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PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, SECOND SESSION

SENATE

THURSDAY, AUGUST 21, 1958

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

O Thou Compassionate Father of us all, without whom life has no destiny but dust.

Strengthen, we pray, with Thy wisdom and might those who here speak for the Nation, that the strain of these fateful days may not break their spirits, and that no denials of human freedom now loose in the world may intimidate their souls.

When the problems which confront these servants of Thine, and of the Republic under Thee, seem insoluble; when the very principles for which brave men have died are basely betrayed, and fair dreams seem to sink into the sands of futility; still may they labor on, serene and confident, knowing while the weeping of hopes deferred may endure for a night, the joy of Thy sure victory cometh in the morning.

In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 20, 1958, was dispensed with.

LIMITATION ON DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the morning hour statements be limited to 3 minutes.

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

REPORT ON TORT CLAIMS PAID BY CANAL ZONE GOVERNMENT

The VICE PRESIDENT laid before the Senate a letter from the Governor, Canal Zone Government, Balboa Heights, C. Z., transmitting, pursuant to law, a report on tort claims paid by that Government for the period July 1, 1957, to June 30, 1958, which, with the accompanying report, was referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

The memorial of Nigel Keep, of Berkeley, Calif., remonstrating against the enactment of legislation to give retirement and other benefits to former Presidents of the United States; ordered to lie on the table.

Petitions signed by W. R. Wheeler, and Carl C. Pierce, Jr., both of Bakersfield, Calif., relating to the enactment of the bill (S. 3992) to amend the organic act at Guam, and for other purposes; ordered to lie on the table.

The petition of Louise Dreiner, of La Porte, Ind., relating to the amendment of the Senator from Indiana [Mr. JENNER] to the bill regarding Federal aid to education; to the Committee on Labor and Public Welfare.

A telegram in the nature of a petition from the Veterans of Foreign Wars of the United States, in convention assembled at New York City, signed by Richard L. Roudebush, commander in chief, praying for the enactment of the so-called Douglas-Payne bill, relating to the provision of aid to depressed communities; ordered to lie on the table.

PROHIBITION OF ALCOHOLIC BEVERAGE ADVERTISING IN INTERSTATE COMMERCE—PETITIONS

Mr. WILLIAMS. Mr. President, I present, for appropriate reference, several petitions signed by sundry citizens of the State of Delaware, praying for the enactment of the so-called Langer bill (S. 582) to prohibit alcoholic beverage advertising in interstate commerce. I ask unanimous consent that one of the petitions be printed in the RECORD.

There being no objection, the petitions were referred to the Committee on Interstate and Foreign Commerce, and one petition was ordered to be printed in the RECORD, without the signatures attached, as follows:

We, the undersigned, desire to have passed the Langer bill (S. 582) which would restrict the advertising of intoxicating beverages.

(Signed by Emma B. McLean, and sundry other persons.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes (Rept. No. 2491).

ADDITIONAL FUNDS FOR COMMITTEE ON ARMED SERVICES

Mr. STENNIS submitted the following resolution (S. Res. 386), which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Armed Services, or the Military Construction Subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to military construction.

SEC. 2. For the purpose of this resolution the committee, from September 1, 1958, to January 31, 1959, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis such personnel as may be necessary; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $12,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Subsequently, Mr. HENNINGS, from the Committee on Rules and Administration, reported favorably, without amendment, the resolution (S. Res. 386) to provide additional funds for the Committee on Armed Services, and submitted a report (No. 2490) thereon; which resolution was placed on the calendar.

AMENDMENT OF RULE RELATING TO CLOTURE—INDIVIDUAL VIEWS

Mr. CASE of New Jersey, from the Committee on Rules and Administration, submitted individual views on the resolution (S. Res. 17) to amend section 2 of rule XXII of the Standing Rules of the Senate, which were ordered to be printed as part 2 of Senate Report 1509.

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:

Leon P. Miller, of West Virginia, to be attorney of the United States for the Virgin Islands.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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

Thirty-four postmaster nominations.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 4320. A bill for the relief of Robert Laderlich; to the Committee on the Judiciary.

