program, assuming full participation, at \$2.5 billion plus administrative costs. This estimate is based on 1955 family incomes and September 1956 food prices.

Nonfarm family incomes have increased more than food prices since 1955 and a substantial number of those statistically eligible would elect not to participate in such a program.

While it is difficult to estimate the minimum costs under good administration of such a program, \$1 billion to \$1.5 billion appears to be a reasonable estimate.

Title VI authorizes an increase of \$4.5 billion in funds for what is now known as Public Law 480 and its extension for a 2-year period. This is an authorization of \$2.25 billion a year. Public Law 480, as extended for 2 years by S. 3420, which was passed by the Senate in this session, authorizes programs totaling \$1.5 billion a year.

While title VI in S. 2952 authorizes larger programs under title I of Public Law 480 than other legislation approved by the Senate, there is no directive requiring use of the full authorization. If a Secretary of Agriculture was administering S. 2952 in a manner to minimize costs, title VI would not require any increased governmental expenditures.

Title VII authorizes a conservation reserve acreage program which would be coordinated with the all-commodities marketing quotas. Presumably all cropland diverted from marketing quotas would be placed in the conservation reserve.

Although rental payments are authorized in this title, in the interests of minimizing Government costs no rental payments would be necessary. If marketing quotas were in effect for all commodities farmers would be required to keep a part of their cropland in a conservation reserve to comply with the marketing quotas.

Title VIII is concerned with definitions. Titles IX, X, and XI authorize expanded credit programs for rural community and farm development. Loans granted under these titles would be repaid with interest, although there would be some increase in the administrative costs of the Farmers' Home Administration.

Title XII authorizes increased research on industrial utilization of farm products. If this title were administered on a minimum cost basis it would involve only a few million dollars additional governmental funds.

Title XIII provides for a National Farm Income Stabilization Board and farmer committees to administer the programs.

Administrative costs for the group of programs authorized by S. 2952 would be somewhat greater than for existing programs because of increased use of marketing quotas, the addition of a food allotment program, and expanded credit programs.

COMPARATIVE COSTS OF S. 2952 AND CONTINUING EXISTING PROGRAMS

The annual cost of continuing existing price support another year or two is estimated at about \$2 billion to \$2.5 billion, depending on the crop yields. This is in addition to the conservation and acreage reserve programs and the Public Law 480 program, which, for the most part, moves stocks from past surpluses into consumption outside usual commercial market channels.

If marketing quotas were utilized as authorized in S. 2952 to bring supplies into balance with markets available at the parity price goals, the minimum cost of administering S. 2952, including an adequate food-allotment program, should be somewhat less and might be substantially less than the cost of continuing existing programs for another year or two.

Mr. PROXMIER. 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.

AMENDMENT OF SECTIONS 1461 AND 1462 OF TITLE 18 OF THE UNITED STATES CODE

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 6239) to amend sections 1461 and 1462 of title 18 of the United States Code, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KEFAUVER. 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. KEFAUVER, Mr. HENNINGS, and Mr. LANGER the conferees on the part of the Senate.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2139, S. 4162.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 4162) to further amend the Defense Production Act of 1950, as amended.

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

There being no objection, the Senate proceeded to consider the bill.

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

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

Mr. CLARK. Mr. President, Senate bill 4162, which was reported by the Senate Committee on Banking and Currency, provides for the increase of the borrowing authority of the Defense Production Administration under the Defense Production Act of 1950 through the medium of canceling indebtedness.

Title III of the Defense Production Act of 1950 provided a variety of financial inducements to increase productive capacity and supply. Most of these were financed through the borrowing authority granted in that title, which, as amended in 1951, amounted to \$2.1 billion on a probable ultimate net cost basis. Under these provisions, a vast expansion in American industry has been carried out, and at the present time we have ample stockpiles and ample productive capacity of all but a very few materials.

A month ago the Congress extended the remaining powers of the Defense Production Act for 2 years. The principal powers remaining were the allocation and priority powers of title I and the financial powers of title III. Both the title I powers and the title III powers are now used on a very limited basis—the title I powers primarily to channel materials to the military and to the AEC, and the title III powers to wind up contracts entered into in the past and to take care of the few remaining gaps. Both sets of powers, however, are also available for more extensive use in the case of an emergency. It was the intention when the Defense Production Act was extended for 2 years that these powers should be available on this limited basis during the next 2 years.

Because of the recent revision of the national stockpile goals from 5 years to 3 years, and because of the weakened markets for such metals as aluminum, copper, and nickel, among others, the drain on the borrowing authority has been considerably greater than expected. For example, the reduction in the stockpile goals has meant that GSA has been unable to transfer to the stockpile,

and get paid for, over \$700 million of materials. During the quarter ending March 31, 1958, GSA had to take and pay for materials costing over \$149 million, and it could sell only \$3.1 million of materials. At the end of the quarter, there was an inventory bought from the title III fund of more than \$1 billion.

The result is that GSA estimates it will not have funds to meet its commitments under existing contracts over the 2-year extension of the act. Exactly when these funds will run out is not certain, depending on business conditions and military requirements. And with this probability, the agencies hesitate to enter into any new contracts, however clearly covered by the extension of the act and however essential to the national defense.

S. 4162 would amend title III of the act, so as to give full effect to the 2-year extension. It would provide sufficient funds to make the payments expected under existing contracts until June 30, 1960, and it would eliminate any question about the clear intent of Congress that the agencies should continue to exercise the powers of title III, in those few but important cases where present conditions require such action.

S. 4162 would do this by writing off losses sustained and nonrecoverable expenses incurred under this authority up to July 1, 1958. These have been estimated at about \$300 million.

The amendment was supported by testimony from ODCM and GSA, and by letters from the Treasury Department, Agriculture Department, and the Interior Department.

A hearing was held on the bill before the Committee on Banking and Currency, at which I had the honor to preside. It was attended also by the ranking minority member of the committee, the distinguished Senator from Indiana [Mr. CAPEHART].

It was the feeling of the administration—in which the majority of the committee was glad to concur—that the bill should be passed as promptly as possible, so that it could go to the other body in the hope that it could be passed by the House before adjournment. That is the reason why there is a desire to consider and act on the bill promptly, even though it is fairly near the foot of the calendar, and has only recently been reported from the committee.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. CHAVEZ. Mr. President, may I inquire what the parliamentary situation is?

Mr. CLARK. I will say to my distinguished friend from New Mexico that we are now considering—and it is my hope that we may pass with reasonable promptness—a bill on the calendar recently reported from the Senate Committee on Banking and Currency, which would extend somewhat the borrowing authority of the Defense Production Administration. The bill is Senate bill 4162, further to amend the Defense Production Act of 1950, as amended.

Mr. CHAVEZ. May I ask my friend from Pennsylvania a question?

As I understand, the bill would increase the borrowing authority by \$2 billion.

Mr. CLARK. If the Senator will permit a little refinement, the present borrowing authority is \$2,100,000,000.

Mr. CHAVEZ. That is not much money these days.

Mr. CLARK. I am afraid the Senator is correct.

However, there are outstanding \$300 million worth of loans which are not collectible. If those debts are written off—

Mr. CHAVEZ. Is it necessary to pass the bill by a unanimous consent agreement?

Mr. CLARK. No. It is not being handled in that manner. The bill was objected to on the call of the calendar, and subsequently it was taken up on request of the Senator from Montana [Mr. MANSFIELD].

Mr. CHAVEZ. I am handling a bill for the military department involving \$40 billion. There is another bill for military construction. I do not like to see such bills passed in this way.

Mr. CLARK. I can understand the Senator's reluctance, and I am in sympathy with his view.

Mr. CHAVEZ. It is not a question of sympathy. It is a question of dollars.

Mr. CLARK. I can understand the Senator's feeling. All I can say is that this is a bill which the administration felt was urgent. As a member of the committee which held hearings, I cleared the bill with the majority leader and the minority leader.

Mr. CHAVEZ. I am happy to see that the Senator from Pennsylvania is finally on the side of the administration. But I still do not like the bill. So far as I am concerned, I shall vote against it.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. Is there objection?

Mr. CHAVEZ. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the roll.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Alken	Carroll	Frear
Allott	Case, S. Dak.	Fulbright
Anderson	Chavez	Green
Barrett	Church	Hayden
Beall	Clark	Hickenlooper
Bennett	Cooper	Hill
Bible	Cotton	Hoblitzell
Bridges	Curtis	Hruska
Bush	Dirksen	Humphrey
Butler	Douglas	Ives
Byrd	Dworshak	Jackson
Capehart	Eastland	Jenner
Carlson	Ervin	Johnson, Tex.

Johnston, S. C.	McNamara	Saltonstall
Jordan	Monroney	Smathers
Kefauver	Morse	Smith, Maine
Kerr	Morton	Smith, N. J.
Knowland	Mundt	Sparkman
Kuchel	Murray	Stennis
Langer	Neuberger	Symington
Lausche	O'Mahoney	Talmadge
Long	Pastore	Thurmond
Magnuson	Proxmire	Watkins
Malone	Purtell	Wiley
Mansfield	Revercomb	Williams
Martin, Pa.	Robertson	Young
McClellan	Russell	

Mr. MANSFIELD. I announce that the Senator from Louisiana [Mr. ELLENBER], the Senator from Tennessee [Mr. GORE], the Senator from Missouri [Mr. HENNING], the Senator from Florida [Mr. HOLLAND], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr. MARTIN], the Senator from Michigan [Mr. PORTER], the Senator from Kansas [Mr. SCHOEPEL], and the Senator from Minnesota [Mr. THYE] are absent on official business.

The Senator from New Jersey [Mr. CASE], the Senator from Arizona [Mr. GOLDWATER], the Senator from New York [Mr. JAVITS], and the Senator from Maine [Mr. PAYNE] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

AMENDMENT OF ANTIDUMPING ACT—CONFERENCE REPORT

Mr. BYRD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6036) to amend certain provisions of the Antidumping Act, 1921, to provide for greater certainty, speed, and efficiency in the enforcement thereof, and for other purposes. I ask unanimous consent for the present consideration of the report.

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

The legislative clerk read the report.

(For conference report, see House proceedings of August 7, 1958, p. 16561, CONGRESSIONAL RECORD.)

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

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD. Mr. President, this is a unanimous conference report. It is signed by the conferees of both the Senate and the House. The only change it makes in the bill is to provide that when the Tariff Commission renders an equal decision—3 one way and 3 the other way—it is affirmative with respect to injury. That is the only change which is made in the bill.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session.

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

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

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950

The Senate resumed the consideration of the bill (S. 4162) to further amend the Defense Production Act of 1950, as amended.

Mr. CLARK. Mr. President, if there be no amendment to be offered to the bill, I suggest that the question be put on the engrossment and third reading of the bill.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 4162) was ordered to be engrossed for a third reading and was read the third time.

Mr. CLARK. Mr. President, now that the bill has been read the third time, and while a number of Senators who previously were absent are in the Chamber, I should like to make a brief explanation of Senate bill 4162, to further amend the Defense Production Act of 1950, as amended. Enactment of the bill was requested by the administration, by the Office of Defense and Civilian Mobilization, and the General Services Administration, on the ground that they feared that during a time when the Congress was in recess they would find themselves required to purchase strategic materials but would not have the authority to do so.

When the bill is enacted, those agencies will have an additional \$300 million of purchasing power for that purpose. That result will be reached by means of canceling \$300 million of indebtedness incurred under the Defense Production Act, representing all losses sustained and all nonrecoverable expenses incurred prior to July 1, 1958, by the Government in carrying out functions under sections 302 and 303 of the act with funds borrowed from the Treasury under section 304 of the act.

If the bill is passed, the expenses of the Government will not be increased, but \$300 million of such indebtedness will be canceled. Thus, the organization will be able to operate with an expanded, effective borrowing authority in connection with the purchase of materials which it may have to purchase when the Congress is not in session.

Mr. CHAVEZ. Mr. President, I was not in the Chamber when the third reading of the bill was reached. But I am very glad that my good friend, the Senator from Pennsylvania [Mr. CLARK], whom I consider to be a very liberal Member, has made a statement in explanation of the bill. I wish I could have been in the Chamber at the time.

So far as I am concerned, Mr. President, I wish to discuss the bill, even at this late hour. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Fulbright	Monroney
Allott	Green	Morse
Anderson	Hayden	Morton
Barrett	Hickenlooper	Mundt
Beall	Hill	Murray
Bennett	Hobltzell	Neuberger
Bible	Hruska	O'Mahoney
Bridges	Humphrey	Pastore
Bush	Ives	Proxmire
Butler	Jackson	Purtell
Byrd	Jenner	Revercomb
Capehart	Johnson, Tex.	Robertson
Carlson	Johnston, S. C.	Russell
Carroll	Jordan	Saltonstall
Case, S. Dak.	Kefauver	Smathers
Chavez	Kerr	Smith, Maine
Church	Knowland	Smith, N. J.
Clark	Kuchel	Sparkman
Cooper	Langer	Stennis
Cotton	Lausche	Symington
Curtis	Long	Talmadge
Dirksen	Magnuson	Thurmond
Douglas	Malone	Watkins
Dworshak	Mansfield	Wiley
Eastland	Martin, Pa.	Williams
Ervin	McClellan	Young
Fear	McNamara	

The PRESIDING OFFICER. A quorum is present.

The bill having been read the third time, the question is, Shall it pass?

Mr. CHAVEZ. Mr. President, this is a very important bill, irrespective of the feelings of individual Senators. No one is questioning the sincerity of purpose of any Senator who votes for or against the bill; but I think it is so important that every Senator should know about it.

The bill is Senate bill 4162. It was introduced by the Senator from Arkansas [Mr. FULBRIGHT], by request. It so happens that the Senator from Arkansas is not present in the Chamber at this time, so he cannot be interrogated as to who requested the introduction of the bill.

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

Mr. CHAVEZ. I yield.

Mr. CLARK. I am happy to tell the Senator from New Mexico that it was introduced at the request of the Eisenhower administration, as recommended by the Office of Defense Mobilization and the General Services Administration, with the approval of the Bureau of the Budget.

Mr. CHAVEZ. If it comes from the Eisenhower administration, I have no objection to the administration recommending that the bill be passed by Congress. I believe that any bill recommended by the administration should have the respect and proper action by Congress. The Bureau of the Budget and the General Services Administration are essential agencies.

Now let us look at the bill itself. Let us examine the provisions of the bill, so that we will know what we are doing, and then, if we are in favor of the bill, let us vote for it. The Government has been buying some minerals throughout the years and stockpiling them. There is nothing wrong with that. We have passed a law granting such authority. Among other things the bill provides:

All losses sustained, and all nonrecoverable expenses incurred, prior to July 1, 1958—

By whom?—

by departments, agencies, officials, and corporations of the Government in carrying out functions under sections 302 and 303 of this act—

Those are the sections which authorize the purchase of the minerals—

through the use of funds borrowed—

From whom?—

from the Treasury of the United States—

Who is the Treasury? It is the American taxpayers. If we want to do that, it is our business, and we can vote for it or against it, but let us know what we are doing—

of funds borrowed from the Treasury of the United States pursuant to this section—

That is the section which permitted the Government to buy and to stockpile the materials—

shall, with the approval of the Director of the Bureau of the Budget, be written off—

Written off—

by such departments, agencies, officials, and corporations, and the notes, debentures, bonds, or other obligations issued to the Secretary of the Treasury shall be canceled to the extent of the respective amounts so written off.

Mr. President, we all want to do the right thing. I am positive there is not a Senator who does not want to take care of the interests of the Government as he sees them in conscience and according to the oath he took. However, I cannot understand that there is any benefit to the American taxpayers in providing that after departments or agencies of the Government incur indebtedness in a certain amount, we should relieve them of their obligations. It might be that I do not understand the proposal. But I think the American taxpayer, in view of the difficulty he has to meet the demands of the Internal Revenue office, must know about the costs of government.

I personally do not feel that a bill of this nature should be considered by the Senate. If it is necessary to consider it, there should be full debate and its purposes should be thoroughly explored. I say this in all sincerity. I respect and admire the Senator from Illinois [Mr. DOUGLAS]. There are very few times when I disagree with him. However, let me point to what he says in his individual views. I am appealing to the reason of those Senators who are present and who have taken an oath of office. I ask Senators to listen to what the Senator from Illinois says in his individual views:

I am not convinced from my brief review of the record of the hearings on S. 4162

that it is either necessary or desirable at this time to write off these losses and thus increase the borrowing authority under this law by \$300 million.

That amount of money might not mean very much in these days of \$40 billion appropriation bills, but it is a great deal of money none the less.

GSA reported that there was \$426 million borrowing authority remaining on June 30, 1958, and estimated that there would be \$66.1 million remaining on June 30, 1959. I would have preferred—

This is a good reason for me—

therefore, to postpone consideration of this measure until January 1959, so that a more complete study of the programs might be made. I raise no objection, however, to the committee's decision to report the bill out to permit Senate consideration in this session.

Is there anything more reasonable than the suggestion to postpone consideration? I have tried in my feeble way, probably inadequately, to tell Senators what this bill means. I am willing to submit to what the Senate does. It is up to the Senate.

Mr. CLARK. Mr. President, very briefly, in reply to what the Senator from New Mexico has said, I should like to say that these losses have already been incurred. There is no possibility of recouping them. The cancellation is merely a bookkeeping transaction. Of course, the net result will be to give additional borrowing authority of about \$300 million. An itemization of the amount is set forth on page 5 of the committee report.

A majority of the committee—in fact every member of the committee with the exception of the Senator from Illinois [Mr. DOUGLAS]—were convinced that it was wise protection to give the administration the additional borrowing authority which it had requested, because of the possibility that the agencies and departments may run out of borrowing authority while Congress is not in session. For that reason the committee reported the bill, and it was for that reason it was felt necessary to call the bill up for consideration at this time, in the hope that it may be passed promptly and thus give the other body an opportunity to pass it also at this session, so that it may become law and thus provide the administration with the additional borrowing authority which, in the judgment of the committee, with the exception of one member, the administration needs.

I have discussed the matter with the distinguished Senator from Illinois this afternoon, and he has advised me that he does not wish to make any further objection to the bill inasmuch as his views have been set forth.

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

Mr. CLARK. I am happy to yield.

Mr. WILLIAMS. I understood the Senator from Pennsylvania to say that the purpose of the bill is to write off losses which have already been sustained.

Mr. CLARK. That is my understanding.

Mr. WILLIAMS. Can the Senator give us a list of the losses and tell us what they represent?

Mr. CLARK. I think they are summarized on page 5 of the bill.

Mr. WILLIAMS. They are summarized, but they are not summarized in such a way as the Government would accept a return from a taxpayer. For instance, it reads:

Net operating loss, all programs, \$84,798,000.

That is a broad term. What is embraced in all programs? What does that include? It could include a multitude of items. What are the items which make up the \$84,798,000? There must be some itemized breakdown; otherwise, a round figure of \$85 million would have been stated.

Mr. CLARK. If my friend from Delaware will cast his eye farther down on page 5, he will see the item:

The major programs on which largest losses were incurred up to March 31, 1958.

The losses incurred are listed under the headings of the different commodities involved. It is true that to some extent we are indulging in estimates; on the other hand, in a colloquy I had with the Senator informally a while ago, I think he suggested that the exact amounts as they were written off should be reported to the Senate.

It is my belief that under the basic legislation that is the broad implication of it. But I agree with the Senator from Delaware that it was the sense of those of us who are now addressing ourselves to the bill that those losses should be written off as they really have to be written off. I further agree that we do not have an exact cent-by-cent breakdown.

Mr. WILLIAMS. If it is proposed to write off the losses, of which there is a rough estimate of \$300 million, would it not have been better to submit to the Senate an itemized breakdown of what it is planned to write off and to tell us what that represents?

Mr. CLARK. Does the Senator have before him a copy of the hearings.

Mr. WILLIAMS. Yes.

Mr. CLARK. I ask him to turn to page 25, exhibit A, where the generalized breakdown appears.

Grand total losses, June 30, 1958, \$300,117,000.

I turn now to exhibit B-1, on page 27. This is a specific breakdown by commodities; sales; inventory at beginning of period; purchases, manufacturing, and direct expenses; less; inventory at end of period; cost of commodities sold; gross profit or loss.

That is about as much as we could get from the General Services Administration or the Office of Defense Mobilization. I think that, in part, answers the Senator's question. I agree that it does not answer it entirely.

Mr. WILLIAMS. On page 27, exhibit B-1, to which the Senator referred, the last column is entitled "Gross profit or loss." I notice that the total amount is \$73,208,088.22. What about the other \$227 million if this is an itemized breakdown, and is it the only one which is available?

Mr. CLARK. Treasury interest is \$88 million. That is found on page 25.

Mr. WILLIAMS. That accounts for \$150 million. What about the other \$150 million?

Mr. CLARK. I think the Senator will understand that administrative expenses are a cost of operation.

Mr. WILLIAMS. I do not mean to say that this information may not be accurate; but I think we should have an adequate report. These are broad figures although we are dealing in hundreds of millions of dollars of writeoffs.

As one Member of the Senate I want to know where this \$300 million went.

On page 3 of the report accompanying the bill, I notice it is stated that the probable net loss on various commodities runs substantially in excess of \$300 million. Has that loss already been sustained, and under the bill can that loss be written off? Even if it runs to \$600 million or \$700 million, can it be written off? I see nothing in the bill which puts any limit at \$300 million. The figures seem to have been pulled out of thin air, with nothing to support them.

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

Mr. CLARK. I yield.

Mr. CAPEHART. I refer the Senator to page 25 of the committee hearings for a complete breakdown of the amounts.

Mr. WILLIAMS. They are the committee hearings. How about the bill itself? I wish the Senator would show where in the bill the amount is limited to \$300 million or to any other figure.

Mr. CAPEHART. The Senator was asking about a breakdown of losses. Exhibit A shows that the General Services Administration, in the rubber program, had a profit of \$13,857,000; in the minerals and metals program, a loss of \$100,205,000; in the machine tool program, a profit of \$1,550,000.

Taking into consideration the other items shown in the list, we find a grand total of losses through June 30, 1958, of \$300,117,000.

Mr. WILLIAMS. That is true. The Senator from Indiana has filled out many of his own income tax returns for the Government. If he sent to the United States Government a report of \$300,000 or even \$3,000, and placed at the end of it the words "and so forth," the Government would come right back and ask what "and so forth" meant.

Mr. CAPEHART. What "and so forth"?

Mr. WILLIAMS. The Senator from Indiana just used that phrase.

Mr. CAPEHART. I simply did not want to take up the Senator's time to name all the items.

Mr. WILLIAMS. I have plenty of time. I wish the Senator would name them. We could make more progress if that had been done in the first place.

Mr. CAPEHART. The committee went into this matter carefully. We feel that we are just as conscientious and sincere about the matter as is the able Senator from Delaware.

Mr. WILLIAMS. I do not question that at all; in fact, I attribute to the committee the knowledge about this proposal. That is why I am asking for information.

Mr. CAPEHART. The facts are here. All that is necessary is to read the bookkeeping statement which is shown in the report, and it will be seen that everything is itemized.

Mr. CLARK. I may say in partial further answer to the Senator from Delaware, after which I shall yield to the Senator from New Mexico, that I think the way this is bedded down at approximately \$300 million is by a statement in the act that the only losses which can be written off are those incurred prior to July 1, 1958. It is with reference to that that this quite detailed estimate has been furnished to us by the Department.

I agree with the Senator from Delaware that it is not the actual figure or the actual loss. I agree that when the loss is taken, it should be reported to Congress. But I think it is quite clear that the total is approximately \$300,117,000. That is all which it is said here were incurred prior to July 1, 1958.

Mr. WILLIAMS. And a report will be submitted?

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

Mr. CLARK. I yield.

Mr. CHAVEZ. I like the sincerity of purpose of the Senator from Pennsylvania, who says he does not know exactly what the total loss will be on account of this type of program. But I am sure—and I think it is correct—that this is only, as is said in street parlance, peanuts compared with what it is expected will be written off in the future. And it will all be charged to the taxpayers. That is my objection to it.

It could be said, "Oh, well, it is only \$300 million, and in this day and age that is not a large amount. There will be additions of \$300 million, \$400 million, or \$500 million." But once the practice is started, the Government will be writing off everything. That might be good, but I do not know.

Mr. CAPEHART. When the Defense Production Act was passed, this agency was established. That was at the beginning of the Korean War in 1950. That agency was authorized by the act to contract for and buy a large amount of material, including minerals. I was a Member of the Senate when the Agency was created.

I am a member of the Committee on Banking and Currency and of the Joint Committee on Defense Production, which handles matters of this sort. The able Senator from Virginia [Mr. ROBERTSON] is chairman of the Joint Committee on Defense Production. It is a sort of watchdog committee which has been established as a result of the legislation. It was created in 1950.

I could give a report or deliver a speech on why it is necessary to write off this \$300 million. But I do not think anything would be gained by doing so, because the Senator from New Mexico would say, and he would possibly be correct, that I was playing partisan politics. I could tell of the inefficiency which existed and of contracts which were almost inevitably entered into under the Truman administration, and about what happened in connection with the procurement of, particularly, aluminum and

a dozen or more other commodities. I am not placing blame on anyone, because this was done in time of war. The Korean war was in progress. I think much bad judgment was used then. However, that is second guessing.

The loss is a result of the Korean war. It is a result of overexpansion. It is a result, in some instances, of overbuying. It is the result of the overzealousness of some persons in thinking how long the Korean war would continue and what would happen afterward. Nevertheless, this amount is a part of the losses which were incurred as a result of that war.

The Government entered into a number of contracts to do many things, including exploration for minerals in the able Senator's State of New Mexico, at a given price. Since that time, the price has decreased.

I could go on and on with my statement, if I wanted to play politics or wanted to be partisan.

Mr. CLARK. I know the Senator is not speaking in a partisan manner.

Mr. CAPEHART. I am capable of doing so.

Mr. CLARK. But he is not doing so this afternoon.

Mr. CAPEHART. I have tried to be fair. I can make a speech which would make headlines in the newspapers about what happened, but I do not propose to do so because I understand how these things occurred.

Mr. CHAVEZ. I might agree with the Senator from Indiana. There is nothing political about the taxpayers' money. It is paid by both the rich Republican and the poor Democrat. The rich Republican suffers a \$50 loss in the same way that the poor Democrat suffers a 50 cent loss. So there is nothing political about the matter. However, I do not agree with the position of the administration; I do not think it is fair.

Mr. CAPEHART. Does the Senator from New Mexico understand that these losses have already occurred, and there is nothing whatever that Congress can do about them now? If they are not charged off, they simply will stand as amounts already lost. So the matter is really one of bookkeeping.

Mr. CHAVEZ. I do not like to agree with such a statement, which amounts to saying if the house burns down, it is not necessary to build the house again. That philosophy may be acceptable to the Senator from Indiana, but it is not acceptable to me.

Mr. CLARK. Mr. President, I now yield to the Senator from Delaware [Mr. WILLIAMS], who has been on his feet for some time.

Mr. WILLIAMS. Mr. President, I would like some more information in connection with the bill. I wish the Senator from Indiana would proceed with his remarks. After all, the American taxpayers will have to pay the \$300 million. I do not think the proposed procedure is proper, regardless of the administration which may be in control. If something is wrong, tell us about it.

Mr. CAPEHART. Mr. President, the taxpayers have already suffered the loss; it occurred during the Korean war.

Mr. WILLIAMS. In what way did the loss occur?

Mr. CAPEHART. All that information is listed in the report. The committee received a detailed presentation, and the worksheets on it are available. To have printed them in the report would have required a great many pages.

There is no question that the loss has occurred and that there is nothing that Congress can do about it. I could state that bad judgment was used; and I could state the items involved, because I have been through them. At the moment, I cannot speak from memory; but the matter was presented before the Joint Committee on Defense Production.

The Senator from Virginia [Mr. ROBERTSON] is chairman of the Joint Committee now, and at another time I was chairman of it. Representative BROWN was chairman of the Joint Committee for a time. The committee went into this matter in great detail; and I am satisfied with the proposal.

There has been a 100-percent loss. The pending bill involves a bookkeeping transaction. The debt is now on the books, but means nothing.

If such matters are to be handled better in the future, there will have to be better management than there was the last time, and the management will have to include persons who can see better into the future. Even then, I do not believe that losses such as these will be eliminated, because in this case a war was going on, and the persons who were handling these matters were doing the best they could under the circumstances. But despite all that, the losses occurred.

Personally, I investigated part of the losses. Some of them occurred in Alaska. Approximately 3 years ago we had quite an investigation of the losses in Alaska, and the contracts there; and we had investigations of other losses.

Mr. CLARK. Does the Senator from Delaware desire me to yield further to him?

Mr. WILLIAMS. Yes. In the breakdown, which appears on page 26, I notice exhibit B, entitled "Statement of income and expense, December 29, 1950, through March 31, 1958." In that exhibit there is an item "Production guaranties" being written off in the amount of \$27,202,041.75. Production guaranties to whom, and for what?

There is another item, "Contract termination, \$1,095,186.68." To whom, and for what? It is proposed that we write these amounts off and that they be charged to the taxpayers. Of course, the loss may have been sustained, but certainly we have a right to know where the money went.

Mr. CAPEHART. The committee knows all that, and has that information, and it was placed in the record in the committee.

Mr. WILLIAMS. I am sure the committee knows about it; and that is the information I wish to have. If you know the answer, just tell us.

Mr. CAPEHART. I am sure the members of the committee are just as conscientious as is the able Senator from Delaware.

Mr. WILLIAMS. I am sure of that, too. I merely wish to have the information presented here.

Mr. CAPEHART. I shall be very happy to have the General Services Administration send to the Senator an itemized breakdown, the same as was presented to the committee.

Mr. WILLIAMS. I am sure the committee has that information; and I am simply asking that a little of it be shared with the other Members of the Senate, who will have to vote on the bill. I want to know where this \$300 million went before I vote on this bill.

Mr. LAUSCHE. Mr. President—

Mr. CLARK. Mr. President, I am happy to yield to my friend, the Senator from Ohio.

Mr. LAUSCHE. Mr. President, the bill will result in the writing off of \$300,117,000 of credits which now are considered irretrievably lost. That is correct, is it not?

Mr. CLARK. They are uncollectible items, losses sustained and nonrecoverable expenses incurred before July 1, 1958.

Mr. LAUSCHE. Yes.

Mr. CLARK. The amount is approximately that which the Senator from Ohio has stated. But when the debts are written off, the amounts will have to be made entirely definite. In my humble judgment, the approximation given is sufficiently accurate to enable the Senate to vote on the bill on the basis of the information which has been presented to the committee.

Mr. LAUSCHE. The debts were as of a certain date, were they not?

Mr. CLARK. Yes—July 1, 1958.

Mr. LAUSCHE. On page 3 of the report there are set forth the anticipated losses to accrue in the future, let us say. At the top of page 3 there is a tabular statement, and the heading of the right-hand column is "probable ultimate net cost." I suppose that means "probable ultimate net loss."

Mr. CLARK. Yes.

Let me say that the committee did not particularly concern itself with the exact amounts, because it was trying to take steps to provide the agency with additional authority during a period in which the Congress would not be in session. It is undoubtedly true that the losses which eventually will be incurred will be substantially in excess of \$300 million. But the losses which have been incurred down to July 1, 1958—which were the only ones with which the committee was concerned at the time—amounted to \$300 million. The rest of the information was background information, and the committee saw no particular purpose in adding together all the figures and arriving at a total, inasmuch as the information was simply background information.

Mr. LAUSCHE. I am interested in learning what can be expected from the program.

Mr. CLARK. All we know about it is set forth in the report and in the information given to us by the General Services Administration and the Office of Defense and Civilian Mobilization and set forth in the hearing.

I say quite frankly that the testimony was not particularly specific, and was not tied down to exact dollar-and-cent amounts; and the committee did not attempt to get the information tied down in that way, because the committee did not think that had much to do with its consideration of the bill.

Mr. LAUSCHE. On page 2 of the report, there appears the following:

ACTIVITIES UNDER THE BORROWING AUTHORITY

Under the operation of the borrowing authority, programs involving gross transactions estimated at \$8,296,905,000 and probable net costs to the Government estimated at \$1,019,273,000.

I assume that means a net loss of \$1,019,000,000.

Mr. CLARK. Yes, that is correct. That is the estimate of the probable net loss when the program has been concluded, but it is not the established net loss as of July 1, 1958.

Mr. LAUSCHE. Is there included in the anticipated and estimated net loss of \$1,019,000,000, the \$300,000,000 which we are now writing off?

Mr. CLARK. Yes.

Mr. LAUSCHE. So we are to expect another writeoff of \$700 million, if things go in accordance with present expectations?

Mr. CLARK. Of the agency?

Mr. LAUSCHE. Yes.

Mr. CLARK. The Senator is correct.

Mr. LAUSCHE. The estimated loss of more than \$1 billion has been incurred in connection with the program of buying metals; is that correct?

Mr. CLARK. With the strategic materials program—substantially metals. There are also some administrative losses. I may say to my friend, too, on all these advances, interest has been charged by the Treasury. A substantial amount of interest will be written off.

Mr. LAUSCHE. Is this need of additional power to borrow in consequence of the fact that the Federal Government is selling very little of the stockpiled material, but is required to buy a great deal of it because of the lull in the economic markets?

Mr. CLARK. That has much to do with it. That is one of the major causes.

Mr. LAUSCHE. Then, at this time, looking at things in the light of the committee report and the administrator's report, we can anticipate that, as a consequence of the stockpiling program, there will be at least a \$1 billion loss. Is that correct?

Mr. CAPEHART. That is not necessarily true.

Mr. CLARK. My friend from Indiana would like to answer that question. I yield to him for that purpose.

Mr. CAPEHART. That is not necessarily true. It is estimated that there will be enough borrowing authority, \$66 million, until the end of June 30, 1959. I did not know the bill was coming up for consideration today. I really am not prepared to speak about it, because I have my worksheets in my office. I am speaking from memory. The important reason why the additional borrowing authority is needed at the moment is that the \$300 million should be charged off.

That is gone. There is no way it can be recouped.

Mr. LAUSCHE. I heard that statement made.

Mr. CAPEHART. I wish to bring the Senator up to date on what has happened. One reason why the \$66 million, for which authority is now provided and which may be unused at the end of June 30, 1959, may not be enough is that a few years ago, in 1952 or 1951, Mr. Larson, who was then head of General Services Administration, entered into a contract with three large aluminum companies in the United States—Kaiser, Reynolds, and Alcoa—to buy \$325 million worth of aluminum, or agreed that if those companies expanded their plants, the Government would buy up to \$325 million worth of aluminum any time they wanted to sell such a quantity of aluminum to the Government. That meant any time the companies could not sell it to private industries, they could call on the Government to buy the aluminum.

We went over and over that subject, and again. We criticized the agency for making that kind of contract. Our records are filled with testimony on the subject. The aluminum companies are offering the aluminum to the Government. The Government, under a good contract—when I say good, I mean it was legal—has to buy the aluminum and put it in the stockpile. The Government is getting aluminum for its stockpile, but the Government has to pay for it. Nobody knows how much aluminum will be offered to the Government in the next 12 months or 2 years. Therefore, nobody knows how much money the Government will need.

Mr. LAUSCHE. My question was, is it not a fact that, according to the figures, we can anticipate a loss in excess of \$1 billion?

Mr. CAPEHART. I do not believe the amount will be that high. I do not think so.

Mr. LAUSCHE. That is what the report shows.

Mr. CAPEHART. I did not write the report.

Mr. LAUSCHE. The report, at page 2, so shows.

Mr. CAPEHART. The Government entered into contracts with a number of companies—

Mr. LAUSCHE. I understand that. The Government said to the aluminum companies, "Go ahead and sell in the open market. If you cannot sell your aluminum there, the Government will buy from you at a contractual price." The companies are now calling on the Government to take the aluminum.

Mr. CAPEHART. There are other kinds of metals under the same sort of an arrangement. Therefore, nobody knows at this time how much metal will come into the hands of the Government. My best judgment is it will not cost anything like \$1 billion.

Mr. LAUSCHE. May I read from page 2 of the report?

Under the operation of the borrowing authority, programs involving gross transactions estimated at \$8,296,905,000 and probable net costs to the Government estimated at \$1,019,273,000—

And "net cost" is admitted to mean "net loss."

Mr. CAPEHART. I just read that statement, too. I still do not believe the loss will run that high.

Mr. LAUSCHE. The reason for the question is that we can expect the subject of the purchase of metals to come before the Senate again. I want some knowledge of how much the cost is.

Mr. CLARK. Mr. President, if I may resume the floor—

Mr. LAUSCHE. I am through.

Mr. CLARK. I should like to say to the Senator from Ohio that, in my judgment, the amount he has stated, will probably be the net total loss to the Government, if present prices are paid for the metals and if we accept the best estimate of the agency as to how matters are going to go from this time forward; but that is something nobody knows. The important thing to my way of thinking, if I may say so to the Senator from Ohio, is that this agency, in the interest of national security, at a time of great danger, should be able to enter into new contracts involving strategic materials, if it is deemed wise to do so, when Congress is not in session.

Among the kinds of things which might be done, as set forth on page 29 of the hearings, are: First, new contracts for mica, a strategic and critical material for which the national stockpile has a large need; second, capital equipment for the production of jewel bearings needed for the national stockpile. I know my good friend from Ohio knows how important jewel bearings are. Finally, third, a still undefined requirement under the existing marine turbine and gear program.

Nobody knows when the needs are going to arise, and it is necessary that that agency be given the authority to purchase the materials. I share my friend's concern in the loss the Government will suffer, but I do not think there is anything we can do about it.

Mr. LAUSCHE. In January of 1957, I came into the Senate and, because of the speed at which things were moving, and not knowing what was being discussed, I voted for a bill which authorized the purchase of tungsten. I heard the argument made that we needed tungsten for the strategic stockpile.

Subsequently, through the Senator from Idaho [Mr. DWORSHAK], I learned there was some question about the need for stockpiling that metal. I now find that in the case of tungsten alone, according to this report, we can expect a loss of \$217 million.

I will say one more thing and then close. There are only two items on which a profit was made. A profit of \$13 million was made on the rubber program, and a profit of \$1,550,000 was made on the machine-tool program. On all others there were losses.

Mr. CAPEHART and Mr. CURTIS addressed the Chair.

Mr. CLARK. Mr. President, I yield first to the distinguished ranking minority member of the committee, the Senator from Indiana.

Mr. CAPEHART. Mr. President, I am going to suggest that we lay the bill aside

for a couple of days. In the meantime we can get our records together and we will be able to give the Senate a little more intelligent information than we can give today. I did not know the bill was going to be under consideration. Neither did the Senator from Virginia [Mr. ROBERTSON], who is the chairman of the joint committee. We will get our figures together and our work sheets together. Like every other bookkeeping transaction, there are sheets and sheets and sheets of figures.

Mr. ROBERTSON. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. I yield to the Senator from Virginia.

Mr. ROBERTSON. I concur in the suggestion made by our distinguished colleague from Indiana, that the bill should be laid aside temporarily.

I should like to give the facts. The administration asked for the bill. The bill represents a purchasing power for metals of \$300 million more than the administration now has. That is all there is to it, and the administration asks for the authority.

The Senator from Arkansas [Mr. FULBRIGHT] introduced the bill. On the day the Senator from Arkansas was sick and lost his voice I made the report.

As has been said, I am the chairman of the joint committee which supervises the work of the Office of Defense Mobilization, which buys and stockpiles the materials. Of course, after we bought the aluminum and the other minerals in the stress of a great emergency, later the price went down and we took a loss. Whether we will have a billion-dollar loss in the future will depend upon whether the value of the materials goes down further, or whether those who are now trading on the stock market are correct in feeling that we are heading for an inflation such as we have never seen before. If such should occur, all the prices of the stockpiled material will go up, and we might have a billion-dollar gain. We cannot tell.

The essence of the story is that the administration asked that the bill be passed. I think it is wise to let the bill go over, so that a little more information may be obtained as to why the additional purchasing power is needed.

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

Mr. CLARK. I yield to my friend from Delaware.

Mr. WILLIAMS. I appreciate the action of the committee members in agreeing to postpone consideration of the bill until we can get a little more information. I think that this bill should be delayed.

I should like to suggest further that if the bill goes over an effort should be made to modify it to conform to the purposes desired. As I understand the purpose of writing the loans off, it is to give the agency automatically \$300 million of additional borrowing authority whereby the agency can purchase more minerals.

I should like to leave one thought for consideration when the bill is taken up again. Would it not be advisable to amend the bill so that the additional borrowing authority so created could be

used only for the purchase of those minerals which are certified by the proper authority as being essential to our national defense? In other words, I believe we should provide that the money could not be used to purchase minerals of which we already have an overabundance in supply and which we do not need at all. If the bill is going to be passed in the interests of national defense, let us be sure that the money will be spent in the interests of national defense based upon the certification of the proper authorities and that the funds will not be wasted in the accumulation of nonessential materials.

Mr. CLARK. Mr. President, let me say to my friend from Delaware that I personally—and I think this is true with respect to the other members of the committee—have no serious objection to what the Senator suggests. I suggest to my friend that he prepare an amendment to cover what he has in mind. If the bill is taken up again by motion, I can assure the Senator that we will give careful consideration to accepting the amendment.

Let me say, also, in response to the suggestion made by my distinguished colleague from Indiana that the bill be laid aside, which was concurred in by the Senator from Virginia, that I personally, as the manager of the particular bill for the moment, do not have the slightest objection to having the bill laid aside. I wish to point out that the bill was taken up on motion today because the administration has a sense of urgency about it, and the request to lay aside the bill comes from the other side of the aisle.

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

Mr. CLARK. I yield.

Mr. CAPEHART. I should like to say, in answer to the Senator from Delaware, with regard to his proposed amendment and the problem involved therewith, that a contractual relationship has already been entered into by the Government with X number of mineral producers, which is quite a large number. There is no way we can cancel those contracts unless we simply fail to live up to our contracts. I am sure the Senator does not want the Federal Government to start violating its word on written contracts. Of course, the companies would take the Government into court and would win the case.

The problem is one of a contractual relationship which has been entered into in the past. We went into that matter very, very thoroughly.

Mr. WILLIAMS. If the Senator from Indiana will yield further, I did not say anything about violating our agreements or contracts. I said I thought an amendment should be considered to preclude future purchases of any further minerals which were not certified as being essential to our stockpiling program for national defense.

With respect to the fact that a substantial part of the \$300 million under consideration could be already contracted for—I cannot conceive of that being true—surely the agency has not exceeded its contractual authority as provided in the amount of money Congress has authorized for such expenditure. Let us

suppose that we do not pass the bill. The agency can only spend within the authority it has. If the agency has exceeded its authority, that fact should be reported, also.

Mr. CAPEHART. The authority has not been exceeded.

Let us say, in fairness to the agency, since the Senator should appreciate this fact, that the agency could have said nothing about the loss. There is nothing in the law which requires that such be done. The administration could have come to Congress and asked for additional authority without saying anything about the loss. However, instead of simply asking for additional authority the request was made in good faith. It was said, "We have sustained over the past 8 years \$300 million worth of loss. That much is gone. There is no way we can get it back. If the Congress by legislation will write off the \$300 million, then we will not need any additional authority."

That is the route which was taken. Another route could have been taken, and it would have been possible to say nothing about the loss and simply ask for \$300 million additional authority. No doubt the Congress would have granted such authority, and that would have been the end of it.

Everything which has happened simply relates to old contracts which were entered into years ago. New contracts are not being entered into today. The Government is simply living up to contracts which were made during the Korean war.

Mr. WILLIAMS. I understood either the Senator from Indiana or the Senator from Pennsylvania to say a few moments ago, that one of the reasons the bill should be passed was that after Congress adjourned a sudden urgency might occur with respect to some of the various metals mentioned, and the Government would need the authority and the extra money to buy them. Let us get the record straight. Is this for new purchases, or is the \$300 million to pay for old contracts?

Mr. CAPEHART. The record is straight.

Mr. WILLIAMS. Are we trying to provide \$300 million to pay for existing contracts, or to pay for new contracts?

To the extent that the authority involves new contracts, I think it would be very appropriate to adopt an amendment providing that the money could be used only to make new contracts and new purchases after there has been a certification that the material being purchased was needed for national defense.

Mr. CAPEHART. Mr. President, I explained that thoroughly a moment ago.

Mr. WILLIAMS. That is all I am asking, and I want the answer before we vote.

Mr. CAPEHART. I said that the money is needed to pay for the contracts and the delivery. I used the example of aluminum. Many other minerals are involved. The money is needed for the aluminum which, under the contracts entered into years ago, the three big aluminum companies have a right to deliver to the Federal Government. Nobody knows how much aluminum the

companies are going to deliver to the Government. The companies are permitted to deliver aluminum to the value of \$325 million, but nobody knows whether it will be \$325 million or \$100 million. That is all a result of contracts entered into years ago.

Mr. CLARK. I think my friend from Indiana is in part correct, but he is not totally correct, because, as the agency clearly pointed out in the testimony which was adduced before us—and my friend and I sat through the hearings at the time—it may well be that critical needs for additional purchases of new materials, which are not aluminum or anything like it at all, may develop. That is the thing which interested me more than anything else. I think the answer to my friend from Delaware is that both are involved. We need the money for the purchase of new materials and also for purchases under existing contracts which are still in effect.

Mr. CAPEHART. That might be true if we got into another war, or were involved in the threat of war.

Mr. CLARK. We have a threat of war right now.

Mr. CAPEHART. It could be true under those circumstances.

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 following bills and joint resolution of the Senate:

S. 479. An act to convey right-of-way to Eagle Creek Inter-Community Water Supply Association;

S. 1245. An act to provide a right-of-way to the city of Alamogordo, a municipal corporation of the State of New Mexico;

S. 1698. An act to amend the Veterans' Readjustment Assistance Act of 1952, to extend the time for filing claims for mustering-out payments;

S. 1857. An act to incorporate the Congressional Medal of Honor Society of the United States of America;

S. 2033. An act to provide for the Board of Trustees of the Postal Savings System to consist of the Postmaster General and the Secretary of the Treasury;

S. 2115. An act to amend the act of June 7, 1897, as amended, and section 4233 of the Revised Statutes, as amended, with respect to lights for vessels towing or being overtaken;

S. 2158. An act relating to the procedure for altering certain bridges over navigable waters;

S. 2793. An act to provide for the conveyance of a pumping station and related facilities of the Intracoastal Waterway System at Algiers, La., to the Jefferson-Plaquemines Drainage District, Louisiana;

S. 3177. An act authorizing the modification of the Crisfield Harbor, Md., project in the interest of navigation;

S. 3248. An act to authorize the Secretary of Agriculture to exchange lands comprising the Pleasant Grove administrative site, Uinta National Forest, Utah, and for other purposes;

S. 3307. An act to reinstate certain terminated oil and gas leases;

S. 3392. An act 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, Illinois;

S. 3439. An act providing for the reconveyance to Salt Lake City, Utah, of the Forest Service fire warehouse lot in that city;

S. 3469. An act to authorize the Secretary of the Interior to amend the repayment contract with the Arch Hurley Conservancy District, Tucumcari project, New Mexico;

S. 3499. An act to amend the vessel admeasurement laws relating to water ballast spaces;

S. 3569. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by the State of Utah;

S. 3833. An act to provide for a survey of the Coosawatchie and Broad Rivers in South Carolina, upstream to the vicinity of Dawson Landing;

S. 3951. An act to amend the act of June 7, 1897, as amended, and section 4233A of the Revised Statutes, so as to authorize the Secretary of the Treasury to prescribe day signals for certain vessels, and for other purposes;

S. 3987. An act granting the consent and approval of Congress to the Tennessee-Tombigbee Waterway Development Compact;

S. 4208. An act to authorize appropriations to the National Aeronautics and Space Administration for construction and other purposes; and

S. J. Res. 85. Joint resolution to amend the act of Congress approved August 7, 1935 (Public Law 253), concerning United States contributions to the International Council of Scientific Unions and certain associated unions.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 493) for the relief of Irene Montoya.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1827. An act for the relief of Annunziata Gambini and Tomazo Gambini; and

H. R. 4640. An act to amend the Civil Service Retirement Act with respect to payments from voluntary contributions accounts.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 12628) to amend title VI of the Public Health Service Act to extend for an additional 3-year period the Hospital Survey and Construction Act.