RENDITION OF MUSICAL COMPOSITIONS ON COIN-OPERATED MACHINES—AUTHORITY TO FILE INDIVIDUAL VIEWS AND REPRINTING OF S. REPT. 2414

Mr. O'MAHONEY. Mr. President, I want to call attention to the fact that there was reported to the Senate on August 15, 1958, the bill (S. 1870) to amend section 1 (e) of title 17 of the United States Code with regard to the rendition of musical compositions on coin-operated machines, being report No. 2414.

The Senator from Wisconsin is a member of the subcommittee which handled the proposed legislation, if I remember correctly. The Senator is the ranking Republican member of the committee. The Senator from Wisconsin desires to file minority or individual views. Therefore, I ask unanimous consent that committee report No. 2414 may be reprinted to contain the individual views of the Senator from Wisconsin, which views will be filed shortly. Can the Senator indicate by what date the views will be ready?

Mr. WILEY. I think they will be ready tomorrow morning.

Mr. O'MAHONEY. Tomorrow morning?

Mr. WILEY. Yes. I think they will be ready by then.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Senator may file his individual views with the Secretary of the Senate, in case the Congress is adjourned, within the next week.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

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

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

By Mr. HILL:

Letter entitled "In Defense of TVA," written to the editor of the Washington Post and Times Herald and published August 21, 1958.

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

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

REBUTTAL OF CHARGE BY DREW PEARSON CONCERNING FORMER LIEUTENANT COMMANDER NIXON

Mr. SCHOEPPEL. Mr. President, on July 4 of this year I noticed in a column by Drew Pearson a reference which he made to Vice President NIXON when he was in the Navy as contract officer negotiating with the Erco company of Maryland.

Mr. President, when I read this article which referred to Vice President NIXON I took it upon myself to check up and find out what the facts were, because this article by Pearson is a deliberate, expressed, or implied misrepresentation of the facts, all of which were matters of record and which this alleged columnist could have ascertained before he wrote this article.

The exact quotation from the article is as follows:

When Vice President NIXON was in the Navy as contract officer negotiating with the Erco company of Maryland, he borrowed $150 from the company. Such a loan is illegal. Unlike Kibler, he did not report it.

Mr. President, the facts as I have found them are as follows:

In October 1945, Mr. NIXON was then a lieutenant commander in the United States Navy, with an assignment to the Glenn Martin Co., of Baltimore, with instructions to negotiate the settlement of terminated contracts. Just on or before October 30, 1945, Commander NIXON received a telegram requesting him to appear on November 2 in California.

Because of the shortness of time involved, one W. G. Carroll, of the Engineering & Research Corp., of Maryland, volunteered and took it upon himself to make reservation and purchase an airline ticket for Commander NIXON to California with his company credit card. This he did. No priority was involved and there was no loan whatsoever. When the ticket was delivered by Mr. Carroll, Commander NIXON on that day, namely, October 30, 1945, gave to Mr. W. G. Carroll his personal check, drawn on the Corn Exchange Bank & Trust Co., terminal branch, of New York, for the sum of $128.05, in full and complete payment for air transportation to California.

So that there can be no question about this transaction and the allegedly deliberate misrepresentation by Mr. Pearson of what transpired, I am offering for the record and as a part of my remarks a photostatic copy of the check, dated October 30, 1945, which I have heretofore referred to, showing payment and cancellation.

Mr. President, here is another of the numerous deliberate, irresponsible misrepresentations which Pearson has been making in his column.

There was no loan whatever from the company to Mr. NIXON. The ticket was paid for immediately upon its delivery.

Since it was no loan, no illegality could possibly have been involved, and there was no reason whatever for Mr. NIXON to report the transaction to anyone.

At the time the transaction took place, Mr. NIXON was not "negotiating with the Erco company," as alleged in the column. His part in the contract-termination negotiations of that company had been completely finished, and no negotiations in which he was involved were pending at that time.

I think, in the interest of truth and fairness, it is important for all those who read the CONGRESSIONAL RECORD to know the extent to which Mr. Pearson goes to deliberately misrepresent matters.

I ask unanimous consent that a photostatic copy of the check I have referred to be printed in the RECORD.

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

No. ——

CORN EXCHANGE TRUST CO.,
TERMINAL BRANCH,
New York, October 30, 1945.

Pay to the order of W. G. Carroll, $128.05.
(One hundred twenty-eight and .05 dollars.)

RICHARD M. NIXON.

THE WORLD MEDICAL ASSOCIATION

Mr. BRICKER. Mr. President, not enough recognition has been given to the role of voluntary and private associations in promoting international understanding and in keeping the Free World free. We are inclined to regard these ambitious ends as the exclusive concern of intergovernmental organizations. President Eisenhower's people-to-people program is a healthy reminder that individual effort is often more potent than collective action.

Today I salute the World Medical Association, a private organization composed of 53 national medical associations representing 700,000 physicians all over the world. Man for man, and dollar for dollar, the World Medical Association is doing much more to improve the world health than any international organization in the field of medicine.

Two intergovernmental agencies are concerned with medicine. The World Health Organization is primarily concerned with public-health problems which either cannot be solved by national public-health authorities acting alone or which can be handled better on a cooperative basis. The International Labor Organization is primarily concerned with the task of spreading socialized medicine to areas of the world where the private physician-patient relationship is still respected.

Only the World Medical Association is working at the international level for free enterprise in medicine; for the freedom of a patient to choose his own doctor. The success of the World Medical Association makes it possible to compare standards of medical care in countries A, B, and C, where doctors are civil servants, with those prevailing in X, Y,

and Z, where free physician-patient relationships exist. The fact that we can make such comparisons is the best reason for believing that socialized medicine will be abandoned as inferior and as unworthy of a free people.

I ask that there be printed in the RECORD at this point in my remarks a table showing six differences between the World Medical Association and the World Health Organization.

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

WHAT IS THE DIFFERENCE BETWEEN THE WORLD MEDICAL ASSOCIATION AND THE WORLD HEALTH ORGANIZATION?

THE WORLD MEDICAL ASSOCIATION

1. World Medical Association is an organization of national medical associations. The unit of membership is the medical association. It is completely nongovernmental. It is not part of the U. N. It is a voluntary organization.

2. World Medical Association represents the practicing medical profession.

3. World Medical Association was organized in 1947 by AMA representatives and western European medical leaders. Purpose was to exchange medical knowledge, to protect the freedom of medicine, and promote world peace.

4. Each member association sends 2 delegates, 2 alternate delegates, and observers to the General Assemblies—the supreme policy-making body of WMA.

5. The executive body is the council. This meets twice a year and comprises 11 members elected from the assembly and the president, president-elect, and treasurer.

6. World Medical Association is supported by members' dues and contributions and the annual budget is about $165,000.

THE WORLD HEALTH ORGANIZATION

1. World Health Organization is an intergovernmental health agency. Unit of membership is the member and nonmember governments of the U. N. that accept the nine principles upon which WHO is founded.

2. World Health Organization represents governments in medicine.

3. World Health Organization is the result of proposal of U. N. in 1945 to create a specialized agency to deal with all matters related to health.

4. Each member government sends three delegates, chosen preferably from the national health administration of the government, to the annual World Health Assembly.

5. The executive board is the executive body and consists of 18 members elected from 18 member governments.

6. Supported by dues allocated by the U. N. scale and the budget for 1958 was $13 million.

Mr. BRICKER. The World Health Organization has done excellent work in combating and confining contagious diseases. It would be pointless to compare, on a purely quantitative basis, the work done by an organization with a $13 million budget and that done by a private organization with an annual budget of $165,000. Nevertheless, the size of the WHO's campaign against disease should not be allowed to obscure the World Medical Association's fight for medical freedom or its ability to provide almost instantaneous medical assistance in emergency situations.

The 10th birthday of the World Medical Association will fall on September 18 of this year. To signalize the anniversary of this fine organization, I ask unanimous consent for printing in the RECORD at the conclusion of my remarks an article by Milton Golin entitled "The Story of the World Medical Association," which appeared in the September 1957, issue of the Journal of the American Medical Association.

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair). Is there objection to the request?

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

THE STORY OF THE WORLD MEDICAL ASSOCIATION—WORLD MEDICINE COMES OF AGE—FEARLESS CONCERN FOR PATIENT IS HIGH POINT OF HARMONY IN VOICES OF 700,000 DOCTORS

(By Milton Golin)

Cuban police seize physicians as hostages. A "flu" epidemic finds the Philippine Medical Association in desperate need of drugs. Maltese doctors are threatened when they resist a move to limit patients' free choice of physician.