DISTRICT OF COLUMBIA CHARTER ACT

Mr. CLARK. Mr. President, I ask unanimous consent that the Senate temporarily lay aside the unfinished business and proceed to the consideration of Calendar No. 1749, Senate bill 1846, the District of Columbia home rule bill. The majority leader has asked me to tell my colleagues that there will be no vote on that bill tonight.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The CLERK. A 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.

The PRESIDING OFFICER. The question is on agreeing to the unanimous consent request of the Senator from Pennsylvania.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation. Finally it is recognized that the restoration of the powers of local self-government to the inhabitants of the District by this act will in no way change the need, which arises from the unique character of the District as the Nation's Capital, for the payment by the Federal Government of a share of the expenses of the District government, and it is intended that an equitable share thereof shall be paid annually.

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TITLE I—DEFINITIONS

Definitions

Sec. 101. For the purposes of this act—
(1) The term "District" means the District of Columbia.

(2) The terms "Legislative Assembly" and "Assembly" means the Assembly of the District of Columbia provided for by title III.

(3) The terms "Chairman" and "Assembly Chairman" mean the Chairman of the Assembly provided for by title III.

(4) The terms "Governor" and "Secretary" mean the Governor and Secretary, respectively, provided for by title IV.

(5) The term "qualified elector" means a qualified elector of the District as specified in section 806, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the Assembly, except where the term "act" is used to refer to this act or other acts of Congress herein specified.

(7) The term "District Primary Act" means the act of August 12, 1955 (Public Law 376, 84th Cong.; 69 Stat. 699).

(8) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(9) The terms "capital project" and "project" mean (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(10) The term "pending," when applied to any capital project, means authorized but not yet completed.

(11) The term "Board of Elections" means the Board of Elections created by section 3 of the District Primary Act.

(12) The term "election," unless the context otherwise indicates, means an election held pursuant to the provisions of this act.

(13) The term "domicile" means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

(14) The term "municipal office" means an office of any governmental unit subordinate to a State or Territorial government.

(15) The terms "publish" and "publication," unless otherwise specifically provided herein, mean publication in a newspaper of general circulation published in the District.

TITLE II—STATUS OF THE DISTRICT

Status of the District

SEC. 201. (a) All of the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia shall remain and continue a body-corporate, as provided in section 2 of the Revised Statutes relating to said District. Said Corporation shall continue to be charged with all the duties, obligations, responsibilities and liabilities, and to be vested with all of the powers, rights, privileges, immunities, and assets respectively imposed upon and vested in said Corporation, the Board of Commissioners of the District of Columbia, any person appointed from civil life as a member of the Board of Commissioners of the District or the Engineer Commissioner of the District of Columbia.

(b) No law or regulation which is in force on the effective date of part 2, title III, of this act shall be deemed amended or repealed by this act except to the extent that such law or regulation is inconsistent with this act: *Provided*, That any such law or regulation may be amended or repealed by legislation as authorized in this act, or by act of Congress.

(c) The judicial courts of the District of Columbia shall remain as now organized until abolished or changed by act of Congress; but the Assembly shall have power to enact acts conferring such additional jurisdiction on the juvenile court of the District of Columbia, the municipal court for the District of Columbia, and the municipal court of appeals for the District of Columbia as may be appropriate to the due execution and enforcement of the laws of the District of Columbia.

TITLE III—THE LEGISLATIVE ASSEMBLY

Part I—Creation of the Legislative Assembly
Creation and Membership

SEC. 301. There is hereby created the Legislative Assembly of the District of Columbia consisting of 15 members elected as provided in title VIII. Except as otherwise provided in this act, the legislative power and authority of the District, as hereinafter set forth, is hereby vested in the Assembly.

Qualifications for Holding Office

SEC. 302. No person shall hold the office of member of the Assembly unless he (1) is a qualified elector, (2) is domiciled in the District and resides in the ward from which he is nominated, and has (a) during the 3 years next preceding his nomination resided and been domiciled in the District and (b) during the 1 year next preceding his nomination has not voted in any election (other than in the District) for any candidate for public office, and has resided in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office of a full-time, continuing nature for which compensation is provided out of Federal or District funds. A member of the Assembly shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation

SEC. 303. Each member of the Assembly, except the Chairman, shall receive compensation at a rate of \$10,000 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of \$12,000 per annum, payable in periodic installments. All members shall receive such additional allowance for expenses as may be approved by the Assembly to be paid out of funds duly appropriated therefor.

Changes in Membership and Compensation of Assembly Members

SEC. 304. (a) The number of members constituting the Assembly may be changed by act passed by the Assembly: *Provided*, That no such act shall take effect until after it has

been assented to by a majority of the qualified electors of the District voting at an election on the proposition set forth in any such act.

(b) The compensation of members of the Assembly may be changed by act passed by the Assembly: *Provided*, That no such act shall take effect until January 1 of the first odd-numbered year following its approval.

Part 2—Principal functions of the Legislative Assembly

Functions Heretofore Exercised by the Board of Commissioners and by the Board of Education

SEC. 321. (a) Except as otherwise provided in this act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the Assembly except those powers hereinafter specifically conferred on the Governor.

(b) The Board of Commissioners of the District of Columbia is hereby abolished, and all provisions of law providing for the Board of Commissioners of the District, and the offices of Commissioner, Engineer Commissioner, and Assistants to the Engineer Commissioner of the District, are hereby repealed.

(c) The Board of Education provided for in section 2 of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, is hereby abolished and its functions are hereby transferred to the Legislative Assembly for exercise in such manner and by such person or persons as the Assembly may direct.

Functions Relating to Zoning

SEC. 322. The Zoning Commission created by the first section of the act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D. C. Code, 1951 edition, sec. 5-412), is hereby abolished, and its functions are transferred to the Assembly.

Certain Delegated Functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Assembly by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Governor or Assembly, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

Legislative Powers and Limitations Thereon

SEC. 324. (a) Except as provided in subsection (b) of this section, the legislative power of the District shall extend to all rightful subjects of legislation within said District, consistent with the Constitution of the United States and the provisions of this act, subject nevertheless, to all the restrictions and limitations imposed upon States by the 10th section of the 1st article of the Constitution of the United States; but all acts of the Assembly shall at all times be subject to repeal or modification by the Congress of the United States, and nothing herein shall be construed to deprive Congress of the power of legislation over said District in as ample manner as if this act had not been enacted: *Provided*, That nothing in this section shall be construed as vesting in the District government any greater authority over the Public Utilities Commission of the District of Columbia, the Armory Board, the National Guard of the District of Columbia, the District of Columbia Redevelopment Land Agency, the National Capital Housing Authority, or any Federal agency than was vested in the Board of Commissioners of the District prior to the effective date of part 2, title III of this act.

(b) The Assembly may not pass any act contrary to the provisions of this act, or—

(1) impose any tax on property of the United States;

(2) lend the public credit for support of any private undertaking;

(3) authorize the issuance of bonds except in compliance with the provisions of title VI;

(4) grant any exclusive privilege, immunity, or franchise;

(5) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

(6) enact any act to amend or repeal any Act of Congress which concerns the functions or property of the United States or which is not restricted in its application exclusively in or to the District;

(7) pass any act inconsistent with or contrary to the act of June 6, 1924 (43 Stat. 463), as amended by the act of April 30, 1926 (44 Stat. 374), and by the act of July 19, 1952 (66 Stat. 781); and the act of May 29, 1930 (46 Stat. 482), as amended, and the Assembly shall not pass any act inconsistent with or contrary to any provision of any act of Congress as it specifically pertains to any duty, authority, and responsibility of the National Capital Planning Commission; except insofar as the above-cited or other referred to acts refer to the Engineer Commissioner of the District of Columbia or the Board of Commissioners of the District, the former of which terms, after the enactment of this act, shall mean the Governor or some District government official deemed by the Governor to be best qualified, and designated by him to sit in lieu of the Governor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the Assembly.

(c) Every act shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act shall be published within 7 days after its passage, as the Assembly may direct.

(d) An act passed by the Assembly shall be presented to the Governor and shall become law upon his approval as indicated by his signature. If any act so passed shall be disapproved by the Governor, he shall, within 10 calendar days of its presentation, return such act to the Assembly setting forth his objections. If his disapproval is based in whole or in part upon a finding that such act adversely affects a Federal interest, he shall so inform the Assembly when setting forth his objections to such act. If any act so passed shall not be returned by the Governor as herein provided within 10 calendar days after it shall have been presented to him, the same shall become law in like manner as if he had signed it. If, upon reconsideration of an act returned by the Governor, two-thirds of the members of the Assembly vote to pass such act, it shall become law unless the Governor's disapproval was based in whole or in part upon a finding that such act adversely affects a Federal interest, in which case the Assembly shall again present the act to the Governor and the Governor shall forthwith transmit it to the President, advising the Assembly in writing that he has done so. If the President approves such act he shall sign it, and it shall thereupon become law. If he does not approve it, he shall return it to the Governor so stating, and it shall not become law. The President shall approve or disapprove an act transmitted to him by the Governor, under the provisions of this subsection, within 10 calendar days after its transmission to him; and if not acted upon within such time it shall become law as if it had been specifically approved by him.

Part 3. Organization and procedure of the Legislative Assembly

The Chairman

SEC. 331. The Assembly shall elect from among its members a Chairman who shall be

the presiding officer of the Assembly and a Vice Chairman, who shall preside in the absence of the Chairman. The terms of the first Chairman and Vice Chairman shall expire at the close of December 31, 1960, and at the close of December 31 of each succeeding even-numbered year the term of office of the incumbent Chairman and Vice Chairman shall expire.

Clerk of the Assembly; Records and Documents

SEC. 332. (a) The Assembly shall appoint a clerk as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this act, the compensation and other terms of employment of such clerk, assistants, and clerical personnel shall be prescribed by the Assembly.

(b) The clerk shall (1) keep a record of the proceedings of the Assembly, (2) keep a record showing the text of all acts and resolutions introduced, and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the Assembly, and (4) perform such other duties as the Assembly may from time to time prescribe.

Meetings

SEC. 333. (a) The first meeting of the Assembly after this part takes effect shall be called by the member who receives the highest vote in the election provided in title VIII. He shall preside until a Chairman is elected. The first meeting of the Assembly in each odd-numbered year commencing with 1961 shall be called by the Clerk of the Assembly for a date not later than January 7 of such year.

(b) The Assembly shall provide for the time and place of its regular meetings. The Assembly shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Governor, the Chairman, or any 3 members of the Assembly.

(c) Meetings of the Assembly shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Assembly provided for in section 332 (b) shall be open to public inspection and available for copying during all regular office hours of the Clerk of the Assembly. Any citizen shall have the right to petition and be heard by the Assembly at any of its meetings within reasonable limits as set by the Assembly chairman, the Assembly concurring.

Committees

SEC. 334. The Assembly Chairman, with the advice and consent of the Assembly, shall appoint such standing and special committees as may be expedient for the conduct of the Assembly's business. All committee meetings shall be open to the public except when ordered closed by the committee chairman with the approval of a majority of the members of the committee.

Legislative Acts

SEC. 335. (a) The Assembly, to discharge the powers and duties imposed herein, shall pass acts upon a vote of a majority of the members of the Assembly, unless otherwise provided herein.

(b) The enacting clause of all acts passed by the Assembly shall be, "Be it enacted by the Assembly of the District of Columbia:".

Passage of Acts

SEC. 336. The assembly shall not pass any act before the 13th day following the day on which it is introduced. Subject to the other limitations of this act, this requirement

may be waived by the unanimous vote of the members present.

Procedure for Zoning Acts

SEC. 337. (a) Before any zoning act for the District is passed by the assembly—

(1) the assembly shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall, within 30 days after the date of such deposit, report to the assembly whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The assembly may not pass the act unless it has received such report or the Commission has failed to report within the 30-day period above specified; and

(2) the assembly (or an appropriate committee thereof) shall hold a public hearing on the act. At least 30 days' notice of the hearing shall be published as the assembly may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The assembly (or committee thereof holding the hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) Before any zoning act passed by the assembly is presented to the Governor for his approval, it shall be deposited by the assembly with the National Capital Planning Commission. If in the opinion of the Commission such act, as passed, would adversely affect the interest of the Federal Government, the Commission shall within 30 days after the date of such deposit certify to the assembly its disapproval of such act. If such certification of disapproval is not made within such 30-day period, the zoning act shall thereupon be presented to the Governor and shall become law subject to the provisions of section 324 (d). If the Commission makes such certificate of disapproval within the 30-day period above specified, the zoning act shall not become law: *Provided*, That if within 30 days after the day on which such certification is received, the act be readopted by the affirmative vote of at least two-thirds of the members of the assembly, it shall thereupon be presented to the Governor and shall become law, subject to the provisions of section 324 (d).

Investigations by Assembly

SEC. 338. (a) The assembly, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the assembly (if the assembly is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpoenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpoena issued to, any person, the assembly, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpoena issued, or to testify, in a case pending before such court.

TITLE IV—GOVERNOR AND SECRETARY

Appointment, Qualifications, and Salaries

SEC. 401. (a) There are hereby created the Offices of Governor of the District of Colum-

bia and Secretary of the District of Columbia. The Governor and the Secretary shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and, except as otherwise herein provided, shall serve for terms of 4 years, unless sooner removed by the President: *Provided*, That upon appointment by the President, the Governor and the Secretary, respectively, may serve on an interim basis, pending confirmation by the Senate, for a period not to exceed 60 days after the date of the appointment or the date on which the Senate convenes, whichever is later.

(b) No person shall hold the office of Governor or of Secretary, unless he (1) is a qualified elector, (2) is domiciled and resides in the District and during the 3 years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the District) for any candidate for public office, (3) holds no elective public office, and (4) holds no other appointive office for which compensation is provided out of District or Federal funds. The Governor and the Secretary shall forfeit their respective offices upon failure to maintain the qualifications required by this section:

(c) The Governor shall receive an annual salary of \$21,000, and an allowance for official expenses, which he shall certify in reasonable detail to the Assembly, of not more than \$2,500 annually. The Secretary shall receive an annual salary of \$17,500. Such salaries shall be payable in periodic installments.

(d) The terms of office of the first Governor and the first Secretary shall be from January 1, 1959, through January 20, 1961, unless sooner removed by the President. Thereafter, the terms of office of the Governor and the Secretary, respectively, shall be 4 years, beginning on January 21, 1961, and on January 21 of every other odd-numbered year thereafter, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

Powers and Duties of the Governor

SEC. 402. The Governor shall be the chief executive officer of the District Government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of both the Governor and the Secretary, execute and perform all the powers and duties of the Governor.

(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Governor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel shall, until such time as legislation is enacted by the assembly superseding such laws and establishing a permanent civil service system or systems, based on merit, pursuant to section 402 (4), continue to be subject to the provisions of acts of Congress relating to the appointment, promotion, discipline, separation and other conditions of employment applicable to officers and employees of the District government; to section 1001 (d) of this act, and, where applicable, to the provisions of the joint agreement between

the Commissioners and the Civil Service Commission authorized by Executive Order No. 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign personnel to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners and shall have power to remove such personnel from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the assembly establishing a permanent civil service system or systems, based on merit, pursuant to section 402 (4): *Provided*, That all appointments of department heads and members of boards and commissions; all appointment and assignments to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District, and appointments made pursuant to section 804 of this act, shall be by and with the consent of the assembly.

(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this act. Personnel legislation enacted by Congress, prior to or after the effective date of this section, including, without limitation, appointments, promotions, discipline, separations, pay, unemployment compensation, disability and death benefits, leave, retirement, insurance, and veteran's preference, applicable to employees of the District government, as set forth in section 1002 (c), shall continue in effect until such time as the assembly shall, pursuant to this section, provide similar or comparable coverage under a District civil service system or systems based on merit. The District civil service system or systems shall be established by legislation of the assembly and shall provide coverage similar or comparable to, or shall provide for continued participation in, all or part of the Federal civil service system. The District civil service system or systems shall take effect not earlier than 1 year or later than 5 years after the effective date of this section.

(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Governor and the executive departments of the District. He shall submit such reports to the assembly within 90 days after the close of the fiscal year.

(7) He shall keep the Assembly advised of the financial condition and future needs of the District and make such recommendations to the Assembly as may seem to him desirable.

(8) He may submit drafts of acts to the Assembly.

(9) He shall perform such other duties as the Assembly, consistent with the provisions of this act, may direct.

(10) He may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Governor, or to any director of an executive department who may, with the approval of the Governor, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

(11) The Governor or the Assembly may propose to the executive or legislative

branches of the United States Government, legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this act.

(12) As custodian he shall use and authenticate the corporate seal of the District in accordance with the rules of the Assembly.

(13) He shall have the right, under the rules to be adopted by the Assembly, to be heard by the Assembly or any of its committees.

(14) He is authorized and directed to promulgate, adopt, and enforce such rules and regulations, not inconsistent with any act of the Congress or any act of the Assembly, as are necessary to carry out his functions and duties.

(15) He is authorized to reorganize any or all of the executive agencies of the District government. Any reorganization effecting two or more agencies shall be submitted to the Assembly and shall take effect 60 days thereafter, unless prior to the expiration of such 60-day period, the Assembly shall, by a majority vote of its members, disapprove thereof.

Powers and Duties of Secretary

Sec. 403. (a) The Secretary shall perform such duties and exercise such powers as the Governor shall impose upon or vest in him.

(b) In case of the death, removal, resignation, disability, or absence of the Governor from the District, the Secretary shall execute and perform all of the powers and duties of the Governor during such vacancy, disability, or absence, or until another governor shall be duly appointed and qualified to fill such vacancy.

TITLE V—THE DISTRICT BUDGET

Fiscal Year

Sec. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

Budgetary Details Fixed by Assembly

Sec. 502 (a) The Governor shall prepare and submit, not later than April 1, to the Assembly, in such form as the Assembly shall approve, the annual budget estimates of the District and the budget message.

(b) The Governor shall, in consultation with the Assembly, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs as shown by the accounts.

Adoption of Budget

Sec. 503. The Assembly shall by act adopt a budget for each fiscal year not later than May 15, except that the Assembly may extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

Budget Establishes Appropriations

Sec. 504. The adoption of the budget by the Assembly shall, from the effective date thereof, operate to appropriate and to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

Supplemental Appropriations

Sec. 505. The Assembly may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may in-

clude those borrowed in accordance with the provisions of section 621.

TITLE VI—BORROWING

Part I—Borrowing for Capital Improvements

Borrowing Power; Debt Limitations

Sec. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided*, That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued in an amount which, together with the indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 percent of the average assessed value of the taxable real and tangible personal property of the District subject to taxation by the District as of the 1st day of July of the 10 most recent fiscal years for which such assessed values are available, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with highway, water and sanitary sewage works purposes or other revenue-producing capital projects which are determined by the Assembly to be self-liquidating exceed 6 percent of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the Assembly from time to time in amounts in the aggregate at any time outstanding not exceeding 2 percent of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified electors of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indebtedness within all of the aforesaid limitations at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The Assembly shall make provision for the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

Contents of Borrowing Legislation; Referendum of Bond Issue

Sec. 602. (a) An act authorizing the issuance of bonds may be enacted by a majority of the Assembly members at any meeting of the Assembly subsequent to the meeting at which such act was introduced, and shall contain at least the following provisions.

(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

(3) The maximum rate of interest to be paid on such indebtedness; and

(4) In the event the Assembly is required by this part, or it is determined by the Assembly in its discretion, to submit the question of issuing such bonds to a vote of the qualified electors of the District, the date on which such election will be held, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall

be in such form as to permit the electors to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

(b) The Assembly shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified electors at the first general election to be held in the District not less than 40 days after the date of enactment of the act authorizing such bonds, or upon a vote of at least two-thirds of the members of the Assembly, the Assembly may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Assembly not less than 40 days after the enactment of such act.

(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the Assembly as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the proposition or propositions to be voted on and the designated polling places in the various precincts and wards in the District, which said notice shall be published at least once a week for 4 consecutive calendar weeks on any day of the week, the first publication thereof to be not less than 30 nor more than 40 days prior to the date fixed by the Assembly for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the Assembly in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within 3 days following the date of the election.

Publication of Borrowing Legislation

Sec. 603. The Governor shall publish any act authorizing the issuance of bonds at least once within 5 days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"Notice

"The following act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire 20 days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified electors, 20 days after the date of publication of the promulgation of the results of the election ordered by said act to be held).

"Governor."

Short Period of Limitation

Sec. 604. Upon the expiration of 20 days from and after the date of publication of the notice of the enactment of an act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified electors, or upon the expiration of 20 days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

(1) Any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others

interested shall thereafter be estopped from denying same;

(2) Such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this act and of all laws applicable thereto;

(3) The validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such 20 days.

Acts for Issuance of Bonds

Sec. 605. After the expiration of the 20-day limitation period provided for in section 604 of this part, the Assembly may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to 604, inclusive, hereof. An issue of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this act until the bonds shall have been sold, delivered and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the Assembly shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning not more than 3 years after the date of the bonds and ending not more than 30 years from such date. The amount of said series to be payable in each year to be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 percent of the total authorized amount of such series. Such act shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of \$1,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of \$1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the Assembly may determine.

Public Sale

Sec. 606. (a) All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the Assembly after publication of a notice of such sale at least once not less than 10 days prior to the date fixed before sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, N. Y., and in a newspaper of general circulation published in the District. Such notice shall among other things that no proposal shall be considered unless there is deposited with the District as a downpay-

ment a certified check or cashier's check for an amount equal to at least 2 percent of the par amount of bonds bid for, and the Assembly shall reserve the right to reject any and all bids.

(b) The Treasurer of the United States, and any administrative officer or agency of the United States Government may purchase bonds issued under this part with funds under the control of such officer or agency to the same extent as the Treasurer, officer, or agency is permitted by law to invest such moneys in obligations of the United States Government, and such sale may be negotiated without the necessity of complying with the provisions of this section relative to a public sale of the bonds.

Part 2—Short-term borrowing

Borrowing To Meet Supplemental Appropriations

Sec. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the Assembly may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 percent of the total appropriations for the current fiscal year, each of which shall be designated "supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

Borrowing in Anticipation of Revenues

Sec. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the Assembly may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 percent of the total anticipated revenue, each of which shall be designated "Revenue Note for the Fiscal Year 19 .". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

Notes Redeemable Prior to Maturity

Sec. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

Sale of Notes

Sec. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

Part 3—Payment of bonds and notes

Payment of Bonds and Notes

Sec. 631. (a) The act of the Assembly authorizing the issuance of bonds pursuant to this title shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside for the purposes of paying such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the act authorizing the issuance thereof.