These recent crises carry a direct threat to the general public, not to the medical profession alone. Ten years ago, doctors of each nation usually had to slug out such problems themselves. More likely than not, there was no place outside their borders to turn for help—no voices to bespeak their troubles or to forewarn their colleagues in other lands. Massive danger to health and medical practice was only part of the handicap to physicians and their patients 10 years ago. Doctors needed to know what scientific developments in Berne, Switzerland, could benefit clinical knowledge in Kansas City, or what new medical education precept discussed in Vienna might raise the proficiency level of an intern or a budding specialist in Melbourne.

Today medicine has an international voice, the World Medical Association, a confederation of 53 national medical associations representing more than 700,000 physicians around the globe. It is sounding an alarm against those who would oppress the doctor and his patient. It is telling the story of farflung advances in medical science. It is rallying help for brother physicians who are in need.

Help was needed urgently last Memorial Day as Asian (Far Eastern) influenza was striking hundreds of thousands of Filipinos. Physicians were running out of antipyretics. Off went a frantic cable from the Philippine Medical Association to the World Medical Association headquarters in New York City: "Request immediate airlifting of antipyretics, analgesics, and if available polyvalent flu vaccine." The cable could not have arrived at a more difficult time. A long holiday weekend loomed ahead, and many pharmaceutical firms either were closed or were operating with only standby staffs. Air transportation companies had their own priority problems. There was the prospect, too, of governmental redtape in an international drug shipment.

But World Medical Association's secretary-general, Dr. Louis H. Bauer, and his staff tackled the problem with know-how. First they notified the Civil Aeronautics Board, and the redtape began disappearing. Then they found that officials of the Borroughs Wellcome & Co., Inc., of Tuckahoe, N. Y., were able to prepare a 300-pound shipment of an antipyretic analgesic for delivery to Newark airport before 5 p. m. that day. From there, a Flying Tiger cargo plane rushed the supply to San Francisco, where a Pan American Airways plane was waiting to carry it the rest of the way. On Sunday morning, before the end of the holiday weekend, the drugs were delivered to eager medical hands in Manila. The accomplishment was speedy, spontaneous, and completely voluntary.

Within hours, other pharmaceutical firms were responding: A 600-pound air shipment of analgesic from McNeil Laboratories; similar supplies arranged by E. R. Squibb & Sons; antibiotics and tranquilizers from Charles Pfizer & Co., Inc. Eli Lilly & Co. launched a "crash" weekend project in their Indianapolis laboratories, in hopes of more quickly proving the effectiveness of their influenza vaccine. And Parke, Davis & Co. authorized the Philippine Medical Association to obtain all necessary drugs from the company's Manila office. Said Dr. Bauer: "It is in the unity of purpose in such emergencies that the strength of the members of the health profession is tested—and proved equal to the task. It gives and does not count the cost; toils without resting; and asks no reward for its labor than a better and happier world for all people."

HELP FOR HUNGARIANS

Scores of Hungarian physicians certainly were asking no reward when they fled Communist butchery last fall. Many of them escaped so hurriedly that they left behind the vital papers which could show their accreditation. One of them reported: "I treated the children and youths injured in the rebellion. There was no time to fill in and file the numerous reports that the Government required—nor did I feel justified in revealing the names, addresses, and conditions of the patients who came to me. * * * I was still in my clinic after midnight when a patient's mother came to warn me that the police were on their way to arrest me for treason. I fled * * * I have no papers to prove who I am or what my education and experience has been—life, security, and freedom for my family were my only thought."

This doctor's plight illustrates a major project of the World Medical Association: A central repository for medical credentials (carrying the registrant's dated photograph, fingerprints, and notarized signature) so that physicians everywhere can prove their qualifications in case disaster strikes at their home country. "Success in this one program alone," says Dr. Bauer, "would justify the existence of WMA." For lack of such a repository, meanwhile, the WMA has been trying to establish new credentials for, and otherwise rehabilitate, Hungarian refugee physicians in the free medical world.

The World Medical Association first spoke out against the Hungarian outrage last November in a telegram to the United Nations, strongly urging "that every necessary step be taken to prevent further butchery and deportation of Hungarian citizens and that the actions of those responsible for these atrocities be strongly condemned." Soon afterward, the United Nations did just that—censured perpetrators of the terrorism. Next came World Medical Association's appeal to member associations and individual physicians that "all possible aid to Hungary through your organization * * * will be another proof of the importance the doctors of the world place on human dignity and freedom."

MATURE VOICE OF MEDICINE

This is the voice of world medicine, come of age, a voice with authoritative tone. World Medical Association's cry against oppression in Hungary is the mature call of a young adult born out of the ferment of World War II. Doctors from many nations were thrown together in the common missions of that great conflict over a decade ago. Their wartime brotherhood in arms suggested the values of a permanent international alliance of organized medicine. These physicians also felt the need to restate

medicine's universality, and to express their independence of political compulsions. There was a need, too, to assert a solidarity in repudiating the perverted medical practices which were forced against some physicians in Nazi concentration camps. (Based on a 1948 "Declaration of Geneva," World Medical Association physicians pledge: "I will retain the utmost respect for human life from the time of conception; even under threat I will not use my knowledge contrary to the laws of humanity.")

In this background will the World Medical Association observe its 10th birthday on September 18. When the World Medical Association speaks today, it is heard as the official voice of the practicing profession, listened to by such diverse global agencies as the International Labour Office, International Social Security Association, and World Health Organization. And when World Medical Association spoke out for help for Hungary's refugee doctors (sending 500 Swiss francs as a starter) it spawned offers of additional funds, medical supplies and aid, housing accommodations, and resettlement facilities from medical associations in the United States, Austria, Chile, Finland, Denmark, Cuba, and other nations.

CRISIS IN CUBA

The Cuban contribution, particularly, carries an ironic note. Even today, less than a year after the last World Medical Association general assembly in Habana, Cuban physicians are being persecuted because they, like their Hungarian colleagues, gave medical treatment to those demonstrating against the Government. Last June, the Cuban Medical Association offices were raided during a regular business session. Physicians who care for sick and wounded street rebels still are being beaten, imprisoned, and held as hostages. It is a criminal offense for the medical association to hold meetings.

The crisis in Cuba is scheduled for discussion at Istanbul, Turkey, starting September 29 when World Medical Association President J. A. Bustamante, himself a Cuban physician, opens the next general assembly under a theme of "Solidarity—The Key to Medical Advance." The World Medical Association already has pointed out that, while doctors must fulfill their duties as citizens, they are pledged to serve humanity—without regard to religion, nationality, race, social standing, or party politics. Not long ago the World Medical Association announced that while it cannot within the framework of its constitution engage in political conflicts * * * the doctors of Cuba need the moral support of every freedom-loving medical association. Since then, letters of encouragement have been arriving daily in Habana, Santiago, and other Cuban communities, reminding the doctors that colleagues in other lands are supporting them in all humanitarian efforts.

BELGIUM AND MALTA

Repeatedly, humanitarianism has shown its power in the climate of world medical opinion. In Belgium, the Government time and again has tried to create a state medical service which would force doctors to abide by all past and future ministerial regulations, and would require patients to obtain a permit before seeking medical care. So the Belgian medical profession organized its own medical insurance plan to assure free choice of physician. Not only are Belgian doctors and patients satisfied, but physicians from other countries have acclaimed the plan. This spring, World Medical Association delegate Pierre Glorieux reported: "My (Belgian) Government, recognizing that it could not control the medical profession, sent a new bill to the Parliament which * * * would remove all aspects of social security from the legislative power of Parliament. The Prime Minister has officially stated that he will respect all the conventions of the medical profession."

Not long ago the Territorial Government of Malta embarked on a campaign of threat, insult, and harassment in an effort to limit the private practice of medicine in favor of a salaried service. When the nearly 200 Maltese physicians resisted, the Prime Minister hinted that he would import physicians from abroad to carry out his plan. The World Medical Association promptly alerted the profession in neighboring countries, and the result was a governmental agreement to put aside its plans. Again, international solidarity among physicians had upheld a measure of freedom for them and their patients. (Says the World Medical Association: "Confidence in one's doctor is essential for good therapeutics, and a patient does not ordinarily have confidence in a doctor whom he is compelled to consult.")

In scattered regions of the world other physicians are gaining strength and moral support from the World Medical Association:

The Venezuelan Government revamps its social-security bill in order to include a free choice of doctor for the patient, after the Venezuelan Medical Association points out that "the best interests of the people and the profession can only be served when the legislation conforms to the 12 principles of social security established by the World Medical Association."

The Japanese Medical Association arouses physicians in scores of nations when it reports in the trilingual (English, Spanish, and French) World Medical Journal, official publication of the World Medical Association, that Government medicine methods threaten to restrict visits of Japanese patients to their doctors "in complete disregard of public opinion."