Part 4—Tax Exemption—Legal Investment
Tax Exemption

SEC. 641. Bonds and notes issued by the Assembly pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

Legal Investment

SEC. 642. Notwithstanding any restrictions on the investment of funds by fiduciaries contained in any other laws, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the Assembly to the same extent as national banking associations are authorized by paragraph 7 of section 5136 of the Revised Statutes (title 12, U. S. C., sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided*, That nothing contained in this section shall be construed as relieving any person, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT
Part 1—Financial Administration
Surety Bonds

SEC. 701. Such officers and employees of the District as the Assembly shall require shall be bonded with such sureties and in such amounts as the Assembly may prescribe. The premiums for all such bonds shall be paid out of appropriations of the District.

Financial Duties of the Governor

SEC. 702. The Governor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form prescribed by the Assembly under section 502 the annual budget estimates and budget message;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(3) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities, (B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets: *Provided*, That as soon as practicable after the date of enactment of this act, the Governor shall cause the accounts of the District of Columbia to be maintained on an accrual basis that will show the resources, liabilities, and costs of operations of the District of Columbia and its agencies, and that will facilitate the preparation of costs-based budgets. The accounting sys-

tem of the District of Columbia shall be approved by the Comptroller General of the United States when deemed to be adequate and in conformity with acceptable principles and standards of accounting,

(4) submit to the Assembly a monthly financial statement, by appropriation and department, and in any further detail the Assembly may specify;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any courts, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the Assembly; and

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes of transfer, registration, or exchange.

Control of Appropriations

SEC. 703. The Assembly may provide (1) the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

Accounting Supervision and Control

SEC. 704. (a) The Governor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of financial transactions, and giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

When Contracts and Expenditures Prohibited

SEC. 705. No officer or agency of the District shall, during any budget year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of amounts

available under appropriations therefor. Any contract, oral or written, made in violation of this act shall be null and void. Any officer or employee of the District who shall violate this section, upon conviction thereof, may be summarily removed from office. Nothing in this section, however, shall prevent the making of contracts or of expenditures for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

General Fund

SEC. 706. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employees of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Governor, or his duly authorized subordinates, for deposit in the appropriate funds.

Contracts Extending Beyond 1 Year

SEC. 707. No contract involving expenditure out of the appropriations of more than 1 year shall be made for a period of more than 5 years; nor shall any such contract be valid unless made or approved by act of the Assembly.

Part 2—Audit by General Accounting Office
Independent Audit

SEC. 721. (a) The financial transactions shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) (1) The Comptroller General shall submit such audit reports as he may deem necessary to the Congress, the Governor, and the Assembly. The reports shall set forth the scope of the audits and shall include such comments and information as may be deemed necessary to keep the Governor and the Assembly informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The reports shall show specifically every program, expenditure, and other financial transactions or undertaking which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the Governor and his duly authorized subordinates have had an opportunity to be heard, the Assembly shall make such report, together with such other material as it deems pertinent thereto, available for public inspection.

(3) The Governor, within 90 days after the report has been made to him and the Assembly, shall state in writing to the Assembly what has been done to comply with the recommendations made by the Comptroller General in the report.

Amendment of Budget and Accounting Act

Sec. 722. Section 2 of the Budget and Accounting Act, 1921 (U. S. C. 1952 ed., title 31, sec. 2), is hereby amended by striking out "and the municipal government of the District of Columbia."

Part 3. Adjustment of Federal and District expenses

Adjustment of Federal and District expenses

Sec. 731. Subject to section 901 and other provisions of law, the Governor, with the advice and consent of the Assembly, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

TITLE VIII—ELECTIONS IN THE DISTRICT

Board of Elections

SEC. 801. (a) The members of the Board of Elections in office on the date of enactment of this act shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed without regard to political affiliations, by the Governor. The term of each successor (except in the case of an appointment to fill an unexpired term) shall be 3 years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Primary Act is hereby modified to the extent that it is inconsistent herewith.

(b) In addition to its other duties, the Board of Elections shall also, for the purposes of this act—

- (1) maintain a permanent registry;
- (2) conduct registrations and elections;
- (3) in addition to determining appeals with respect to matters referred to in sections 807 and 811, determine appeals with respect to any other matters which (under regulations prescribed by it under subsection (c)) may be appealed to it;
- (4) print, distribute, and count ballots, or provide and operate suitable voting machines;
- (5) divide the District into five wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible, and establish voting precincts therein;
- (6) operate polling places;
- (7) certify nominees and the results of elections; and
- (8) perform such other functions as are imposed upon it by this act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of this title, including regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 807 and 811) and for determination by it of appeals.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

(f) The Board of Elections, and persons authorized by it, may administer oaths to

persons executing affidavits pursuant to sections 801 and 807. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this act.

(h) Each member of the Board of Elections shall be paid at the rate of \$1,500 per annum in periodic installments.

What Elections Shall Be Held

Sec. 802. (a) The Board of Elections shall conduct a general election—

(1) in each even-numbered calendar year commencing with 1958; and

(2) in any odd-numbered calendar year commencing with 1959, if an act authorizing the issuance of bonds required by section 602 to be submitted for a referendum at an election is enacted at least 40 days prior to the date for conducting the election in such year.

(b) Such general elections shall be held on the fourth Tuesday before the Tuesday in November prescribed hereafter for runoff elections.

(c) Any runoff elections required to be held pursuant to section 805 shall be held on the first Tuesday after the first Monday in November.

Elective Offices; Terms of Office

Sec. 803. (a) The offices of the District to be filled by election shall be the elective offices of the assembly and the District Delegate.

(b) The term of an elective office of the assembly shall be 2 years beginning on January 1 of the odd-numbered year following such election.

(c) The term of office of the District Delegate shall be 2 years beginning at noon on January 3 of the odd-numbered year following such election.

Vacancies

Sec. 804. (a) Vacancies in the Assembly shall be filled at the next general election held pursuant to section 802 for which it is possible for candidates to be nominated following the occurrence of the vacancy. A person elected to fill a vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such term.

(b) If the Office of Delegate becomes vacant at a time when the unexpired term of such office is 6 months or more, a special election and, if necessary, a runoff election shall be held, at such time and in such manner (comparable to that prescribed for general elections) as the Board of Elections shall prescribe.

(c) Until a vacancy in the Assembly can be filled in the manner prescribed in subsection (a) hereof, a vacancy in the Assembly shall be filled by appointment by the Governor. No person shall be qualified for appointment to any office under this subsection unless, if nominated, he would have been a qualified candidate for such office at the last election conducted prior to or on the date the vacancy occurred. A person appointed to fill a vacancy under this subsection shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

What Candidates Are Elected

Sec. 805. At any general election, a candidate for Delegate who receives a majority of the votes validly cast for such office shall be elected. At any general election, each of the three candidates in each ward for posi-

tions on the Assembly receiving the highest number of valid votes, shall be elected if he receives more than one-sixth of the total number of votes validly cast in the District for all candidates in his ward for the position for which he is a candidate. In case any office is unfilled because of failure of any candidate to receive in any general election the necessary proportion of votes validly cast, there shall be a runoff election to fill such office. In such runoff election the candidates shall be the persons who were the unsuccessful candidates for the unfilled offices in the general election, and who received the highest number of valid votes in that election, to the number of twice the offices to be filled. The candidate or candidates receiving the highest number of votes validly cast in the runoff election shall be elected. In any election in which there are two or more similar positions to be filled in any ward, a vote for any candidate for such a position in that ward will be valid only if the ballot records votes for as many candidates for such positions in that ward as there are positions to be filled.

Qualified Electors

Sec. 806. No person shall vote in an election unless he meets the qualifications of an elector specified in this section and has registered pursuant to section 807 of this act or section 7 of the District Primary Act. A qualified elector of the District shall be any person (1) who has maintained a domicile or place of abode in the District continuously during the 1-year period ending on the day of the election, (2) who is a citizen of the United States, (3) who is on the day of the election at least 21 years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within 1 year immediately preceding the election, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot.

Registration

Sec. 807. (a) No person shall be registered unless—

(1) he shall be able to qualify otherwise as an elector on the day of the next election; and

(2) he executes, in the presence of an employee of the Board of Elections authorized to take oaths for such purposes, a registration affidavit on a form prescribed by the Board of Elections showing that he will meet on the day of the election all the requirements of section 806 of this act.

(b) If a person is not permitted to register, such person, or any qualified candidate, may appeal to the Board of Elections, but not later than 3 days after the registry is closed for the next election. The Board shall decide within 7 days after the appeal is perfected whether the challenged elector is entitled to register. If the appeal is denied, the appellant may, within 3 days after such denial, appeal to the municipal court for the District of Columbia. The court shall decide the issue not later than 18 days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged elector may cast a ballot marked "challenged," as provided in section 811.

(c) For the purposes of this act, the Board of Elections shall keep open, during normal hours of business, Saturdays, Sundays, and holidays excepted, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes

in registrations for such period, not exceeding 30 days, next preceding any election as it may deem necessary and appropriate.

Qualified Candidates

SEC. 808. The candidates at an election in the District shall be the persons, registered under section 807 of this act or under section 7 of the District Primary Act, who have been nominated as provided in section 809 of this act: *Provided*, That no member of the Board of Elections may be such a candidate.

Nominations

SEC. 809. (a) Nomination of a candidate shall take place when the Board of Elections receives (in accordance with rules, not inconsistent with this act, prescribed by the Board) either—

(1) a declaration of candidacy accompanied by a filing fee equal to 5 percent of the annual compensation of the office for which nomination is sought; said fee to be refunded—

(A) if the candidate withdraws his candidacy in writing received by the Board not more than 3 days after the last day on which nominations may be made; or

(B) if the candidate polls 10 percent or more of the total vote cast for that office; or (2) a nominating petition signed by the number of registered voters specified below, without payment of a filing fee: *Provided*—

(A) that any petition for a candidate for the office of District Delegate be signed by 600 qualified electors registered in the District, and

(B) that any petition for a candidate for the Assembly be signed by 300 qualified electors registered in the ward from which he is nominated for such office.

(b) No person may be a candidate for more than one office in any election. If a person is nominated for more than one office, he shall, within 3 days after the last day on which nominations may be made (as prescribed by the Board of Elections), notify the Board of Elections for which such office he elects to run.

(c) The Board of Elections is authorized to accept any nominating petition as bona fide with respect to the qualifications of the signatories thereto: *Provided*, That the originals or facsimile copies thereof shall have been posted in a suitable public place for at least 10 days: *And provided further*, That no challenge as to the qualifications of the signatories shall have been received in writing by the Board of Elections within 10 days of first posting of such petition.

(d) The Board of Elections may, at its discretion, declare elected, without an actual count of the votes cast, any unopposed candidate.

Nonpartisan Elections

SEC. 810. Ballots and voting machines shall show no party affiliations, emblem, or slogan.

Method of Voting

SEC. 811. (a) Voting in all elections shall be secret. Voting may be by paper ballot or voting machine.

(b) The ballot shall show the wards from which each candidate (other than for District Delegate) has been nominated. Each voter shall be entitled to vote for 15 candidates for the Assembly, not more than 3 from each ward and for 1 candidate for District Delegate. No person shall be a candidate from more than one ward.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee balloting shall be permitted under regulations adopted by the Board of Elections.

(e) At least 10 days prior to the date of any referendum or election, any group of citizens or individual candidates interested in the outcome of the election may petition

the Board of Elections for credentials authorizing watchers at any and all polling places during the voting hours and until the count has been completed. The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

(f) If the official in charge of the polling place, after hearing both parties to any challenge by a watcher on his own initiative with respect to a prospective voter, reasonably believes the prospective voter is unqualified to vote, he shall allow the voter to cast a paper ballot marked "challenged." Ballots so cast shall be segregated, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within 3 days after election day. The Board shall decide within 7 days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) A voter shall vote only once with respect to each office to be filled.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as an elector.

Recounts and Contests

SEC. 812. (a) The provisions of section 11 of the District Primary Act with respect to recounts and contests shall be applicable to any election or referendum held under this act, except that in the case of a referendum any qualified elector who has voted in such referendum may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required of a candidate for office under section 11 (a) of the District Primary Act. These provisions shall be applicable to the referenda held under titles VI, XIV, and XVI of this act notwithstanding the fact that the provisions of this title do not otherwise take effect unless the charter referendum provided in title XIV is adopted.

(b) If the court voids all or part of an election under this section, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the

day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filed as prescribed in section 804.

Interference With Registration or Voting

SEC. 813. (a) No one shall interfere with the registration or voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for a breach of the peace then committed or for treason or felony.

Violations

SEC. 814. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this title, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$500 or imprisoned for not more than 6 months, or both.

TITLE IX.—MISCELLANEOUS

Agreements With United States

SEC. 901. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to a contract (1) negotiated by the Federal and District authorities concerned, and (2) approved by (a) the Governor, by and with the advice and consent of the Assembly, and (b) the Director of the Bureau of the Budget. Each such contract shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any contract negotiated and approved pursuant to subsection (a), any District officer or agency may in the contract delegate any of his or its functions to any Federal officer or agency, and any Federal officer or agency may in the contract delegate any of his or its functions to any District officer or agency. Any function so delegated shall be exercised in accordance with the terms of the delegation.

(c) The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract shall be paid in accordance with the terms of the contract, out of appropriations made by the Assembly to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the Congress to the Federal officers and agencies to which such services are furnished.

Personal Interest in Contracts or Transactions

SEC. 902. No member of the Assembly and no other officer or employee of the District with power of discretion in the making of any contract to which the District is a party

or in the sale to the District or to a contractor supplying the District of any land or rights or interests in any land, material, supplies, or services shall have a financial interest, direct or indirect, in such contract or sale. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the District found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge express or implied of the person contracting with the District shall render the contract voidable by the Governor or Assembly.

Compensation From More Than One Source

SEC. 903. (a) Except as otherwise provided in this act, no person shall be ineligible to serve or to receive compensation as a member of the Assembly or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from other source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the Assembly or of such Board, if such service does not interfere with the discharge of his duties in such other office or position.

(c) For the purpose of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U. S. C. 99), no person shall, by reason of membership on the Assembly or the Board of Elections or by reason of his serving in any position in or under the government of the District of Columbia, be considered to be an officer or employee of the United States.

Assistance of United States Civil Service Commission in Development of District Merit System

SEC. 904. The United States Civil Service Commission is hereby authorized to advise and assist the Governor and the Assembly in the further development of the merit system required by section 402 (3) and the said Commission is authorized to enter into agreements with the District of Columbia government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 901 of this act.

TITLE X—SUCCESSION IN GOVERNMENT

Transfer of Personnel, Property, and Funds

SEC. 1001. (a) In each case of the transfer, by any provision of this act, of functions to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to such agency or to the agency of which such officer is the head, for use in the administration of the functions of such agency or officer, the personnel (except the members of boards or commissions abolished by this act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

(2) in the case of other functions (A) by the Assembly, or in such manner as the Assembly shall provide, if such functions are transferred to the Assembly, and (B) by the Governor, if such functions are transferred to any other officer or agency.

(c) Any of the personnel transferred to any agency by this section which the head of such agency shall find to be in excess of

the personnel necessary for the administration of his or its functions shall, in accordance with law, be retransferred to other positions in the District or Federal Governments or be separated from the service.

(d) No officer or employee shall, by reason of his transfer by this act, be deprived of a civil-service status held by him prior to such transfer.

Existing Statutes, Regulations, and So Forth

SEC. 1002. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes any rule, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided, nothing contained in this act shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the Assembly may otherwise elect to provide similar and comparable coverage as provided in section 402 (4).

Pending Actions and Proceedings

SEC. 1003. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this act, but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for the purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitution as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

Vacancies Resulting From Abolition of Board of Commissioners

SEC. 1004. Until July 1, 1959, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions, but such agency may take action only if a majority of the members holding office vote in favor of it.

TITLE XI—SEPARABILITY OF PROVISIONS

Separability of Provisions

SEC. 1101. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE XII—TEMPORARY PROVISIONS

Powers of the President During Transition Period

SEC. 1201. The President of the United States is hereby authorized and directed to take such action during the period following the date of the enactment of this act and ending on the date of the first meeting of the Assembly, by Executive order or

otherwise, with respect to the administration of the functions of the District of Columbia Government, as he deems necessary to enable the Board of Elections properly to perform its functions under this act.

Reimbursable Appropriation for the District

SEC. 1202. (a) The sum of \$500,000 is hereby authorized to be appropriated for the District of Columbia, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this act.

(b) The full amount of expenditures out of the appropriations made under this authorization shall be reimbursed to the United States, without interest, during the fiscal year ending June 30, 1960, from the general fund of the District of Columbia.

TITLE XIII—EFFECTIVE DATES

Effective Dates

SEC. 1301. (a) As used in this title XIV, the term "charter" means titles I to XI, both inclusive, and titles XV and XVI.

(b) The charter shall take effect only if accepted pursuant to title XIV. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1406), except that—

(1) part 2 of title III, title V, and title VII shall take effect January 1, 1959, and

(2) section 402 shall take effect on the day upon which the Governor first appointed takes office.

(c) Titles XII, XIII, and XIV shall take effect on the day following the date on which this act is enacted.

TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

Charter Referendum

SEC. 1401. (a) On a date to be fixed by the board of elections, not more than 9 months after the enactment of this act, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified electors of the District of Columbia accept the charter.

(b) As used in this title, a "qualified elector" means a person who meets the requirements of section 806 on the day of the charter referendum.

Board of Elections

SEC. 1402. (a) In addition to its other duties, the Board of Elections established under the District Primary Act shall conduct the charter referendum and certify the results thereof as provided in this title.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 801 of this act shall govern the Board of Elections in the performance of its duties.

Registration

SEC. 1403. (a) The Board of Elections shall conduct within the District of Columbia a registration of the qualified electors commencing as soon as practicable after the enactment of this act and ending not more than 30 days nor less than 15 days prior to the date set for the charter referendum as provided in section 1401 of this title.

(b) Prior to the commencement of such registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(c) The applicable provisions of section 807, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the registration of voters for this charter referendum.

Charter Referendum Ballot; Notice of Voting

SEC. 1404. (a) The charter referendum ballot shall contain the following, with the blank space appropriately filled:

"The District of Columbia Act, enacted proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified electors of the District in this referendum.

"By marking a cross (X) in one of the squares provided below, show whether you are for or against the charter.

- () For the charter
- () Against the charter."

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than 3 days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not less than 1 day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

Method of Voting

SEC. 1405. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of sections 811, 812, 813, and 814 of this act shall govern the method of voting, recounts, and contests, interference with registration or voting, and violations connected with this charter referendum.

Acceptance or Nonacceptance of Charter

SEC. 1406. (a) If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

(b) The Board of Elections shall, within a reasonable time, but in no event more than 30 days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States, to the Secretary of the Senate, and to the Clerk of the House of Representatives.

TITLE XV—DELEGATE

District Delegate

SEC. 1501. (a) Until a constitutional amendment and subsequent Congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the Delegate from the District of Columbia, who shall be elected as provided in this act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for 2 years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified elector, (2) is at least 25 years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the 3 years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the District) for any candidate for public office. He shall forfeit his

office upon failure to maintain the qualifications required by this subsection.

(c) (1) Subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended, is hereby amended by striking out "from the Territories."

(2) Clause (b) of section 1 of the Civil Service Retirement Act of May 29, 1930, as amended (70 Stat. 743), is hereby amended by striking out "from a Territory."

(3) The second paragraph under the heading "House of Representatives" in the act of July 16, 1914 (U. S. C., 1952 edition, title 2, sec. 37), is hereby amended by striking out "from Territories."

(4) Paragraph (1) of section 302 of the Federal Corrupt Practices Act, 1925, as amended (U. S. C., 1952 edition, title 2, sec. 241), is hereby amended by inserting after "United States" the following: ", and the District of Columbia."

(5) Section 591 of title 18, United States Code, 1952 edition, is hereby amended by inserting ", and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and possessions" the following: "or the District of Columbia." The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columbia."

TITLE XVI—REFERENDUM

Power of Referendum

SEC. 1601. (a) The qualified electors (as defined in section 806) shall have power, pursuant to the procedure provided by this title, to approve or reject in a referendum any act of the assembly, or part or parts thereof, which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which shall be subject to the election provisions contained in section 602, or to acts continuing existing taxes, or making appropriations which in the aggregate are not in excess of those for the preceding fiscal year. Within 45 days after an act subject to this title has been enacted, a petition signed by qualified electors equal in number to at least 10 percent of the number who voted at the last preceding general election may be filed with the clerk of the assembly requesting that any such act, or any part or parts thereof, be submitted to a vote of the qualified electors.

(b) The Board of Elections shall prescribe such regulations as may be necessary or appropriate with respect to the form, filing, examination, amendment, and certification of petitions for referendums and with respect to the conduct of any referendum held under this title.

(c) Nothing in this act shall be construed as abridging the power of the Assembly to submit questions to the electors at any general or special election.

Effect of Certification of Referendum Petition

SEC. 1602. (a) When a referendum petition has been certified as sufficient, the act, or the one or more items, sections or parts thereof, specified in the petition shall not become operative, or further action shall be suspended if it shall have become operative, until and unless approved by the electors, as provided in this title. The filing of a referendum petition against one or more parts of an act shall not alter the operative effect of the remainder of such act.

(b) If, within 30 days after the filing of a referendum petition, the clerk of the assembly has not specified the particulars in which a petition is defective, the petition shall be deemed sufficient for the purposes of this title.

Submission to Electors

SEC. 1603. An act or any part or parts thereof, with respect to which a petition for a referendum has been filed and certified as sufficient shall be submitted to the qualified

electors at a referendum to be held in connection with any general election which occurs not less than 30 days from the date on which the clerk of the assembly files his certificate of the sufficiency of the petition. The assembly may, if two-thirds of its membership concur, at any time not less than 30 days after the petition has been found sufficient, provide for a special election for the purpose of conducting the referendum.

Availability of List of Qualified Electors

SEC. 1604. If any organization or group requests it for the purpose of circulating descriptive matter relating to the act to be voted on at a referendum, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

Results of Referendum

SEC. 1605. An act which is submitted to a referendum which is not approved by a majority of the qualified electors voting thereon shall thereupon be deemed repealed. If a majority of the qualified electors voting thereon approve the act, it shall become operative on the day following the day on which the Board of Elections certifies the results of the referendum. If conflicting acts are approved by the electors at the same referendum, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. As used in this section, the word "act" shall mean the complete act, or any part or parts thereof, specified in the petition for referendum.

TITLE XVII—TITLE OF ACT

SEC. 1701. This act, divided into titles and sections according to the table of contents, and including the declaration of Congressional policy which is a part of such act, may be cited as the "District of Columbia Charter Act."

Amend the title so as to read: "A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes."

Mr. MORSE. Mr. President, in view of the fact that the District of Columbia home rule bill is the pending business, and in view of the fact that I am opposed to the bill being presented, I invite the attention of my friend from Pennsylvania [Mr. CLARK] to the fact that I am sending to the desk an amendment intended to be proposed by me to establish the District of Columbia Charter Commission, and for other purposes. I ask that the amendment lie on the table and be printed, so that it will be available to Senators tomorrow.

I should like to have it known that I shall offer it as a substitute for the pending bill.

The PRESIDING OFFICER. The amendment will be received and will lie on the table and be printed.

Mr. MORSE. Let me say to my good friend from Pennsylvania [Mr. CLARK] that I shall also make a motion tomorrow to recommit the bill to the committee, which is no news to my friend from Pennsylvania.

LEGISLATIVE PROGRAM

Mr. CLARK. Mr. President, among other measures on the calendar, the following will be considered tomorrow:

Calendar No. 2005, Senate bill 4166, a bill to amend the Atomic Energy Act of 1954, as amended.

Calendar No. 1915, Senate bill 4164, a bill to amend the indemnification provisions of the Atomic Energy Act of 1954, as amended.