Bolstered by World Medical Association principles, the Chile medical profession has achieved a new unity in its 3-year battle against restrictive Government pressures.

OTHER PROGRAMS

It would be a mistake, judging from these events alone, to regard World Medical Association as a lobby bent only on fighting the evils of socialized medicine. Other efforts outshine its role as an alarm ringer and fighter for unfettered medical practice. One is the drive for a central repository for medical credentials. Another is sponsorship of the first World Conference on Medical Education, in London in 1953 (the second is set for 1959 in Chicago). The World Medical Association also has adopted a modernized Hippocratic oath, as well as an international code of ethics. Already successful in some South American countries, World Medical Association is continuing to help in the establishment of national medical associations elsewhere throughout the world. Currently, it is:

Promoting a freer international flow of proved therapeutic agents.

Formulating principles of cooperation between practicing physicians and public health officers.

Promoting medical research.

Observing and reporting on the activities of more than 23 other international organizations as they affect the practice of medicine.

Another World Medical Association project is universal adoption of a special emblem that will identify and protect medical units in civil defense—just as the Red Cross symbol protects units during armed conflict. The civil-defense design has been agreed upon by a joint committee of International Medicine and Pharmacy, the World Medical Association, and the International Red Cross; it already is ratified by several nations.

DO NOT CONFUSE WMA WITH WHO

World Medical Association makes a point of distinguishing itself from the World Health Organization. WHO is strictly an intergovernmental public health agency created by the United Nations and supported this year by member nations to the tune of $13,500,000. The World Medical Association, on the other hand, is completely nongovernmental in its origin of national medical associations. Operating this year on a budget of only $165,000 (little more than 1 percent of WHO's whopping expenditures), World Medical Association is the voice of the practicing profession and the individual patient. During its first 5 years, World Medical Association was pledged $250,000 by joint action of the American Medical Association board of trustees and representatives of the pharmaceutical industry. This placed the fledgling organization on sound footing. Since then, a United States committee, and supporting groups of other nations—comprising individual physicians, laymen, and corporate members—have provided backbone support to World Medical Association through dues ($10 annually per person in the United States) and voluntary activity.

One result of this individual participation is a stark awareness that what happens to the freedoms of 200 doctors and their patients on the Island of Malta, or in another part of the world, can affect the future of doctors and patients everywhere. The United States committee, approaching this year's membership goal of 10,000, thus is made up of physicians who have taken the lead in realizing that there is just as much need for boosting World Medical Association as for taking part in county, State, and National medical society activities. They know that health is a language that can be spoken everywhere. Last spring, for example, some 3,000 physicians from 48 nations including the Soviet Union kicked over all barriers of communication when they took part in an annual International Congress of Otolaryngology in Washington, D. C. The atmosphere was amicable because they had a common interest.

Similar rapport in the health field is taking place this week in Rome, where an estimated attendance of 1,000 American dentists at the Federation Dentaire Internationale is furthering President Eisenhower's people-to-people program. That program is being pursued not only by the United States committee of the World Medical Association but also by:

Thousands of United States Armed Forces medical personnel who care for local populations overseas.

American doctors who take part in demonstrations of new techniques during visits to hospitals and clinics abroad, as a means of stressing the desire of the United States to share its scientific progress.

Pharmaceutical companies which emphasize international good will in their worldwide contacts. One—Smith, Kline & French—now has television production crews assigned to film activities of American physicians abroad in private, missionary, military, foundation, and government practice. Next February the firm will present the story as a documentary, portraying doctors as United States ambassadors of good will in Japan, Korea, Hong Kong, India, Indonesia, Iran, Turkey, Ethiopia, France, and Guatemala.

INSTRUMENT OF PEACE

As Dr. Albert C. Holt says in his hospital office in Bombay: "We are representing the whole medical profession in America to these people. * * * If we fail, American medicine has failed in their eyes."

Dr. Gunnar Gunderson, who is president elect of the AMA, and also a director of World Medical Association's United States

committee, puts it this way: "We can add new meaning to the M. D. degree—medical diplomacy. World peace cannot be attained until we build peace into the hearts and minds of men. Since physicians are the most intimately acquainted with the physical and mental needs of their patients, they are the most logical engineers for this great moral reconstruction project. If we more than half million physicians assume this task on an individual personal basis we may yet succeed where soldiers, statesmen, and politicians have previously failed."