Calendar No. 1971, Senate bill 3953, a bill to revise, codify, and enact into law, title 23 of the United States Code, entitled "Highways."

ORDER FOR ADJOURNMENT

Mr. CLARK. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand adjourned until 12 o'clock noon tomorrow.

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

LABOR REFORM LEGISLATION AND THE KENNEDY-IVES BILL

Mr. MUNDT. Mr. President, I rise for two purposes. The first is to make a factual correction with respect to something which appeared in the RECORD for July 29, 1958, and the second is to correct what I believe to be an erroneous impression which people might obtain from reading the RECORD, as to the reasons why the legislation passed by the Senate a long time ago known as the Kennedy-Ives bill, is still gathering dust in one of the committee rooms of the House of Representatives.

First, I wish to correct the RECORD as to a factual error. On July 29, the distinguished Senator from Massachusetts [Mr. KENNEDY] in addressing the Senate, as appears on page 15424, spoke as follows:

Mr. KENNEDY. The Senator from California [Mr. KNOWLAND] supported the bill. The Senator from Arizona [Mr. GOLDWATER] supported the bill, even though it was not in the form in which he would have wished it to be.

Mr. Loftus, in his article published in the New York Times of July 13, pointed out clearly such matters as economic strikers. He said:

"The late Senator Robert A. Taft, (Republican, of Ohio), and coauthor of the law, and President Eisenhower proposed making the change now sought by KENNEDY-IVES."

That was the change to which the NAM objected. Mr. Loftus continues:

"Senator Taft favored making this change in 1949."

Then he gives the definition of "supervisor."

The Senator from Louisiana knows that the Senator from South Dakota [Mr. MUNDT] supported that provision of the bill.

I am sure the Senator from Louisiana knew no such thing, of course, because the yea-and-nay vote which followed on that amendment clearly shows that the Senator from South Dakota voted, not in favor of the legislation, but against the legislation.

I ask unanimous consent that the yea-and-nay vote be printed in the RECORD at this point as a part of my remarks.

There being no objection, the yea-and-nay vote was ordered to be printed in the RECORD, as follows:

Mr. MANSFIELD. I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from

Wyoming [Mr. O'MAHONEY], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Vermont [Mr. FLANDERS], and the Senator from Massachusetts [Mr. SALTONSTALL], are necessarily absent.

The Senator from North Dakota [Mr. LANGER], the Senator from Maryland [Mr. BUTLER], and the Senator from Minnesota [Mr. THYE], are absent on official business.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], and the Senator from Massachusetts [Mr. SALTONSTALL], would each vote "yea."

The Senator from Utah [Mr. BENNETT] is paired with the Senator from North Dakota [Mr. LANGER]. If present and voting, the Senator from Utah would vote "yea" and the Senator from North Dakota would vote "nay."

The result was announced—yeas 38, nays 47, as follows:

Yeas 38: Allott, Barrett, Bricker, Bridges, Bush, Byrd, Capehart, Cotton, Curtis, Dirksen, Dworshak, Eastland, Frear, Goldwater, Hickenlooper, Hoblitzell, Holland, Hruska, Jenner, Knowland, Lausche, Martin of Iowa, Martin of Pennsylvania, McClellan, Morton, Mundt, Potter, Purtell, Revercomb, Robertson, Russell, Schoeppel, Smith of New Jersey, Stennis, Talmadge, Thurmond, Watkins, Williams.

Nays 47: Aiken, Anderson, Beall, Bible, Carlson, Carroll, Case of New Jersey, Case of South Dakota, Church, Clark, Cooper, Ellender, Ervin, Fulbright, Green, Hayden, Hennings, Hill, Humphrey, Ives, Jackson, Javits, Johnson of Texas, Johnston of South Carolina, Jordan, Kefauver, Kennedy, Kerr, Kuchel, Long, Magnuson, Malone, Mansfield, McNamara, Monroney, Morse, Murray, Neuberger, Pastore, Payne, Proxmire, Smith of Maine, Sparkman, Symington, Wiley, Yarborough, Young.

Not voting 11: Bennett, Butler, Chavez, Douglas, Flanders, Gore, Langer, O'Mahoney, Saltonstall, Smathers, Thye.

Mr. MUNDT. Inasmuch as I have been stimulated to read the entire text of the speech by the Senator from Massachusetts on July 29, I should like to comment on what I think is a false impression which readers of the RECORD might obtain from the comments contained therein, namely, the answer to the question which has probably roused more public concern in the closing days of this session of the Congress than any other.

The question is, Why are we not getting the necessary labor reform legislation, the need for which has been indicated from the frightful and frightening disclosures growing out of the hearings before the so-called McClellan rackets committee?

Inasmuch as I am a member of that committee, which has now been in session for some 20 months, I wish to comment on what, in my opinion, are the clear cut reasons why it is possible that this Congress may adjourn without enacting the necessary remedial legislation; and if we do so adjourn, I think we shall have failed signally to measure up to our responsibilities in this field as Senators and Representatives. I still hope we pass corrective labor legislation before we do adjourn.

I have heard great paeans of pessimism rolling up from various sources in the past 3 or 4 days to the effect that, "Now, of course, the Kennedy-Ives bill, and all other labor-reform legislation, is

dead." However, I scarcely see any reason to find anything new or newsworthy in such predictions at this time.

I invite the attention of the country to the fact that on July 1, in an address on the floor of the Senate, I stated that unless Members of the House and the American public generally were alerted to what seemed to be a clear-cut bit of strategy not only would labor-reform legislation be dead, for this session of Congress, but corrective and constructive labor legislation might well be dead for many years, so far as Congress is concerned.

On July 1, I said this:

Mr. President, this hope for effective labor legislation has been cherished by most of us since the so-called McClellan hearings on improper activities in the labor or management field were little over 18 months old.

I shall not repeat the entire speech which I delivered on July 1. It appears in the CONGRESSIONAL RECORD for that date. However, I wish to refer to a few of my remarks on July 1 which seem to be propitiously, but unfortunately, prophetic.

I said on July 1:

It appears, however, Mr. President, that this friend of ours—Hope for Effective Labor Legislation—has in some way or other met with a tragic and violent death between the 17th day of June, when he left the State with colors flying, supported by a rollcall vote of 88 to 1, and headed for the other end of the Capitol. Even as I speak, his remains are buried somewhere, with his whereabouts unknown, and this bill of ours—S. 3974—has not yet found its way to the Labor Committee of the House of Representatives.

I made that speech after the so-called Kennedy-Ives bill which we had passed had, for 17 days, been kept from the House Committee on Education and Labor, to which it might more appropriately have been referred 10 hours, 20 hours, or 30 hours after it had passed the Senate.

That is the ordinary procedure, of course, for either House to refer to its appropriate committee legislation passed by its companion body. Now we find that it has been not only 17 days, but 41 days from the time that the Kennedy-Ives bill passed the Senate before it was even referred to the House Committee on Education and Labor.

I believe the American people have a right to know what has been transpiring in these 40 days and 40 nights plus another day and another night, between the time when we passed the bill and the House committee was given an opportunity to act on it.

Mr. CURTIS. Mr. President, will the distinguished Senator yield at that point?

Mr. MUNDT. I am happy to yield.

Mr. CURTIS. Could it be accurately described as being pigeonholed for 41 days, and taken out of circulation, so that it could not be considered?

Mr. MUNDT. There is no question in the world that it was taken out of circulation for 41 days and 41 nights. There was ample time for any committee of Congress to hold hearings and to report proposed legislation; ample time, if the desire was there, for the House committee to have written in any

amendments it chose, and to have obtained a rule from the Rules Committee, and to have placed this important matter before the Representatives of the people in the House, in order for them to work their will upon it; ample time for it to have gone to conference between the two Houses; ample time for Congress to have enacted legislation to be placed on the desk of the President of the United States; ample time for all that to have taken place in the 41 lost days and nights, while our friend, hope for effective labor legislation, was somehow or other being kept from committee consideration in the House.

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

Mr. MUNDT. I yield.

Mr. CURTIS. The distinguished Senator from South Dakota has served in the House of Representatives. He is aware that when a Senate measure is transmitted to the House, the usual procedure is immediately to refer it to the appropriate committee, so that it may be considered by that committee. The usual course was not followed in this case. A decision was made by someone to thwart the proposed legislation and to put it in a pocket for almost a month and a half.

It seems to fit in with the pattern of resistance on the part of the majority party in Congress to any effective legislation in this field. The Senator from South Dakota will recall that, after months and months of hearings by the McClellan select committee, there was finally brought before the Senate a bill narrowed down to dealing with pensions and welfare funds. I believe it was S. 3974.

Mr. MUNDT. The Senator is correct.

Mr. CURTIS. Because of the overwhelming desire on the part of the people of the country, there were many amendments offered on the floor of the Senate.

Mr. MUNDT. More than 20 amendments, I believe, were offered. I believe that over a dozen of them were actually voted upon with yea and nay votes. I predict those votes will be among the most significant ever cast by Members of the Senate; they are yea and nay votes which I respectfully commend to the study and reading of every voter in America.

Mr. CURTIS. It was because of the pressure and demands of the proponents of the amendments, and the pressure from the public that something be done to clean up the mess involving labor rackets, that the second bill was given any consideration at all.

Mr. MUNDT. The Senator will recall that during the colloquy and debate on the first bill, an understanding was worked out, under the sharp insistence of the minority leader, the Senator from California [Mr. KNOWLAND], by which both the chairman of the subcommittee, the Senator from Massachusetts [Mr. KENNEDY] and the majority leader, the Senator from Texas [Mr. JOHNSON] agreed that if Senators would refrain from amending the bill before us, they would immediately hold hearings on the second bill, and that by a designated date they would bring to the floor a la-

bor reform bill on which the Senate would be given an opportunity to vote.

That agreement was kept by the Senator from Massachusetts and the Senator from Texas. On the designated date we did have that proposed legislation before us. The Senator may also recall that when the first Senate bill S. 3974, was before us, in resisting the efforts to defeat all amendments and to have new hearings in order to bring in separate legislation; even on that belated designated date, a number of Senators, including the senior Senator from South Dakota, said we were losing valuable time. We said we were very much afraid that the delay would mean so much time would be lost we will find that Congress will adjourn without the effective labor legislation eventuating. I now find those predictions being corroborated by spokesmen on the other side of the aisle, even including the distinguished chairman of the subcommittee, the Senator from Massachusetts [Mr. KENNEDY].

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

Mr. MUNDT. I yield.

Mr. CURTIS. The distinguished Senator from South Dakota is rendering a real service in putting in the RECORD the reason why Congress apparently will not enact any worthwhile labor legislation at this session. The reason is that it has been resisted. It was resisted from the beginning. We were told on the floor: "Do not amend this bill. Wait for another bill." Yet month after month has gone by after the revelations were made by the select committee, and no hearings were held on the bills which had been introduced.

Is it not the Senator's opinion that had the majority leadership in the House and in the Senate determined, early in the year, to offer proposed legislation and to advance it for consideration in both Houses, to correct some of these abuses, that that would have been done?

Mr. MUNDT. Yes; and even when the initial labor bill was before the Senate, when the Senator from California led the way in offering some 10 or 12 amendments, to give the proposed legislation substance and significance, if at that time the Members of the Senate had acted as legislators, as in my opinion they should, and had voted in accordance with their attitudes on the amendments, and not on the basis of some procedural device, the long delay in the House of Representatives, which would have ensued, would have so incensed the American people that they would have had ample time to urge action by the House so we would have had legislation enacted by this time.

Having been delayed in the first instance, and then having lost these additional 41 days, we now stand in what is probably the first day of the next to the last week before adjournment of Congress, with predictions being heard that we will adjourn without passing any legislation sufficiently effective to stamp out even one of the distasteful disclosures made before the American people by our so-called McClellan committee.

Back on July 1, 1958, Mr. President, I said I did not know why it was that the

bill had been languishing outside the door of the House Committee on Education and Labor, and had never even got off the desk of the Speaker of the House for the 17 days which had by that time already elapsed. I said I could make some guesses. I said it seemed to me the accumulating evidence points the finger of suspicion at one or another of several possible culprits. I said that one line of suspicion indicates that this friend of ours, Hope For Effective Labor Legislation, was stabbed to death at Democratic National Headquarters located here in Washington.

I pointed to the fact that rumors had been heard that the Democratic Headquarters felt that the party had let it down by passing any type of labor legislation at all. I did not state it as a fact, but thought that that was a possible explanation.

I suggested another possibility, which was that our friend, Hope For Effective Labor Legislation, was poisoned to death by operatives representing Walter Reuther, of the United Automobile Workers, because he had been very active among those who were opposing any of the amendments which we tried to adopt on the floor of the Senate and which, it was indicated, Members of the House would adopt, if given an opportunity to vote for such amendments.

Then I said, on July 1:

A third line of suspicion indicates that HFELL may simply have starved to death at some place on the journey from the Senate to the House for lack of nourishment and care over on the other side of the Capitol.

Whatever it was that induced me to make that dire prediction on July 1 certainly seems to have been borne out, when those 17 days pyramided up to 41 days and nights before action of any kind was taken on the other side of the Capitol.

I am not one who is pessimistically inclined. I am not one who believes it is too late now to enact effective labor legislation. I associate myself with the remarks of our distinguished majority leader, who said so correctly and courageously the other day that he did not propose to adjourn this Congress simply to meet a calendar target; but that he proposed to keep us in session until such time as we had completed the essential elements of our work. I submit that no single thing is more significant, and we have no element of business more important, than to hold Congress in session until the House Committee on Education and Labor reports a bill, gets an open rule, gives the House of Representatives an opportunity to vote, and affords us time in conference to work out proposed legislation which will remedy the tremendous evils disclosed by the hard labors of the Senator from Arkansas [Mr. McCLELLAN] and the rest of our committee who are investigating improper activities in the labor or management field.

We have at least 2 weeks before adjournment. We can spend another week. We can spend a fourth week, it seems to me, if necessary, to provide, for the democratic rights of the rank-and-file, dues-paying members of America,

and to restore their dignity as proud, hardworking men and women in the ranks of American labor; to protect their investments in pension and welfare funds; to give them the kind of law which will protect them from being booted around by labor bosses who assume the right to tell them how to vote, who assume the right to assess them for political contributions, thus reenacting the hideous drama of taxation without representation on American soil once again.

I think Congress can and should take the time to do these things. There is sufficient time in the present week for the House committee to act, if it will. It is the responsibility of each member of the House Committee on Education and Labor. It is not a new, select committee, which never heard about the problems of labor. It is a committee whose duty and responsibility it is to study the unfolding drama which has been taking place for the last 20 months. It is a House committee whose duty it is to analyze the debates, hearings, and arguments in the Senate, so as to be ready to act in the House. The members of this House committee are not novices or tyros, who have never had experience with labor legislation. They are men who have been selected for committee assignments because of their familiarity with the problem or their sympathy with the cause.

Certainly by holding hearings, day and night if necessary—because the Senate committee has done that—within the week they can report to the House of Representatives a bill, amended as they desire to amend it, under an open rule, so that the people's representatives in the House will have an opportunity to vote "yes" or "no" on various amendments which deserve to be considered. If that is done under the rules of the House, action can be taken quickly enough to send the bill back to conference, and the people of the country, especially the rank-and-file laboring people of the country, can get what they require—decent, adequate, effective and progressive labor legislation. It is difficult to overemphasize the need for corrective legislation in this field.

I have just had handed to me from the news ticker an item concerning a most distressing event in Pontiac, Mich. It deals with one of the witnesses who appeared before the Senate Select Committee To Investigate Improper Activities in the Labor or Management Field, a man by the name of Frank Kierdorf. Like so many other unwilling witnesses who appeared before our committee, he took the fifth amendment. He was not a very helpful witness, but certainly this is distressing information to read about him:

PONTIAC, MICH.—A recent teamsters-union witness before the Senate Rackets Committee was turned into a flaming human torch by unknown torturers today.

The victim, Frank Kierdorf, 56, business agent for Teamsters Union Local 332 at Flint, Mich., stumbled into St. Joseph Mercy Hospital here so badly burned he could be identified only by his fingerprints. He was not expected to live, doctors said.

An immediate investigation was ordered into a possible connection between the sa-

distic burning and Kierdorf's appearance before the Senate committee. He refused to answer questions put to him by the committee.

The article continues. The significant paragraphs to which I call attention read:

Kierdorf was as uncooperative with police as he was when he appeared before the Senate committee. Before the committee he claimed protection from the fifth amendment and refused to answer questions. When police and hospital attendants asked his name, he told them: "John Doe, of Washington," or "I don't remember."

At one point he asked if he was going to die, and then, before he was answered, said: "If I am, what difference does my name make?"

While he was delirious he mumbled several times: "No you don't. * * * Don't do it, John."

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

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

PONTIAC, MICH.—A recent teamsters union witness before the Senate Rackets Committee was turned into a flaming human torch by unknown torturers today.

The victim, Frank Kierdorf, 56, business agent for Teamsters Union Local 332, at Flint, Mich., stumbled into St. Joseph Mercy Hospital here so badly burned he could be identified only by his fingerprints. He was not expected to live, doctors said.

An immediate investigation was ordered into a possible connection between the sadistic burning and Kierdorf's appearance before the Senate committee. He refused to answer questions put to him by the committee.

Kierdorf refused to give hospital authorities any information including his name when he staggered in with burns over 85 percent of his body. Police said his clothing had been soaked with petroleum products.

They said he wore only a bathrobe, undershorts, shoes, and socks.

His bathrobe had absorbed some of the petroleum products from his body, police said, but apparently had not been soaked.

Doctors said it was a miracle he was able to walk into the hospital alone. They said the only part of his body that was not burned, was the area covered by his shorts, which apparently had been soaked with water.

"Any other man would have been dead," said Dr. Norma Gehringer. "He first tried to get in the doctor's entrance and then stumbled around the main entrance to get in."

A nurse, who spotted him from an upper window, said "he looked like a zombie."

Gehringer said Kierdorf was burned less than 15 minutes before he entered the hospital.

Kierdorf was as uncooperative with police as he was when he appeared before the Senate committee. Before the committee he claimed protection from the fifth amendment and refused to answer questions. When police and hospital attendants asked his name, he told them "John Doe, of Washington," or "I don't remember."

At one point he asked if he was going to die, and then, before he was answered, said, "If I am, what difference does my name make?"

While he was delirious, he mumbled several times. "No, you don't * * * don't do it, John."

Police said he was let out of a car at the hospital and staggered into the building alone. The car drove off quickly before it was identified.

Mr. MUNDT. Mr. President, I make no allegations in that connection. I read the article for what it is worth. It is entirely conceivable that there was no connection between his appearance before the committee and the tragic circumstances surrounding his being turned into a human torch. But we know that earlier witnesses, who testified in connection with the Chicago Restaurant Association, for example, found themselves hogtied, found their restaurants burned to the ground by persons in protest against the fact that they had been appearing before our committee in executive session. Other witnesses before our committee have also been threatened and intimidated.

Mr. President, the Kennedy-Ives bill is now before the House Committee on Education and Labor. It is not now the young, bright, hopeful piece of proposed legislation it was when it passed the Senate about 2 months ago, but it is still alive. It is an able-bodied bill, to which necessary amendments can be added. It still has life in its body. It still has enough spark in its eyes. If enough people from out in the Nation will ask that it be revived and resuscitated, it still can be acted on by the House committee and receive action from the House of Representatives itself.

If the House committee wants to do so, it can send the Kennedy-Ives bill to the House as is, so that Members of the House, who have been elected by the people to legislate, can take it as it is or amend it as they please. But they certainly should have an opportunity to vote on proposed labor legislation.

Or, if the House committee prefers, it can do what I think it should do, namely, hold hearings for a few days and nights, write in amendments, get an open rule, report the bill to the House, permit the Members of the House to vote on amendments, and send the bill to conference.

Or, if the House committee is so inclined, it can vote to kill the bill.

But I think the American public have the right to expect action from a committee which is charged with the responsibility of handling what is probably the most important single piece of proposed legislation to come before Congress during the calendar year 1958. I do not know why an attempt was made to bypass the House committee; to detour the bill to treat the House committee like an orphan in a storm and then after circumventing the committee to gag the House under a suspension of the rules so that no Member could offer an amendment and no Member could vote for any changes in the bill.

I shall pass along some suggestions and conclusions at which I have tentatively arrived. They may be right; they may be wrong. It may be that someone on the House side has no confidence in the House Committee on Education and Labor. If that be true, the House Democratic Policy Committee, which appointed the House Committee on Labor and Education in the first place, should dissolve that committee. If that be true, those in the Democratic Policy Committee who named the members of the House Committee on Education and

Labor should cancel those names from the list and name new members to the committee.

If those who created the House Committee on Education and Labor have confidence in the committee—as they should—certainly they should not detour around the committee when proposed legislation comes along which is of first magnitude and prime importance. If the House Democratic majority which created the House Committee on Education and Labor have confidence in it, as they should, they should ask that committee to take action now on the Kennedy-Ives bill.

Or it may be that someone on the other side of the Capitol desires to block amendments of all kinds, as the labor bosses urged the Senate not to take amendments, or as the labor bosses urged that the House committee be detoured, so that the bill would have to be passed by the House, as it passed the Senate, because it is so woefully inadequate and so completely insufficient to meet the problems at hand that even the worst of labor bosses favor its passage. Perhaps that is the situation; I do not know.

Perhaps the desire is simply to protect the House of Representatives and to make it unnecessary for the House to vote on proposed legislation of this kind.

Whatever may be the reason, Mr. President, the Members of the House and the Members of the Senate took an oath to perform their legislative responsibilities and their legislative functions; and in that connection they have the responsibility of voting on important measures of this type; and they have the responsibility, come what may, to have important measures voted on squarely by the House of Representatives, and, previously, voted on squarely by the House Committee on Education and Labor. At this time the responsibility to take action, either one way or the other, rests squarely on the Democratic Party in the United States Congress, which controls, by an overwhelming majority of the membership, the House of Representatives.

Mr. President, in closing, let me say a few words about Senate bill 3974, which passed the Senate with only one dissenting vote. At that time both the Senators who supported the bill wholeheartedly and those who supported it with great hesitancy, both the Senators who supported the amendments which had been adopted and those who had endorsed the amendments which were rejected, believed that the bill should be amended by the House after Senate passage. Most Senators were dissatisfied with the form in which the bill was passed. Other Senators felt that the bill was woefully inadequate, for example, in the protection it gave union members in connection with the democratic processes.

Among other Members, I felt that the Senate made a mistake in rejecting the amendment, which I submitted, which provided for an honest count, in connection with a secret vote. Certainly it is hard to understand why more than one-half of the Senators then voting in a record rollcall voted against that amendment. However, I have no quarrel with

the Senators who disagreed with me; that was their right. I simply say that such matters should be discussed again on the House side. I was among the Senators who felt that that amendment should have been agreed to. Other Senators felt that other amendments should have been agreed to. But all of us, including the majority leader, expressed the hope that the House of Representatives would speedily refer the measure to committee, that the committee would speedily report the measure to the House, and that the House then would act on the bill.

The reason why I believe it would be worse than useless for the House to proceed on the basis of voting the bill either up or down under suspension of the rules without having an opportunity to adopt any amendments to the bill, but to proceed under such a gag rule, is that even Russian communism could not outdo that method, from the standpoint of the efficiency of procedure, in the presidium, a procedure by means of which a Member of the House would be required to vote either "yes" or "no," and then would tell his constituents that he had been legislating.

Mr. President, such procedure does not square up with meeting the responsibilities of a Representative or a Senator. Under that procedure, he would have to tell his constituents, "I represented you in the best way I could, but I was not allowed to vote on amendments." I had an opportunity to vote only either "yes" or "no"—in other words, to vote either "da" or "nyet," as though I lived in Moscow.

Mr. President, such procedure is no good. That is why I said that although I hoped those who opposed adoption of the needed amendments would be outvoted and those who endorsed the adoption of such amendments would be in the majority, yet, in any case, I wanted the bill referred to committee, and reported from committee to the House, with an open rule, and then voted on by the House.

That is why, Mr. President, I stated, in the course of the remarks I made in this Chamber on July 1:

I sincerely hope that this Senate figure, HPELL—

Because by that time I had begun to use the nickname or the initials—

may yet in some way be miraculously resurrected, and that his important companion, DPP—

Meaning democratic parliamentary procedures—

will never perish or become incapacitated, because if we weaken the democratic parliamentary procedures of this Republic by disuse, by delay, or by departure from established practices, we shall have lost one of the most important elements in the growth and preservation of our great American freedoms.

So, Mr. President, it is sad to realize that now, on August 4, both of those fine American institutions are in trouble at the other end of the Capitol.

I have said I thought merely to vote the Kennedy-Ives bill either up or down, without amendment, would be worse than useless. I repeat that statement.

In fact, I think the passage of that bill, without amendment, would be much worse than useless, because the bill, without amendment, is not qualified to do the necessary job. The bill fails even to deal with some of the most difficult problems in the labor and management field. The bill does nothing whatsoever to correct the kind of ugly situations which we disclosed during the recent hearings—situations involving gangsterism in the union movement in the restaurant area of Chicago. Enactment of the Kennedy-Ives bill without amendment would be worse than useless, Mr. President, furthermore, because it would give the American people a false sense of security. If that bill, without amendment, were enacted into law, the American people would say, "The McClellan committee held its hearings, which cost a million dollars, and the hearings disclosed many problems; and now Congress has enacted legislation which deals with them."

Instead, Mr. President, it would be correct to say only that the Congress had enacted legislation which was related to them. It would not be accurate to say that the Congress had enacted legislation which effectively met the problems and the challenges which had been disclosed. If the Congress had proceeded by way of taking action similar to the action taken in the western country when a backfire is set, in order to control a brush fire, the House would have rendered a disservice, because then the House would have passed the Kennedy-Ives bill per se, without remedying its inadequate provisions, and thus the House would have encouraged the people of the country to think the bill was worth a trial; and meanwhile gangsterism and hoodlums would be continuing their work, to the detriment of the rights of the rank-and-file, dues-paying union members and to the detriment of the rights of all the American people, who paid the expenses of the hearings and the expenses of the collection of the evidence used at the hearings—80 percent of which dealt with matters about which the committee received communications from the rank-and-file labor-union members, not from representatives of management or from law-enforcement officials.

Mr. President, if inaction is followed by inaction, if the 17 days of delay and the 41 days and nights of delay are followed by nothing more, if nothing happens this week, as nothing happened last week, I may have more to say on this subject before the adjournment of Congress. If those in charge of Congress determine to adjourn it without meeting the most important challenge confronting both labor and management in this country, namely, ridding our economy of the undesirable elements which so unfortunately have captured some of the major labor unions of the country, I believe, in fact, many Americans will have a whole lot more to say on this subject.

Mr. President, there is still time to act; and I take time now to address the Senate on this subject, because there is ample time to act. Many times before,

in an emergency, Congress has demonstrated what it can do in 24 or 48 hours or in a few days. So I am not worrying about the time element. But I am worrying about whether there is a desire to take action on the bill and on the proper amendments to it. Is there a will, is there a determination, on the part of the Democratic Policy Committee, which controls the other body, to get this proposed legislation before the Members of the House of Representatives under an open rule, so they can legislate in the fashion in which they were intended to legislate when they were elected by their constituencies, and in the fashion in which those who vote this coming November will expect the Members of Congress to act?

Mr. President, I have confidence in the House of Representatives, where I served for 10 long and happy years. I have confidence that the House Committee on Education and Labor has the genius and the ability and the innate patriotism to act on this proposed legislation; and I have confidence in the Rules Committee of the House, which is ably led by some of the most distinguished Members on both sides. I have confidence that that committee will give the House an open rule and a chance to vote quickly on the amendments which should be considered at this session of Congress, and which, in my opinion, should be adopted if there is not to be wasted the \$1 million which was spent on the investigative work which was done by the members of the Senate Select Committee To Investigate Improper Activities in the Labor or Management field. I have confidence in turn that the House membership will enact the necessary amendments to produce effective labor legislation—provided, of course, the Democratic Policy Committee of the House permits all this to come about.

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

The PRESIDING OFFICER (Mr. JORDAN in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REASON FOR OBJECTION TO HOLDING OF COMMITTEE MEETING DURING SENATE SESSION

Mr. ALLOTT. Mr. President, this morning, on the floor of the Senate, the distinguished majority leader was discussing the work of the Senate in the closing days of this session. He said as follows, and I read from the transcript which I have procured from the Official Reporters:

The other morning when, for the committee, I requested unanimous consent that it be allowed to continue its meeting, and thus to meet during the session of the Senate, on a day when the Senate had a very routine session, objection was made from the minority side. At the same time, I understand that most of my friends on the minority side favor the enactment of a scholarship bill.

I bring this matter up at this time only because I believe the Record should be clear as to what the situation is, and what the situation was on the day referred to. In the Senate Committee on Labor and Public Welfare, the senior Senator from Colorado had requested consideration for one of his colleagues who was forced to be absent by reason of a death in his family. I am one of those persons who still feel matters of personal consideration have to be taken into account by Members of the United States Senate. Because I thought that Senator had a right to vote upon the bill, I requested that no meetings be held during the session of the Senate on that day. However, I did not object when the meeting continued. We actually held a meeting on that day from 10 o'clock in the morning until somewhere between 12:20 and 12:30 p. m., at which I was in attendance. I see the Senator from Michigan [Mr. McNAMARA] present on the floor. He was in attendance, as were most of the members of the committee.

I have stated the reason for my request. It is a request for which I have no apology. It is a request which did not result in the committee's not meeting. The committee did continue to meet, and met for as long as it has on similar occasions.

I am sure this is a situation of which the majority leader was not aware when he made the statement this morning.

For the sake of the record, Mr. President, I have procured from the committee a list of the meetings which the Education Subcommittee has held during this session upon the science and education for national defense bill which is now being considered by it. Those meetings of the subcommittee were held on May 27, July 23, July 25, and July 28; and the meetings of the full committee were held on July 30, July 31, August 1. I am not sure of the dates, but meetings were held last Thursday, Friday, and all afternoon today, which is August 4.

I turn now to another subject.

The PRESIDING OFFICER. The Senator from Colorado.

ALASKA STATEHOOD ACHIEVED—NEXT STATEHOOD FOR HAWAII

Mr. ALLOTT. Mr. President, I noted with interest the comments of the junior Senator from Minnesota [Mr. HUMPHREY] on July 22 concerning Alaska statehood. While I may be mistaken, and I hope that I am mistaken, the Senator's statement appears to give one party, and in fact, one man, credit for the passage of the Alaska statehood bill. There is no mention of the fact that President Eisenhower had repeatedly urged statehood for Alaska. As a matter of fact, there is not even mention of the efforts of former President Truman in that direction.

There was no indication that it was the administration's suggested amendments which brought about a compromise bill acceptable to a majority of the Members of both Houses of Congress.

Nowhere in the Senator's comments did I find mention of our distinguished former colleague, who is now the Secre-

tary of Interior, Fred A. Seaton. The extent of his efforts, beginning in 1952 on the floor of the Senate, and continuing until the final vote was taken in the Senate on July 1, is known to all of us. As a matter of fact, if my recollection serves me correctly, his maiden speech in the United States Senate was on the admission of Alaska to statehood.

He was the first Secretary of the Interior to give more than lip service to Alaska statehood. He labored in the vineyards; he spoke all over the Nation; his statements to the Senate and House Committees on Interior and Insular Affairs about Alaska and Hawaii are so complete and convincing that they should become State documents.

Anyone who speaks about Alaska statehood without regard to the great efforts of Secretary Seaton does not present the full story of the Alaska statehood battle.

I want to mention also the battle strategy of Mike Stepovich, the first native-born Governor of Alaska.

It almost seems inconceivable that in this day and age Mike Stepovich, a young man of 39, with 8 children, should be the first native born Alaskan who has ever been named Governor of Alaska. When he was appointed by President Eisenhower he stated his one wish was that he would be the last appointed Governor of Alaska. Mike took his fight to the people. He has become a national figure because of his many public appearances throughout Alaska and the United States. In all these appearances Mike sought only to get the true facts about Alaska across to the American people. National magazines, grasping quickly at the opportunity to tell the story of a determined young man who was willing to work hard to put himself out of a job, have devoted much time and attention to Mike's efforts. Not once did Mike think of his own future, nor decide what he would want to do when statehood was achieved. Rather, Mike Stepovich, as a true representative of all Alaskans, stepped right up to everyone he could speak to for a moment or two, put out his hand, and said, "I'm Mike Stepovich. I would like to tell you why Alaska should become a State."

Mike Stepovich did not talk about colonialism, second-class citizenship, and all of the worn-out, negative arguments about territorial status. Instead, Mike, and those who followed him, told us about the potential of Alaska, the facts that ring true to any American: Alaska needed statehood to achieve a sound financial development; Alaska needed people; she needed capital; and she needed recognition as a mature segment of our political society to satisfy these needs.

And Mike brought to Washington with him, when he came here as an ambassador of good will to seek statehood, men who left their businesses and families and came at their own expense to plead the cause of statehood. Walter J. Hickel, an Anchorage contractor and hotel owner, a man who knows the potential of Alaska and is dedicated to statehood, joined Mike in his calls on the Hill. With Mike, also, were Robert Groseclose, an electrical contractor from Fairbanks; Tillie Reeve, a housewife and wife of one

of Alaska's famous airline owners; and John Butrovich. Butrovich is a Territorial Senator, and knows more about the financial and fiscal affairs of Alaska than almost any man in Alaska. He is currently chairman of a special committee appointed by Governor Mike Stepovich to examine into the Territory's finances and to plan for the future expansion of Alaska as it becomes a State.

Last, but by no means least, were two publishers: Robert Atwood of the Anchorage Times and C. W. (Bill) Snedden of the Fairbanks Daily News-Miner. Atwood is the chairman of the statehood commission—Snedden is a member of that commission. These two men worked, silently and effectively, in their chosen field—the news field. They got the story of the statehood fight out to the Nation. They worked with the great newspaper chains of this country—the Hearst papers, the Scripps-Howard papers—and they worked with every news medium they could find, including the very important local daily and weekly newspapers. All of us were aware of this work—it was in the American backyard—and it was effective.

I note that the Senator from Minnesota said that we would be happy to welcome the gentlemen to whom he gives so much credit to this body. I hope that we will welcome whoever the Alaskans desire to send to this body as their chosen representatives. Alaskans are not electing lobbyists this time—they are electing Senators. Alaskans have not had the privilege of sending voting representatives here before—and for myself, I hope that Alaskans inquire thoroughly into the qualifications of the people they elect to vote for them. How do the candidates feel about foreign affairs? How do they feel about high taxes? What do they believe should be the role of the Federal Government as opposed to State governments? How do they stand on national issues—Iraq, communism, foreign aid, and the other problems which beset this body continually? These are but a few of the questions Alaskans, I hope, will ask of those who seek election.

The Alaska statehood battle was won by bipartisan forces. As a Republican, I am pleased that our party representatives voted overwhelmingly to admit Alaska. In this body our vote was 33 to 7—better than 4 to 1—in favor of Alaska. We voted for statehood for Alaska because our party pledged statehood to Alaska in its 1956 platform. We voted for statehood for Alaska because a Republican President, a Republican Secretary of Interior and a Republican Governor urged us to do so. We did this despite the fact that Alaskans have elected Democrats in the past, and, in fact, elected Democrats to come to Washington to lobby for statehood.

But we do not discount the effect of those Democrats—nor the effectiveness of Delegate BOB BARTLETT in the statehood arena. What we do not approve is a one-sided, partisan, review of the statehood movement.

If these people really did do the job by themselves—why did they not get statehood during the last administra-

tion? If they were so effective, why did it take the leadership 18 months to bring the Alaska bill before the Senate during this Congress? I think I can state why, Mr. President. It took the combined efforts of every proponent of Alaska statehood to achieve this victory: the Alaska Republicans and the Democrats; the Republicans and Democrats in the House; and both parties in this body. I feel confident that Alaskans know and realize this is so. They respect and are grateful for the leadership of our President and his effective Secretary of the Interior, as well as the leadership of both political parties in the Congress.

If I had to assess any one reason why the Alaska statehood bill passed during this Congress, I would assert that it passed because both parties wanted it to pass. Let me recall that in the 83d Congress the Hawaii statehood bill, which has traditionally been first on the calendar because Hawaii has been an organized Territory longer than Alaska, was passed by the House and sent to this body for action. Notwithstanding repeated assurances that the Alaska bill would also be considered, by an almost strict party-line vote Democrats joined the Alaska bill to the Hawaii bill. The result is well known—this shotgun wedding ended in early annulment when the House refused to act on a joint bill. So, this year, by not pursuing the same tactic seized upon by the Democrats as the minority party in 1954, Republicans proved their adherence to their party pledge for immediate statehood for Alaska. There is no doubt that the victory was bipartisan. However, Hawaii's defeat in 1954 and her unfortunate position today is something that we are very willing to have the Democrats claim—or at least acknowledge as their responsibility.

I hope we can get on with this statehood business. Our job is only half done. Hawaii waits on the doorstep while we are greeting and congratulating her little sister. Are we to leave the impression that Hawaii, which has been an organized Territory since 1900, is less deserving of statehood than Alaska, which achieved an organized status in 1913? Do we want Americans to believe that our party pledges on statehood are valid only for Alaska—but meaningless when applied to statehood for Hawaii? Are we prepared to leave the impression with Hawaiians and with the world that the people of Hawaii, who first petitioned their Queen to ask for statehood in 1854—104 years ago—are to be left out in the cold?

We Republicans stand ready to offer our support for Hawaii in the same manner we supported Alaska on the question of statehood. Just as Alaska's achievement was not the victory of one party, nor of one group of men, so will Hawaii's final victory be a bipartisan effort. Men of the caliber of Dr. A. L. MILLER, LEO O'BRIEN, JOHN SAYLOR, ARTHUR WATKINS, JAMES MURRAY, THOMAS KUCHEL, FRANK CHURCH, and many others who fought hard for Alaska, will, I am certain, fight just as hard for Hawaii. Our minority leader, the Senator from California [Mr. KNOWLAND], has long been an ardent advocate of statehood

for Hawaii and Alaska. Hawaii's Governor, Bill Quinn, as youthful and as energetic as Mike Stepovich, is likewise dedicated to statehood for his Territory. Unfortunately, the Delegate from Hawaii does not appear in the forefront of the Hawaii statehood action this year.

All we need to achieve statehood for Hawaii now is the same type of cooperation from the majority leadership in both Houses of Congress that we received on the Alaska bill. I feel certain that this cooperation will be tendered when the majority gets around to feeling the pulse of the Nation. Americans everywhere demand statehood for Hawaii.

Let us join together when the job is finished—when both Hawaii and Alaska are admitted—and thank the good Lord for the freedom we enjoy—for the freedom which gives us the power to openly debate the merits of equal political status and for the freedom to admit into our Union full and equal partners—not puppets or satellites.

When we have done that, I think we may well look the world in the face and say to the whole world that there is no territory which is a part of this great country which we have refused admission into the Union for any reason whatever—no matter what reasons other peoples may assign. Unfortunately, the reasons which the Reds, the Communists, the Russians, and their satellites will assign are reasons which are not true, but they are reasons which cannot be answered readily. We in America will take our greatest step forward in one of our great tests to prove that this is really a country where all people are created equal, and retain equal rights, if we admit Hawaii to statehood this year.

We are Americans, and every American can rightfully claim some of the credit for our acting in accordance with the principles and precepts of the heritage we received from our forefathers.

METHOD FOR FIXING WAGE RATES FOR EMPLOYEES OF PORTS—MOUTH, N. H., NAVAL SHIPYARD—VETO MESSAGE (S. DOC. NO. 114)

The PRESIDING OFFICER (Mr. McNAMARA in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on Armed Services, and ordered to be printed:

To the Senate of the United States:

I return herewith, without my approval, S. 2266, "To provide a method for regulating and fixing wage rates for employees of Portsmouth, N. H., Naval Shipyard."

Existing law and practice governing the setting of wage rates for Department of Defense wage board employees has provided that the Department, in each of the various labor market areas, will follow the wage pattern set by private industry. This has been a most satisfactory arrangement from the standpoint of the Government. It has been generally fair and equitable to the affected

employees and has also been acceptable in the industrial community.

S. 2266 would provide for a departure from this basic pattern of determining wage rates by requiring the Secretary of the Navy to establish hourly rates of pay for all per diem employees of the Portsmouth, N. H., Naval Shipyard equal to the rates paid to employees of similar classification at the Boston Naval Shipyard.

Approval of S. 2266 could have broad and far-reaching implications for the entire Federal wage structure, for it would serve as a precedent for combining labor market areas in proximity to one another. On the other hand, it is alleged that inequities exist with respect to the wages paid at the Portsmouth Naval Shipyard. I have directed the Secretary of the Navy carefully to review this entire situation and to make such adjustments in the wage rates at this shipyard as his review indicates are warranted.

Such wages should not, however, be adjusted by legislation. To do so could ultimately lead to the deterioration of the present wage board system.

For the above reasons, I regret that I find it necessary to return the bill without my approval.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 4, 1958.

THE SITUATION IN LEBANON AND THE MIDDLE EAST

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter from a very distinguished citizen of my State, Harry L. Turtle dove, on the Lebanon situation; I also ask unanimous consent to have certain other items dealing with the Middle East situation printed in the RECORD.

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

[From the Oregonian, Portland, Oreg., of July 21, 1958]

IRONIC

To the EDITOR: American troops are now in Lebanon, we are told, to protect American lives and, to use Mr. Eisenhower's words, "to assist the Government of Lebanon to preserve its territorial integrity and political independence."

This would suggest that American lives in Lebanon are somehow more valuable than American lives in, say, Cuba—not to mention Iraq. More important, it raises again the question of the Cairo-Moscow threat in the Middle East. Sad experience has shown—first in Syria, then in Lebanon, now most dramatically in Iraq—that violation of territorial integrity plays little or no role in Colonel Nasser's and his Russian friends' plans. Why would it when they can so successfully subvert these hollow states from within without risking military intervention?

Of course, the Egyptians and Russians have aided and abetted the Lebanese rebels—although if the U. N. reports are to be taken seriously the border-crossing question seems to have been exaggerated in this country—but does anyone seriously believe that we have not been just as actively, though perhaps not as successfully, aiding and abetting President Chamoun? It is this miscomprehension of the nature of the Egyptian-Russian threat that made the Eisenhower doc-

trine as irrelevant at the time of its much-touted passage as it is today in Lebanon.

What therefore seems to be our real concern is the political independence of Lebanon. Following the somewhat less than clarion call—never submitted to his democratically elected Parliament or to his people—of President Chamoun our Armed Forces have entered his country to protect its political independence. Is it being naive to wonder what government other than that of Chamoun—or of someone equally committed to our point of view—will now satisfy our test of independence? Or to wonder how long such a government will survive once American troops are withdrawn, if indeed they are withdrawn?

It might provide some needed clarification of American thinking if our action is not rationalized in pseudo-legal and moralistic terms but judged for exactly what it is: An act of desperate expediency, taken in the face of grave risks, in order to keep Lebanon from going the way of Syria and Iraq.

Expediency is, of course, a dirty word in this country; we enjoy believing that it is the sort of thing practiced only by immoral foreigners—that is, those foreigners we don't happen to like at a given moment. But the regrettable truth is that any nation, no matter how high-flown its public moral pretensions, reacts in whatever way it considers necessary to protect its vital interests once it is convinced, rightly or wrongly, that those interests are at stake. We did so with success in Guatemala, the Russians with savage brutality in Hungary, the British and French with ineptitude at Suez.

Incidentally, it would not be amiss at this time—when we who always attach the highest motives to our own international actions, nonetheless, find the United Nations somewhat tepid in their enthusiasm over our unilateral action in Lebanon—to recall the national orgy of moral self-righteousness in which we wallowed, in the U. N., too, as well as at home, at the time of the Suez invasion.

Nothing has happened, before or since, that has so strengthened the position of Colonel Nasser as our behavior at that time. It is at the very least ironic that we—who helped turn the colonel's military defeat at Sinai into a victory for him—must now send our own troops into the Middle East in order to prevent him from scoring still another victory at our expense.

HARRY L. TURTLEDOVE.

MORSE'S ATTITUDE

To the EDITOR: Naturally, everyone expected Senator MORSE to say "I'm agin it," with regards to our intervention in Lebanon. However, if our senior Senator had some member of his family in that troubled area, perhaps he would change his mind (which he often does).

RAINER.

VERNE M. SOLEY.

WRETCHED STATE

To the EDITOR: It is a wretched state of human affairs and moral decadence when a country's leaders sink to such a depth as to value someone else's oil more than its own citizens' blood.

CARL SCHNOOR.

[From the Chicago Daily News of July 28, 1958]

LIBERAL AT LARGE—SUBMITS HIS PLAN FOR THE MIDDLE EAST

(By Harry Barnard)

Having recklessly sent troops there, America now cannot avoid coming up with a positive policy for the Middle East.

In this regard, we put ourselves on the spot. The Russian move for a summit meeting, which may turn out the one good result of our impetuosity, was but a turn of an already twisting screw.

A positive Middle East policy calls for much more than just stability. Nor is it enough to add the goal of keeping out communism, without a program for meeting the very conditions which make communism possible.

In the Middle East, as elsewhere, where we seek stability, a social revolution—mainly leftward—is going on.

There will be no stability until this revolution runs its course.

If we are smart, also true to our ideals, we will go along with it, hoping to guide it, even encourage it.

First of all, our policy should include a definite stand, sincerely proclaimed, against all vestiges of colonialism. Many of these remain in the Middle East.

For example, England still has a protectorate over Kuwait, a patch adjoining Iraq, from which alone one-third of all Middle East oil comes.

From Kuwait, British and Americans extract a quarter of a billion dollars a year on a 50-50 basis with its sheik. This vestige of imperialism should go.

If we and our usual partners, the British, extract oil from Arab soil and labor, it should be as managers or, at the most, junior (very junior) partners, not as owners or even lessors.

Those 50-50 oil deals, seemingly so fair in an accounting sense, should not be permitted by our Government. They should be out—forever.

The take of private operators should be related closely, and fairly, to managerial service (and then only if the service is wanted) and not, as now, to ownership in one form or another.

"Middle East wealth for Middle East people" (to support needed social reforms)—that should be our basic principle. This is not followed by deals private operators make with assorted kings, sheiks, and even presidents, most of whom exploit their own people and are but window dressing for artificial states that cannot stand except as we or England prop them up.

We should insist that the British, Dutch, French, and all other Europeans, Russians included, adopt this policy. Then we, not the Russians, become the champions of Middle East progress.

This calls for self-denial. It calls for placing social welfare above shortsighted military policy which, in view of the new weapons, is unrealistic at the root anyway.

If we do this, then we not only win the friendship of the Arabs. We also win the right to advise them on two matters much more important than incidental political situations in Iraq, Lebanon, and Jordan, or the activities of the Russians.

One such matter concerns Nasser, who operates much too much like Hitler. The Arabs won't listen to our warnings about Nasser—nor will he—unless we convince them of our good intentions.

The other matter concerns Israel.

Israel has the right to exist, or there is no moral conscience in the world. The Arabs must learn to accept Israel as the first step toward fruitful friendship that ought to replace the destructive antagonism that now exists.