EMERGENCY DROUGHT RELIEF PROGRAMS

Mr. WILLIAMS. Mr. President, in the closing days of the 1st session of the 85th Congress the Senate passed S. 304, the purpose of which was to provide for mandatory contributions of not less than 25 percent on the part of the States toward any further emergency drought relief programs.

The administration strongly recommended the enactment of this legislation, and I am glad to note that the House Agriculture Committee has finally taken action on this proposal and reported the bill.

The principle behind this State participation requirement was not altogether to reduce the cost of the Government's contribution, but to make the States and local communities more responsible for good administration of the program and the disbursement of relief only to those in need.

In the past, it has been disclosed that the wealthy owners of two of the Nation's most famous racehorses were recipients of relief under this 100 percent Government financed program. Each had been certified by the local communities as being in dire need to the extent that they needed this Federal assistance. Even the fabulously wealthy King Ranch in Texas was found to be on the relief roll.

In another instance about $800 in relief, or free feed, was given to an individual whose only livestock was a polo pony and a bird dog. Yet he, too, was qualified as a needy livestock owner and thereby eligible for Government relief.

Numerous other glaring abuses were called to the attention of the Senate in support of the need of this corrective legislation. These disclosures of abuses resulting from the distribution under the emergency drought relief program were so scandalous that they became embarrassing to the Democratic controlled committee, and they, in 1957, suddenly stopped the investigation, and have refused to proceed further with the exposure. Public opinion would prevent any such practices being followed if the local or State communities were paying a part of the cost.

The emergency drought relief program was administered in two phases: One provided subsidized feed to those livestock owners who were certified as being financially unable to maintain their basic herds without Government assistance. The second phase was that if, in addition to subsidized feed they needed emergency loans to tide them over the distressed period, such loans were made by the Government at a low rate of interest and with lenient terms as to collateral required. In both instances it was intended that these liberal loans and subsidized feed were to go only to those in need, and then only to help the livestock owners maintain their basic herds.

A major argument in support of that bill when considered was that its benefits were primarily intended for the small farmers; however, an examination of its administration shows that the largest percentage went to the exceptionally large owners.

The King Ranch and the owners of the racehorse Swaps certainly were not little farmers, and never should have been on the relief rolls.

Several loans ranging from $50,000 to over $1 million were approved, with the proceeds being used not only to maintain basic herds, but also for expansion.

The Fowlkes Bros., of Marfa, Tex., borrowed from the Farmers' Home Administration $1,046,605 to meet their annually recurring farm and home operating expenses. The loan was granted on the basis that it was needed to enable the partnership to maintain its basic herds throughout the drought period. However, the record shows that the partnership used $257,500 of the $1-million loan to enlarge their herd and buy additional equipment. Yet it was said that the whole purpose behind the legislation was to enable the farmer to maintain his basic herd.

In addition to granting this low collateral loan, the Fowlkes Bros. received emergency feed purchase orders with a cash valuation of over $160,000—$46,685 in 1954, $5,156 in 1955. In 1956, they did not receive any feed purchase orders, but they did receive $1,000 in ACP payments from the Government, and in 1957 they received feed purchase orders with a value of $73,760, plus another $1,000 for ACP payments, plus hay and roughage certificates redeemed in the amount of $39,179. This makes a total of $166,780 in subsidy for feed given to this corporation during the 4-year period, in addition to the emergency loan of almost $800,000.

In other words, at a time when the Government was advancing about a million dollars in loans and grants to this partnership, including $166,000 in free feed, on the basis that they were helping him to maintain his basic herd, the Government loaned him an extra quarter million dollars to expand his herd and buy more livestock to be put on the same relief program. Certainly the law was never intended to allow one farmer to use this program to expand his herd at the expense of his neighbors and the taxpayers.

A second example: O. G. Hill, O. G. Hill, Jr., and Foster Hill, of Hereford, Tex., were loaned $1,076,300 to maintain their basic herd, and during this same period, from 1954 through 1957, this group received $62,081 in free feed from the United States Government.

These are just a couple of examples of the so-called little farmers receiving benefits under the program. It should be remembered that in many areas bona fide and worthy small farmers were denied assistance and loans on the basis that there were inadequate funds available. The relief was being siphoned off in these uncontrolled areas.