Through the United Nations, we can and must insist upon this, but again only because sympathy for legitimate Arab aspirations gives us that right.

[From the New York Herald Tribune] A REPORT ON IRAQ

If an inquiring mind wanted to penetrate beneath the superficialities of Iraqi politics which showed at the surface of Nuri es Said and cohorts (apparently the only aspect of Iraq visible to our State Department), it would discover just what Morris described. Outside

this narrow sphere of rulers, there was nothing but discontent.

Peasants and landless laborers, living in miserable depths of poverty, small sheiks with land in their hands, tradesmen and city merchants, students government-educated abroad, civil employees at every level (including government students returned—engineers, scientists, doctors, teachers, etc.), lawyers, and even members of the Congress, all felt the top of the government absolutely insupportable, to put it mildly. Each was disgruntled with, if not the whole, then one facet or another of a rule imposed upon them against their wills. Was there anyone who didn't hate the hypocrisy of Nuri es Said?

I thought that in the sites of religious pilgrimage, where puritanical prohibitions stifle any whiff of social change, it would be different. I found a seething, angry spirit, antigovernment in the extreme. Whatever the nuance of political opinion—right, left, Communist, or anti-Communist, or in-between—utter contempt for the powers that then were, was a constant, in the big city, Baghdad, in the towns, in the villages, in the mud huts. Often among the illiterate it came out in nihilism: Let the Government be destroyed. Nuri es Said hung, that's our aim. What after that? Often no idea. The end result of total exasperation.

Land reclamation, dam and highway building had been pursued with extravagant waste, and there was little to show, except the costly portfolios in Government offices of projected engineering works done up fancy by the ivory tower crew to impress authorities, studies often taken from nonexistent hypothetical conditions, a waste engineering-wise and a crime when what the country needed was the actual work—the irrigation itself, the dams. Foreign engineer-contractors had hoodwinked the government right and left with poor materials and bad construction. They built two-lane highways (so as to bid lowest to get the contract) where four-lane highways would scarcely suffice even for today's traffic.

First things, such as public health (in very low state, considering the numerous diseases endemic in many localities—tuberculosis, malaria, trachoma, hookworm, schistosomiasis, acute asthma from desert dust—to name a few), first things came second on the list of things to do of the Iraqi Board of Development. The government went in for big things, like spectacular dams. It seemed to have that underdeveloped-nation complex of wanting big industry right now, whether feasible or not. Meanwhile, it made feeble efforts to conquer disease. Right next to the town of Najaf (population of 15,000) it built a tuberculosis hospital—with 40 beds. There is a 80-percent incidence of tuberculosis in Najaf.

While it sent thousands of students abroad every year for a university education, it left out of its education program the multitudes of illiterate. It often allowed those university students to linger abroad on into doctor of philosophies and beyond, when the country needed them urgently as rough-and-ready college graduates. When its ivory-tower scholars did at last come home there was no place in the economy for them; they were often too specialized. Nobody was more disgruntled than they, to find the government had not actually envisaged a position for them that would make some little use of their training. (The idea of lavishing an expensive education on the few was apparently to create a corps of young men grateful and therefore loyal to the government. But what a miscarriage.) Such a contrast between the vast majority of illiterate peasants and this highly selected few would have been intolerable under any circumstances.

These are just a few of the more obvious aspects of acute discontent, long sustained,

that met the observer on a recent visit to Iraq. The unfortunate apparition of a choice between the existing corruption or alinement with Nasser drove the people his way. The government of Nuri es Said had long ago put an iron clamp on freedom of the press, speech, and assembly. For years it had thrown whomever it cared to call Communist in jail forevermore.

The pressure got worse after Suez, with the popularity of Nasser enhanced. When the explosion would come, it seemed bound to have the violence of the French revolution. I'm surprised that thus far there hasn't been more slaughter. Perhaps it's because only a small faction of vested interests would care to perpetuate the corruption. If there is more fighting, it's most likely to be an attempt at power by individualists—Iraqi are extremely so—who have a different idea of what a revolution should bring.

I only wonder how our State Department could have gone on completely incognizant while for a matter of years this was building up.

BETTY AL-HAMDANI.

PARIS.

SAN GABRIEL VALLEY CHAPTER
OF THE AMERICAN ASSOCIATION
FOR THE UNITED NATIONS, INC.,
July 24, 1958.

HON. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MORSE: The resolution enclosed with this letter to you is one which our local San Gabriel Valley Chapter of the American Association of the United Nations unanimously approved at a special meeting July 23. This meeting was called to discuss the implications of our armed intervention in Lebanon.

Although we are a comparatively small chapter of about 50 members, we have been identified with the cause of strengthening the United Nations in our foreign policy on a much larger scale in our community than our size indicates.

We are hopeful that out of this recent crisis, in which a war may have been narrowly averted, that a valuable lesson may have been learned by all our people in placing more and more reliance on combined and cooperative effort by all nations, both large and small, toward peace and freedom with justice for all.

Very respectfully,

DWIGHT RAMAGE,
President.

The San Gabriel Valley Chapter of the American Association of the United Nations urges that every possible action be taken within, and not without, the United Nations to resolve the Lebanon question, including the speedy withdrawal of United States Armed Forces.

Our membership beseeches you never to neglect any opportunity for negotiation and remains firm in its belief that urgent problems of international relations can only be effectively solved through the United Nations, including wherever necessary, the development and use of an international police force.

BERKELEY, CALIF., July 26, 1958.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

We support action through United Nations. Urge our Government make every effort toward point-by-point agreement on world police in critical areas, disarmament and economic development all under United Nations.

WOMEN'S INTERNATIONAL LEAGUE FOR
PEACE AND FREEDOM.

MEMORANDUM FOR THE RIGHT HONORABLE
SENATOR WAYNE MORSE, OF OREGON, RE-
GARDING ACTUAL POLITICAL EVENTS IN THE
MIDDLE EAST

TEHERAN (IRAN), July 23, 1958.

Kuwait with an area about 5,800 square miles and a total population estimated at 250,000 (including about 4,000 Europeans and Americans) is an "independent sheikdom" under "British protection" according to the Statesman's Yearbook.

In the interest of the veracity, I think stronger emphasis might be made on the point "British protection" than "independent."

I know conditions in Kuwait well. I have seen how the British have refused entry to Kuwait without a British permission in spite of I was in a permission to present a personal invitation from the ruler. I have experienced how the British Embassy in Stockholm have delayed visas for our erectors and foremen, the presence of which in Kuwait was urgent. I have witnessed how British banks in Kuwait expressed their reluctance of remitting money to Sweden for orders given by the Government. I have met with "acidity" of a British General, installed as Director of the Public Works Dep. in Kuwait on account of a very well-done job etc., etc.

Briefly said, the British "live but do not allow somebody else to live" has caused an anti-British wave over Kuwait since years, and now this reaction has been taken care of by clever "outsiders."

The custom officers and the policemen in Kuwait are taking away their "Kuwait-buttons" from their uniforms and provide their tunics with "Nasser"-row of buttons (made in Japan) and the old H. H. Sheikh Abdullah al Salim al Sabah (K. C. M. C. - C. I. E.), a friendly and misguided ruler, who has been "advised" by the British Political Resident to invest about 300 million English pounds in Great Britain, does not understand the mighty era of a new time.

Antidote to a total devouring of Kuwait: (1) To finish the "British protection" at once; (2) to establish better American diplomatic service in Kuwait; (3) to issue an American proclamation (evt jointly with the British) that any violation against American property and citizens will not be tolerated and that no overthrowing illegally of the Government will be accepted. To send some naval units into the neighborhood waters might even be useful.

THE TIME LIMIT IS VERY SHORT

I understand, that this "medicine" must be very bitter for the British—but should they refuse to take it, they will lose the game totally (including Bahrain, Qatar and the Trucial States) as sure as doomsday.

In Saudi-Arabia I understand, H. R. M. The King (Saudi), is preparing an "air voyage" to Vienna (Austria), where he has finished the equipment of a "Royal" house. I hope he might not come back, and that Emir Faisal might be in a position to save the kingdom with the help of his son, Prince Abdulla al Faisal (minister of interior and of the police). It will not be easy, but the chances for surviving will anyhow improve.

I know very well Prince Abdulla al Faisal personally and his political aspirations, which he has outlined for me about 5 or 6 years ago.

I know very well the situation also in Kuwait and the neighborhood states, and my "entrance" to Herr Nasser might be also known to United States of America. My connections to the Arab League are good, they organized some years ago my visit to the King of Yemen.

I consider at the present juncture the time factor to be most important.

Yours very truly.

MEMORANDUM FOR THE RIGHT HONORABLE
SENATOR WAYNE MORSE, OF OREGON, UNITED
STATES SENATE, WASHINGTON, D. C., UNITED
STATES OF AMERICA

TEHERAN (IRAN), July 20, 1958.

Should I try to analyze the "Iraqi Problem" I think I might be able to establish following facts:

1. The Iraqi Revolution is a nationalistic movement.
2. This movement is directed toward Great Britain, under which Iraq has been an economical "protectorate". The British have delayed and obstructed a reasonable profit-sharing-politic toward Iraq, at least compared to what the other oil countries in the Middle East have obtained long ago.
3. As the oil revenues of Iraq all "landed" in British banks, Great Britain managed to keep "the closed door"—politic wholly or partially in Iraq and few foreign enterprises (except some American) had really a chance in Iraq, but the British.
4. Great Britain had control over the Government through the late Nuri Pascha and the late Crown Prince, who was the country's biggest Iraqi undertaker in many respects.
5. The young people of Iraq (many "pro-Nasser") are behind and forced the revolution to break out probably sooner than originally planned. The eventful occurrences confirm, that more clever and realistic and experienced "experts" than the Iraqis have planned the revolution.
6. Should it be true, that the new government have confirmed her willingness to keep the oil agreement and to remain in the Baghdad Pact (which seems unlikely to me), we can only establish the fact, that a new government have taken the power and regret the way it was done (the killing of the King, Nuri Pascha etc., etc.) but we must not forget that the scene is located to the Middle East, where assassinations are conceivable, old means for fighting political opponents.
7. The United States of America might have the chance of partially saving the situation for the West (specially for Great Britain) by:
 - (a) taking over partially the Iraqi oil industry,
 - (b) granting Iraq more fair profit-sharing conditions in this correction.
 - (c) arranging better welfare conditions for the oil workers.
 - (d) allowing other countries to trade, build and to contribute to the developments of Iraq.
 - (e) putting a break on the probably forthcoming requests for nationalizing the oil industry and for "co-ordinating" this livelihood of Iraq under Egyptian rule.
- (8) One must in this connection remember, that Baghdad is not the same as whole Iraq—an important fact.
9. A British military intervention in Iraq is—according to my humble opinion—now useless, dangerous and injurious to the United States of America and the whole Western World.
10. In spite of that the architects for the Iraq revolution are no-Iraqis. I personally do not think, that you can brand the main leaders as Communists nor even entirely pro-Nasser. I think Iraqi nationalists should be more impartial perhaps with the addition of anti-British
11. The American influence in Iraq as well as propaganda must be offensive, must be more concentrated upon the young people, must be more smart, more alert and agile.
12. Tick-tack money or "oil for the works of the watch" or whatever you prefer to call it must be at disposal amply and fast, when needed, and is more important than the "point four."
13. The desk-strategists claim the key to the Middle East situation is in Moskwa. I

don't agree—the key is in our own hands. It depends upon us, not on the Russians, should the Middle East remain free.

There is also another fact, which many experts seem to forget: Herr Nasser has more followers abroad than at home.

WOODS HOLE, MASS., July 23, 1958.

HON. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: As a United States citizen and specialist on Middle East affairs long resident in the area, may I recommend the enclosed article as a reasoned analysis of the background of the present Middle East crisis. In addition, newspaper articles by Arthur Krock, C. Y. Sulzberger, Sam Pope Brewer, Edward Crankshaw, and Geoffrey Godsell are accurate guides, far more so than the administration in Washington and excited press, radio, and TV comment.

In my view an accurate appreciation of the present situation must base itself on the following considerations:

1. Arab nationalism is an expression of deeply rooted aspirations stimulated by contact with the West. Basically anti-Communist, it is not necessarily hostile to the West, any more than it is necessarily friendly to the Soviet Union;
 2. Western policy since 1919 right up to the present time has caused the Arab people to view the West as the great obstacle and threat to nationalist desires for independence and self-respect;
 3. The United States has seemingly abandoned its traditional championship of "liberty and justice for all," leaving Nasser and the Russians to pose unchallenged as the liberators of the Arabs from unpopular oligarchies and their imperialist supporters in the West;
 4. United States military diplomacy has revealed a gross miscalculation of its effects to the point that not only are constructive U. N. peace efforts jeopardized but also the very ends of such diplomacy are being defeated rather than secured;
 5. The involvement of oil and other United States commercial, educational, and humanitarian interests with foreign policy has fostered Arab suspicions that all such enterprises are tools of American imperialism;
 6. The revolution in Iraq, which might have occurred at any time during the past 2 or 3 years, is a popular indigenous development in the direction of more democracy, more independence, more Arab unity, and less corruption;
 7. President Chamoun and Foreign Minister Malik did not accurately represent the situation in Lebanon with respect to the size and scope of U. A. R. intervention and with respect to their own popular backing in Lebanon.
- The question now at hand is how to reduce tension and retrieve the situation constructively. I believe that such a solution must include:
1. A careful reformulation of United States policy and attitudes toward the Arab people on the basis of respect and understanding for nationalist desires for self-determination, economic development, and regional cooperation;
 2. Prompt, unconditional withdrawal of troops from Lebanon;
 3. Recognition of and cooperation with the new government of Iraq;
 4. Reaffirmation of support for U. N. observers and for U. N. efforts to find a peaceful solution;
 5. A renewed effort to deal with the Arab-Israeli dispute on the basis of seeking permanent settlement and/or compensation for the Arab refugees;
 6. Mutual cooperation with the Arab countries on the basis of mutual respect and equality.

We should particularly encourage the further development of indigenous intellectual and moral leadership, education, and social welfare, with a concomitant deemphasis of military aid.

A temporary loss of face will be inevitable in implementing such a policy. It is inevitable anyway. Delay may be disastrous. It is high time to consider the Arabs as people who desire liberty, better living standards, education, and justice no less than any other people, and who equally resent being treated as political pawns.

Sincerely yours,

HOWARD A. REED.

[From Foreign Affairs for July 1958]

TOWARD A POLICY FOR THE MIDDLE EAST
(By Richard H. Nolte and William R. Polk)

If the United States is to pursue its objectives successfully in the Middle East it must understand that the decisive social and political force at work there is Arab nationalism, and must come to terms with it; and it must also accept realistically the fact that the Soviet Union now plays an important role in Arab affairs.

The strategic importance of the Middle East as a route to Asia and as an area of contention between Russia and Western Europe is not new. The eastern question preoccupied the powers throughout the 19th century. Today, with the protagonists infinitely more powerful, the competition continues; and to the stakes have been added three-quarters of the world's proven oil reserves. What may be even more significant is that rival philosophies and ways of life are competing in the Middle East also, and the outcome there will have a profound influence on the still uncommitted peoples of Africa and Asia.

II

A necessary first step in formulating an American policy for the Middle East is to identify the basic American objectives there. In doing so, a clear distinction should be made between objectives and the means to achieve them and between essential objectives and those that are merely desirable. The importance of this is emphasized by Western experience in recent years. A concept of vital interests has always underlain British policy: For example, the use or usufruct of such facilities as the Suez Canal and the refinery at Abadan were regarded as of vital importance. But in practice the vital interest itself has often been understood to include the ownership, control, or even military occupation thought necessary to secure it. Particular means have tended to become ends, and rigid adherence to them has in the long run often jeopardized rather than safeguarded the interest itself. Thus, we have seen that the means which Britain used to assure navigation in the Suez Canal and a continuing flow of petroleum to Europe worked against those vital interests.

In dealing with the Middle East, the United States has not been embarrassed by imperial legacies and has been free to utilize less stereotyped methods in pursuing its objectives. Initially at least, its programs of technical and economic assistance were an imaginative new departure; even so, it has sometimes confused ends and means. Treaties, pacts and aid agreements have seemed almost to become ends in themselves, to be sought even to the point of damaging the relationships they were designed to support. The Eisenhower doctrine is a recent example. It was presented in a way ("Stand up and be counted; we will make it worth your while") which made it seem to confirm Radio Moscow's daily portrayal of it as nefarious "new imperialism." As a result, fearing popular outcry, no Arab government except that of Lebanon—a small, half-Christian state with a Western orientation—dared to endorse it, and the over-all

position of the United States in the Middle East was weakened rather than strengthened.

Even more noticeable is the American tendency to frame policy with reference to the maximum which it would be desirable to achieve instead of the minimum which is essential. One result is that every shortfall from the maximum objective is interpreted as a failure or defeat. The result may then be "panic" reactions and hasty improvisations.

The Syrian crisis of last fall is a case in point. The Soviet agreement of August 6 to provide massive aid for Syrian economic development and Syria's appointment of a pro-Soviet chief of staff on August 15 were interpreted as serious defeats for United States policy. Washington was prompted to take a series of actions: the expulsion of the Syrian Ambassador in retaliation for Syria's expulsion of three American Embassy officials for allegedly plotting a coup; the flying trip (beginning August 22) of Deputy Under Secretary of State Henderson, during which he avoided contact with Syrian and Egyptian leaders; the airlift of arms to Jordan (announced September 5) and stepped-up arms shipments to Lebanon, Iraq, and Saudi Arabia; Sixth Fleet maneuvers off the Syrian coast; and Secretary Dulles' statement (September 19) in the United Nations General Assembly, following the concentration of Turkish troops (with American officers present) along the Syrian frontier. Mr. Dulles' remark that "Turkey now faces growing military danger from the major buildup of Soviet arms in Syria" was not taken by Middle Easterners at face value. The Syrian army was small (about 50,000 men), newly equipped, lacking in battle experience and in large part tied down on the Israeli frontier, whereas the Turkish Army was the largest field force in NATO (half a million men), armed and in part trained by the United States for a decade, and presumably able to deploy a major part of its force on the Syrian frontier. It may be that American actions were designed not only to reassure the Turks but to warn Soviet Russia; but it is open to question whether they were the best means, especially since they seem to lend substance to Russian and Syrian charges that the United States was planning a coup in Syria. When no coup materialized, the Soviet Union with its well-publicized "threat" to use nuclear force gained wide credit as the "protector of Syrian independence" against American "aggression." The United States, criticized both for allegedly planning to interfere in Syria and equally for then backing down, gained only discredit.

It is now clear that the United States was not prepared to insist on the withdrawal of the Soviet-aid program for Syria; while this would be desirable, it was not in fact a vital requirement of American policy. Had a policy with respect to the Syrian-Russian aid agreement been formulated with this fact in mind, the United States would have been prepared in advance to accept it and might have avoided both the defeat and the consequences of haste.

Greater flexibility is another advantage that might be derived from a policy based on essential minimums instead of desirable maximums. The confidence and respect which the United States once enjoyed in the Middle East has tempted it to adopt a policy of trying to hang on to every advantage, to maintain the status quo intact. This has made American policy rigid. Moreover, it is self-defeating to oppose change in an area where reform is a popular ideal and rapid and fundamental change is inescapable. If policy objectives were set in minimum terms, on the other hand, there would be scope for initiative in promoting desirable change and even for profiting from the initiative of others. For instance, by endorsing the objective of Syrian economic development set out in the Soviet aid agreement, and by establishing a high level of expectation

against which Syrians could measure the actual performance, the United States might have benefited from the Soviet initiative—which in any case it could not prevent.

Objectives should be evaluated and re-evaluated constantly. They need not be assumed necessarily to include any particular treaty, pact, or aid relationship, or the use of particular bases, or freedom of navigation in the Suez Canal, or even continuing American participation in Middle Eastern oil activities. At the present time, the primary American objectives would seem to be maintenance of a sufficient degree of peace in the area to prevent events which might lead to a nuclear war and the continuance of a sufficient flow of oil to maintain the European economy. Europe now depends upon Middle Eastern oil for 80 percent of its needs, and as those needs double or triple in the coming decade, the Middle East will probably have to supply most or all of the increment. In view of this, an essential American policy would seem to be one which accommodated itself to political developments in the area—even seemingly undesirable ones, that is, a general drift toward neutralism—so long as they permitted the steady flow of oil to its European markets.

None of this is to say that desirable secondary objectives ought to be abandoned, merely that these should be sought only to the extent, and only in such ways, that the essentials are not jeopardized. Continued American and Western participation in Middle Eastern oil operations, for example, is surely desirable and should be supported; but not to the point of endangering the economy of Europe.

When we measure the current situation in the Middle East in terms of our essential objectives, we find that the United States is fairly well off. Our assets include: a 56-percent share in Middle Eastern oil production; a certain residue of Arab sentiment for the America of Washington, Lincoln, Wilson, and Roosevelt; use of the airfield at Dhahran; the military association with Iraq through the Baghdad Pact; and freedom to use the Suez Canal. Accordingly, there is no current need for crash programs. There is time in which to plan. And there exists a considerable margin of negotiable assets, as it were—interests and positions of advantage which might be relinquished, should need arise, to forestall a threat to the essential objectives. This situation might be used to add flexibility to United States policy. For example, after it was understood that the United States would not insist on retaining rights to the Dhahran airfield in the face of a Saudi refusal, Soviet charges of "imperialist exploitation" lost much of their force on this issue. The base is not therefore a serious political liability for the Saudi Arabian Government; meanwhile, the United States retains the use of it.

III

In the long run, foreign policy in a given area cannot be successful unless it takes account of the dominant desires and fears of the people who live there. The necessary second step in formulating an American policy for the Middle East, then, is to ascertain these attitudes. Here the United States encounters great difficulty, however, because the Middle East presents a picture of internal squabbling, dynastic rivalry, tribal and class feuding, religious and sectarian intolerance, violence and reprisal—in general, that is disunity, disagreement, and dissent. Is there in the Middle East any significant body of shared views and feelings?

The turmoil there results from the profound and accelerating social revolution which is taking place as a result of contact with the West—with Western goods and machines, economic and military techniques, political and social institutions, and above all cultural values. This social transformation has many dimensions. Separate nation

states have been created from the ruins of the Ottoman Empire, and these have taken on at least the outward forms of their Western counterparts. Though the results have satisfied few, the idea that government represents and should serve the people has definitely taken hold. Subsistence farming and cottage industry are in process of being replaced by large-scale cash-crop agriculture, increasingly mechanized, and the beginnings of industrialization. Rapid urbanization, the growth of a middle class and a sharp rise of population resulting from the introduction of modern medicine and public health measures are among the social aspects of the revolution. A cultural aspect is the gradual replacement of the static, tradition-bound assumptions of the Islamic past by those of the secular, progressive West.

These are obvious aspects of the social revolution in the Middle East. Perhaps less obviously, the psychological effect has been to rob increasingly large numbers of people of their sense of security and to diminish their self-respect by dissolving the old social mosaic in which each man and each group had a recognized place and function and by revealing the seeming a-to-z inferiority of their traditional pattern of life in comparison to the new Western model. This revelation has been driven home by the use of military force to support Western political domination, and it has been emphasized by the Western habit of pinning such labels on them as backward and underdeveloped. They have felt a compelling need, in consequence, for a new allegiance, a new ordering of society adequate to deal with internal insecurity, is nationalism.

Nationalism is not, of course, a recent development in the Middle East, but for each succeeding generation it has acquired a new depth of meaning. Fifty years ago it involved little more than the desire for independence. To this was then added an Arab desire for unity, and for the power and prestige necessary to secure it. There gradually came into existence, too, a craving for social justice, economic development, industrialization and internal reforms. Most recently we have seen the growth of a desire among Arabs not only to be independent and united but to remain outside the great spheres of power conflict. The nationalists of this present generation who are drawn mainly from the urban educated and semieducated middle classes—the same classes, that is, which are most affected by the impact of the West—are the creative minority. With the swift spread of education and the multiplication of mass communications media, they are increasing rapidly in numbers and influence. They look with critical westernized eyes at their surroundings and are bitterly aware of disunity, weakness, corruption, injustice, backwardness, poverty, and ignorance—all the stigmata of inferiority. They can see only one way out: to reform and reconstruct their society in the pattern of modern industrialized respectability.

Nationalisms in the Middle East is thus, basically, a constructive force. This remains true in spite of its well-publicized destructive aspects. Street demonstrations, propaganda invective, and the nationalization of foreign enterprises are the negative and violent expressions of too-long-thwarted positive aspirations. Much as we may deplore these activities, our own political traditions forbid us to say that force is never a patriotic last resort. Even granting that the outbreaks of nationalist violence have been to some extent habit-forming, and that they have occurred in situations in which we would judge them inappropriate, they evidence not so much the absence of constructive objectives as the strength of the frustrated feelings behind them. The distinction sometimes made between nationalists who are constructive and those who are destructive reflects a difference in their methods more than a difference in their ultimate objectives. It is apparent

that when moderation fails in the Arab world, extremism takes over, and that whether or not this degeneration takes place depends in no small degree on policies followed by the West.

What, specifically, do the Arab nationalists stand for? Above all, they want to secure and maintain Arab unity and independence. Internally, they want to coalesce all the divergent social groups from peasant to pasha into a citizenry loyal to the nation; externally they want to merge the individual Arab States into a larger Arab union. We have seen a start made toward this objective in recent months. They want military strength as a bulwark for their own programs, as a means of defense against external threats, and—not least—for reasons of prestige. In foreign policy, they would like to be neutral, to avoid entanglements, and to profit from Soviet-American competition in order to devote their undivided energies to the advancement of their own affairs. They want honest and impartial government. And ultimately, they want to secure the full schedule of rights, privileges, and protections promised by the Western democratic ideal.

The nationalists want economic development not only to build up national power but to employ and feed surplus population and to raise standards of living. In the social field, they want to develop universal free education from kindergarten through college in order to create a responsible citizenry and to train sufficient officials, technicians and professionals for the growing needs of their society. With equal urgency they want nationwide programs of medical care. In the name of social justice they stand for the elimination of the feudal system of land tenure and for the fair treatment of labor.

The nationalists vary in political color from black to red, but they all serve or claim to serve the same overall objectives. On the extreme of religious reaction, the Moslem Brothers cite the assumed original principles of Islam and call for a reconstruction of society on that basis. But in going back to early Islam as their source, they know in advance what it is they are looking for and occasionally they may be said to look with a formative eye; as a result we are told that independence, economic development and social justice are old Islamic principles deriving from the Quran and the Tradition of the Prophet. These are principles to which the Communists on the other extreme must also cater, however insincerely, if they are to gain a following. For all political parties and factions, the difference does not lie in what is to be sought but how and by whom.

By all odds the man most widely regarded as a successful seeker of these ends is President Nasser of Egypt. In the West he has often been represented as a tinpot dictator, a Middle Eastern Hitler, a breaker of treaties, an oppressor of minorities and a saboteur of international commerce. There is a certain amount of truth as well as exaggeration in these charges. But for Arabs, his shortcomings are nothing compared with the stature he has acquired. As the man who forced imperialist Britain out of the Canal Zone, who successfully defied the West with his Czech arms deal, who topped Secretary Dulles' insulting withdrawal of the High Dam offer with a resounding slap at Britain and France and their Suez Canal Company, who triumphantly survived the tripartite aggression late in 1956, Nasser has become in the eyes of most Arabs a modern Saladin. More than any other man, in a favorite phrase, he has restored Arab independence and dignity.

To them, in addition, Nasser represents honesty in government, devotion to economic development (of which the High Dam was the major symbol), and the determination to educate and unify, to provide jobs, social security, and a rising standard of living for the masses. He led the way to land reform and, after a decade of talk by others, implemented the dream of Arab union.

Some Arab nationalists have private reservations about Nasser for his gross abuse of press and radio, his imprisonments and oppressions, his discrimination against foreign private enterprise, his unneutral involvement with the U. S. S. R., and the unimpressive showing of his armed forces against Israel. But most will hear no evil of him and those who do can offer no better replacement. Nasser remains the towering hero of Arab nationalism.

It cannot be stated too strongly that nationalism is the decisive political and social force at work in the Arab Middle East, and that this remains true in spite of the many evidences of discord and division. The nationalists may be a long time in realizing their objectives and, despite the extraordinary progress of the past few years, they may never realize them all. But a fundamental lesson of modern Middle Eastern history is that foreign—or domestic—attempts to secure or to preserve special privileges and interests in opposition to the ground-swell of nationalism lead ultimately to failure. Britain failed in Egypt, Palestine, and Jordan (who can tell what 5 years will bring in Iraq?), and France in Syria, Lebanon, and North Africa. In the long run, if American policy in the Middle East is not also to fail, it must not seem to oppose and obstruct the constructive purposes of Arab nationalism.

IV

But this is to state the situation in negative terms. Simply to render the policy of the United States harmless in Arab eyes would not automatically gain it favor. To be effective, American policy must have nationalist support and this can be won by a clear and steady endorsement of their own constructive purposes. Thus, the third step in formulating an American Middle Eastern policy is to jettison the sterile approach based mainly on rigid opposition to the Soviet Union and to work out a new and more positive approach alive to the desires and needs of the Middle Easterners themselves.

The minimum American objectives in the Middle East as stated earlier in this article do not inherently conflict with the nationalist desires for independence, unity, neutrality, economic development, and social reform. Indeed, with the moral and material backing of the United States, Arab progress toward achieving these things could also become progress toward securing American objectives. Moreover, the present nationalist hostility toward the whole range of other American interests in the Middle East would tend to fade away.

Many of the constructive aspirations of Arab nationalism are expressed in phrases that come from the lexicon of Western and particularly American experience: "all men are created equal," "toward a more perfect union," "avoid foreign entanglements." These slogans ring just as true to Arab nationalists as they did to our ancestors or as they do to us. The fact that they are being used against us is an indication that the United States seems no longer to represent these ideals in its dealing with the Arabs. Meanwhile, the Soviet Union, adopting the familiar language of liberal democracy without embarrassment and in all seeming sincerity, has been able during the past 2 or 3 years to represent itself as the unselfish champion of Arab nationalist aspirations. The result has been a glacial eastward shift of Arab opinion.

While the Russians have been adopting our mottoes—and finding them keys of success—we have often acted in ways which have cut right to the nerve of nationalist feeling. A mainspring of Arab nationalism is the terrible feeling of inferiority, and this feeling the United States has helped to compound.

The United States made its first major intervention in Middle Eastern affairs a decade ago when it lent wholehearted financial, diplomatic and moral support to the

establishment of Israel. From an Arab point of view, this was a denial of the principles which the United States had proclaimed for all men. Did the United States see no inequality, no injustice, no unwisdom, they ask, in supporting the forcible conversion of what to them was plainly an Arab land into a Jewish state or in accepting the permanent displacement of a million Arabs from their homes and property to make room for an equal number of people whom Europe had driven forth? Since this American action, a half-billion dollars of official United States assistance has been given to Israel, amounting to 2 or 3 times the sums contributed to all the Arab countries combined, and even private American gifts have been given a quasi-official nature by being made tax exempt. In these and other ways the Arabs have found goading evidence of their own inadequacy, lack of standing in our eyes, and inferiority. The result, in spite of the many millions of dollars in various forms of aid which we have given the Arabs, has been to lend great impetus to the negative features of Arab nationalism and to render it hostile to America.

Although the reservoir of Arab good will toward America began to drain away a decade ago, the rise of the Soviet Union in Arab esteem began following the Czech arms deal with Egypt; thus it is less than 3 years old. Initially, the Soviet Union had shared our attitude toward Israel-Arab relations. Indeed, the survival of Israel was due in no small degree to the arms supplied from Russian-dominated Czechoslovakia. (The Arabs bitterly remark that there was no Western uproar about that Czech arms deal.) The Czech arms deal with Egypt in the summer of 1955 led to a radical change in the positions of the Soviet Union and the United States. Previously, the United States had promised arms to Egypt contingent upon conclusion of an Anglo-Egyptian agreement about British troops in the canal zone. This agreement was reached in the summer of 1954. Then in early February 1955 came the first big Israeli military attack against Egyptian armed forces in the Gaza strip. Arms became an urgent necessity for Nasser if he was to retain the loyalty of his free officers and the army upon whom his control of Egypt rested. The American Government maintained that under existing legislation it could provide arms only for cash in dollars (which Egypt lacked) or accompanied by a United States military mission, which Egyptian nationalism could not tolerate. Turning to the Soviet bloc, Nasser secured weapons in adequate amounts on very reasonable terms, payable in cotton, of which Egypt then had an unsold surplus.

The resulting surge of alarm in the West and the immediate arrival of Assistant Secretary of State Allen in Cairo, reportedly with a new arms offer, showed Egyptians the key to American policy in the Middle East: fear of the Soviet Union. The controlled Egyptian press accordingly printed a story asserting that the Soviets had offered to help build the High Dam, the huge \$1.2 billion project that symbolized Egypt's drive for economic development and its major hope for winning the race against Malthusian starvation. The United States, joined by Britain and later by the World Bank, promptly made a counter-offer as a gesture of humanitarian generosity. However, the Soviet offer was an Egyptian invention; no real offer materialized. The Russians did, however, promise large-scale assistance for Egyptian industrial development (which resulted in a \$175 million aid agreement late in 1957). In May and June of 1956, Nasser tried to nail down the Western offer; but the United States, having discovered the Russian lack of interest, no longer felt any urgency about the High Dam. Nasser seemed to be right about our motivations, but had overplayed his hand. When Ambassador Hussein went to Washington to "put American good faith to the test," the offer was

withdrawn, and in such a way as to be an inescapable insult to Nasser. It was stated that because of the arms purchases, the Egyptian economy would be unequal to the task of building the dam. The inference was that the United States was unwilling to associate itself with a losing proposition, starving peasants or no.

Thus challenged, Nasser had to reply. His counterstroke at the end of July was to nationalize the Suez Canal Co. During the tense 4-month deadlock that followed, and despite the resignation (on September 15) of 100 of the 170 canal pilots, Egypt proudly kept the canal in operation, and the Soviet Union backed it. The United States tried to restrain Britain and France and asserted the principle of internationalization, or joint control by the user nations ("collective colonialism," according to the Egyptians), on the grounds—somewhat surprising for the United States—that control of a vital international waterway by one country imperiled free navigation. The Arabs were quick to point out not only the parallel to Panama but the similar issue that had arisen in 1946 when Russia wanted to "internationalize" the Turkish Straits and the United States had stoutly maintained the principle of one-nation control.

The inference drawn by the Arabs from these episodes was that an American promise about arms or a dam was not necessarily a promise when it was made to an Arab; that failure to secure arms from the United States did not give Arabs a right to try elsewhere; that in American eyes the only people who counted in the Middle East (apart from the Israelis) were the Russians; that the United States had no genuine interest in Arab economic development as such; and that the Arabs were considered incompetent to run their own economy or even their own canal. In short, the Arabs concluded that Americans did not look on them as being on the same level as other peoples or nations. By contrast, the actions of the Soviet Union seemed to shine with a pure white light.

For a brief period, the firm stand of President Eisenhower against the Anglo-French-Israeli invasion of Egypt seemed to obliterate the record of the preceding months and to regain much of the ground lost by the United States. Contrary to what the Arabs had expected, the United States did not back its major European allies and its Middle Eastern protégé. President Eisenhower's action and his speech about "one law" for all reopened doors throughout the Arab world. But the opportunity thus gained for a fresh start in the Middle East was soon dissipated. Various acts, some of them comparatively petty, seemed to give the lie to the President's stand. For example, when the Egyptians requested release of \$14,000 of their funds (the United States had frozen \$40 million of their funds when the Egyptians nationalized the Suez Canal Co.) in order to purchase medicines for the victims of the Port Said invasion, they were refused. This occurred at a time when dramatic efforts were being made in the West to aid the refugees from Hungary, and the Arabs were quick to draw the comparison. Egypt's attempt to purchase surplus American wheat, when its own reserves were almost exhausted, was similarly turned down. The medicines and the wheat were supplied by the Soviet Union. Then the United States failed to renew the CARE program through which nearly 3 million Egyptian children were receiving school lunches "as a gift from the children of America." Such actions as these made it easy for many Arabs to believe that it was not through our efforts but rather through the much-publicized Soviet "threat" to rocket bomb London and Paris that the Anglo-French invasion had been stopped. It was even suggested that the motivation

for the American position had been a desire to get control of the canal. In 1951, they recalled, in a somewhat parallel situation, the United States had discouraged impending British military action against Iran to recover the nationalized Anglo-Iranian Oil Co. refinery at Abadan, and within 3 years American companies held a 40-percent share in Iranian oil. They know little or nothing of just how that had come about; the result spoke sufficiently for itself.

v

Today Arab nationalists have come to see the United States as a major foe. Into the breaches which we either have made or have not known how to prevent, the Soviet Union has been invited. For capital, technical assistance, support, and protection, Arabs are increasingly turning toward the Soviet Union. In the realm of ideas, also, this is increasingly the case. Our basic political assumptions are often seen in the harsh light of what Arabs regard as our nonperformance, our institutions in the pale, reflected light of mandate and protectorate copies which often hindered rather than promoted the social well-being of the peoples concerned. In contrast, the Soviet ideas are new, untried, less complicated and, to many Asians, exciting; Soviet policies seem remarkably flexible and favorably disposed; and the Soviet economy has so far seemed both able and willing to help.

We cannot and should not try to prevent the Arabs from profiting from the help of the Soviet Union. We should recognize the fact that the Soviet Union plays a part in the affairs of the Middle East and that, from an Arab point of view, Soviet offers of economic, technical, and military assistance are no less legitimate than similar American offers. Instead of opposing Soviet aid for Arab economic development, and thereby seeming to oppose the development itself, American policy ought to encourage the Arabs to get all they can while urging a proper watchfulness and the setting of high standards of performance. This would range us on the side of those things which Arabs, like most Asians and Africans, demand of the future; it would also reduce the pressure on us to bid against the Soviet Union in a Nasser's game of "competitive exploitation."

It will be objected that backing the constructive objectives of Arab nationalists would mean, ultimately, that Israel would be driven into the sea. But in fact by making clear its intent to maintain peace in the area to the point of using force against aggression, the United States would stand as a bulwark for a peaceful Israel no less than for any other peaceful state in the Middle East. This would be acceptable to Arab nationalists. The key is equal treatment, fairness, one law. Arabs will accept no less; offers of more they will not respect. Once assured on these points, their feeling about Israel and the Palestine refugees—now symbols of Western unfairness and lack of regard for Arabs—would lose much of their vengeful force. Indeed, this was a temporary result of our stand at Suez.

Last, we must realize that although our diplomatic contacts are with governments and states, these for historical reasons are rather different in the Middle East than in Europe. America ought to avoid excessive identification with any particular leader, party or social class except as he or it represents the positive aspirations of the population. In this, the Soviet Union has been far more astute than we, as, for example, in its willingness to work with Nasser although the latter has banned the Communist Party in Egypt. The Soviet Union has never suggested that Nasser is ideologically in accord with it, whereas we often seem to suggest that this is true of leaders who are equally far from our basic tenets. By maintaining a greater flexibility we can

move with the changes of public opinion: we can recognize and even bless such moves as those now in train toward pan-Arab union. Failure of that dream to materialize because of apparent American opposition would leave the Arabs more hostile than ever and all the more dependent on the Soviet Union. This would diminish the likelihood that we could ever reach and maintain our basic objectives in the Middle East.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 4, 1958, he presented to the President of the United States the enrolled bill (S. 3916) to amend the Shipping Act, 1916.

ADJOURNMENT

Mr. ALLOTT. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 34 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, August 5, 1958, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 4, 1958:

IN THE COAST GUARD

The following officers for promotion to the permanent rank of rear admiral in the United States Coast Guard:

Capt. Carl B. Olsen
Capt. Peter V. Colmar

COAST AND GEODETIC SURVEY

The following for permanent appointment to the grade indicated, in the Coast and Geodetic Survey:

To be ensigns

Doyle D. Harper
Morton K. Meiers

GOVERNOR OF VIRGIN ISLANDS

John David Merwin, of the Virgin Islands, to be Governor of the Virgin Islands.

UNITED STATES DISTRICT COURT

Walter A. Gordon, of California, to be judge of the United States District Court for the Virgin Islands for the term of 8 years, vice Herman E. Moore, retired.

POSTMASTERS

The following named persons to be postmasters:

ALABAMA

Jimmy Ray McWhirter, Dolomite, Ala., in place of Gladys Reaves, retired.

ARKANSAS

Bernard C. Werner, Clarksville, Ark., in place of W. E. King, retired.
Vernard R. Kerlin, Lockesburg, Ark., in place of E. L. Nall, retired.

CONNECTICUT

Rudolph R. Nelson, Merrow, Conn., in place of H. L. Bradley, resigned.

GEORGIA

Robert Lyman Ray, Albany, Ga., in place of D. L. Gibson, retired.

ILLINOIS

Paul K. Koontz, Loraine, Ill., in place of M. G. Lawless, retired.
Wilbur C. Heuser, Marine, Ill., in place of H. B. Gramann, retired.
Frank D. Talley, Mount Carmel, Ill., in place of Fay Moyer, removed.
Lowell T. Green, Strasburg, Ill., in place of G. E. Kull, resigned.

Melvin J. Lowery, Tolono, Ill., in place of C. E. Harden, transferred.
Herbert W. Danekas, West Brooklyn, Ill., in place of J. H. Michel, retired.

INDIANA

Gene Elmo Martin, Borden, Ind., in place of O. W. Crone, retired.
Bobby C. Evans, Odon, Ind., in place of Ethel Williams, retired.

KANSAS

Ralph F. Johnson, McPherson, Kans., in place of R. W. Switzer, resigned.

LOUISIANA

Hugh D. Wagner, Cameron, La., in place of F. B. Kennedy, retired.
John B. Richard, Scott, La., in place of Lucile Arceneaux, retired.

MAINE

Stanley P. Dennett, Dixfield, Maine, in place of H. M. Horne, removed.

MARYLAND

John Landon Reeve, Monkton, Md., in place of M. H. Pearce, retired.

MINNESOTA

Lester R. Larson, Nerstrand, Minn., in place of A. C. Jenner, retired.

MISSISSIPPI

Nolan C. McCraime, Centerville, Miss., in place of H. S. McGehee, resigned.

MISSOURI

Charles G. Morrison, Cameron, Mo., in place of H. M. Groves, retired.

NEBRASKA

James R. Haddix, Oshkosh, Nebr., in place of H. M. Morris, removed.

NEW YORK

Arthur P. Nichols, Cold Spring Harbor, N. Y., in place of G. F. Elwood, retired.
Donato V. Saracino, Maybrook, N. Y., in place of E. D. Connelly, retired.
Sidney V. Fort, Jr., Mechanicville, N. Y., in place of D. M. Welch, retired.
Donald A. Craveling, Retsof, N. Y., in place of F. J. Alianel, retired.

NORTH CAROLINA

Keith Ray Howard, Cornelius, N. C., in place of G. S. Howard, retired.

PENNSYLVANIA

Michael Richard O'Mahony, Mercer, Pa., in place of E. W. Filer, retired.
Sherwood H. McCormack, Sligo, Pa., in place of W. J. Forsythe, removed.

TENNESSEE

Ernest Neil Muzzall, Henry, Tenn., in place of M. B. Curry, transferred.

VIRGINIA

Mabel F. Herbert, Waverly, Va., in place of J. F. West, Jr., retired.

WEST VIRGINIA

Fannie Napier, Mount Gay, W. Va., in place of F. B. Cline, removed.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 4, 1958

The House met at 12 o'clock noon.
Rev. Robert F. DeLong, the Methodist Church, Greensburg, Ind., offered the following prayer:

Isaiah 30: 15: *"In returning and rest shall ye be saved; in quietness and in confidence shall be your strength."*

Eternal God, our Father, whose greatness is manifested in the universe about us, but whose love is revealed to our

hearts: We would direct our minds to Thy ways.

Help us, by turning and returning to Thee, find the guidance necessary in these days, and give us the mental poise and peace of those whose minds are stayed on Thee.

As we wait quietly before Thee, may we with humble confidence in ourselves and a sure trust in Thy divine power receive Thy light upon our pathway and Thy strength for our daily tasks.

In the Master's name, we ask it.

The Journal of the proceedings of Friday, August 1, 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 and joint resolutions of the House of the following titles:

On July 31, 1958:

H. R. 7153. An act giving the consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States;

H. R. 7902. An act to authorize travel and transportation allowances in the case of certain members of the uniformed services;

H. R. 11518. An act to authorize the construction of modern naval vessels;

H. R. 11626. An act to amend section 6911 of title 10, United States Code, to provide for the grade, procurement, and transfer of aviation cadets;

H. R. 11700. An act to authorize civilian personnel of the Department of Defense to carry firearms;

H. R. 12161. An act to provide for the establishment of townships, and for other purposes;

H. R. 13066. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1959, and for other purposes; and

H. J. Res. 672. Joint resolution amending a joint resolution making temporary appropriations for the fiscal year 1959, and for other purposes.

On August 1, 1958:

H. R. 7729. An act for the relief of August Widmer;

H. R. 9369. An act to authorize refunds by the Veterans' Administration of amounts collected from former servicemen by the Government pursuant to guaranty of life insurance premiums under the original Soldiers' and Sailors' Civil Relief Act of 1940;

H. R. 11504. An act to amend title 10 of the United States Code to permit enlisted members of the Naval Reserve and Marine Corps Reserve to transfer to the Fleet Reserve and the Fleet Marine Corps Reserve on the same basis as members of the regular components;

H. R. 11636. An act to amend section 6018 of title 10, United States Code, requiring the Secretary of the Navy to determine that the employment of officers of the Regular Navy on shore duty is required by the public interest;

H. R. 11645. An act making appropriations for the Departments of Labor, Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1959, and for other purposes;

H. R. 12694. An act to authorize loans for the construction of hospitals and other facilities under title VI of the Public Health Service Act, and for other purposes;

H. R. 13088. An act to fix and regulate the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, of the United States Park Police, and of the White House Police, and for other purposes; and

H. J. Res. 589. Joint resolution for the relief of certain aliens.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 3402. An act to provide for a display pasture for the bison herd on the Montana National Bison Range in the State of Montana, and for other purposes.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 11722. An act to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 552. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Auf der Heide-Aragona, Inc., of West New York, N. J.;

S. 3493. An act to amend the District of Columbia Unemployment Compensation Act of 1935, as amended; and

S. 4208. An act to authorize appropriations to the National Aeronautics and Space Administration for construction and other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3916. An act to amend the Shipping Act, 1916.

The message also announced that the Vice President had appointed the Senator from West Virginia, Mr. HOBLITZELL, as a member of the National Forest Reservation Commission in place of the Senator from New Hampshire, Mr. BRIDGES, resigned.

CITATIONS FOR CONTEMPT PROCEEDINGS

The SPEAKER. The Chair desires to make the following announcement, which the Clerk will read.

The Clerk read as follows:

Pursuant to sundry resolutions of the House, agreed to on July 31, 1958, the Speaker did, on August 1, 1958, make certifications to the United States attorney, northern district of Indiana, the United States attorney, western district of New York, and the United States attorney, district of Massachusetts, as follows:

To the United States attorney, northern district of Indiana:

House Resolution 658: The refusal of Edward Yellin to answer questions before the Committee on Un-American Activities.