I reemphasize what I have said on many previous occasions—the purpose behind the enactment of the emergency drought feed program and emergency loan program was sound in that its objective was to enable those farmers living in drought-stricken areas to maintain their basic livestock herds throughout the critical period. I voted for this program, and am perfectly willing for the Government to underwrite a major part of the cost of the grants in instances where it is necessary, and I will underwrite the principle that the Government should make loans on very lenient terms under the emergency which developed as the result of the extreme drought. But that does not mean that the program should not be closely administered to prevent abuses. When we find examples such as have been called to the attention of the Senate before, wherein operations like the multi-million-dollar King Ranch, comprising an area larger than the entire State of Delaware, is feeding its cattle on relief, it is time to call a halt.

Such irresponsible administration would not develop under a program when the local taxpayers knew that a part of their money was going to underwrite the cost. It is therefore imperative, if these programs are ever to be used again, that some State and local participation in the cost be mandatory.

I am glad that the House Agriculture Committee has at least seen fit to report this proposed legislation, which was passed by the Senate last year. The need of this legislation was strongly recommended by the administration.

I have a report listing the loans in excess of $50,000 granted under this program in the two-State area of Oklahoma and Texas, along with a report of the amount of subsidy under feed purchase program which were given as grants to the same individuals, plus the amount they received as ACP payments, and I ask unanimous consent that the entire report be printed in the RECORD at this point.

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

UNITED STATES DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Washington, D. C., January 13, 1958.

Hon. JOHN J. WILLIAMS,
United States Senate.

DEAR SENATOR WILLIAMS: Attached are copies of the two reports requested in your letter of December 9, 1957. One report shows the number and amount of emergency and special livestock loans made in Oklahoma and Texas during the last 5 years. The other report lists borrowers indebted for more than $50,000 in the aggregate on these types of loans along with the purposes for which the loan funds were advanced.

Sincerely yours,

K. H. HANSEN,
Administrator.

U. S. DEPARTMENT OF AGRICULTURE

FARMERS' HOME ADMINISTRATION

Borrowers in Texas owing $50,000 or more on emergency and special livestock loans

Borrower	Total amount loaned	Amount loaned for—				Unpaid balances		Amount of principal delinquent as of Jan. 17, 1958
		Annually recurring farm and home operating expenses	Purchase of livestock and equipment	Refinancing of debts	Real estate repairs and improvements	Interest	Principal	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
William E. Crews, Jr., Marfa, Tex	$255,190	$172,115	$83,075	0	0	$5,266	$61,714	$61,714
Fowlkes Bros., Marfa, Tex	1,046,605	789,105	257,500	0	0	62,080	549,144	549,144
N. B. Chaffin, Marfa, Tex	83,400	83,400	0	0	0	7,215	47,148	47,148
Carl B. Black, Marfa, Tex	114,880	85,850	29,030	0	0	1,815	52,067	24,607
W. R. Cartledge & Son, Marfa, Tex	139,320	42,820	96,500	0	0	2,134	56,882	56,882
O. G. Hill, O. G. Hill, Jr., and W. Foster Hill, Hereford, Tex	1,076,300	1,076,300	0	0	0	48,330	582,857	481,857
James L. and Lee M. Gates, Pearsall, Tex	121,120	69,720	51,400	0	0	2,647	62,627	47,475
William M. Hemphill, Jr., San Angelo, Tex	136,205	136,205	0	0	0	5,812	54,401	54,401
Lacy Bros., Benjamin, Tex	242,535	155,245	87,290	0	0	6,331	68,616	68,616
Lee R. Graves, Fort Stockton, Tex	119,620	80,720	38,900	0	0	6,309	57,497	46,483
Frank A. Perry, Iraan, Tex	121,585	85,010	36,575	0	0	5,473	50,253	50,253
Powell C. Coates, Sanderson, Tex	98,325	81,225	17,100	0	0	5,371	54,818	54,818
Harry O. Geffert, George West, Tex	104,240	44,270	59,970	0	0	5,262	56,826	56,826
D. K. McMullan, Jr., Big Lake, Tex	190,570	190,570	0	0	0	9,360	70,596	70,596
Ernest D. Goodloe, Pecos, Tex	74,900	39,400	35,500	0	0	5,759	52,746	52,746
Mike Q. Smith, Savinal, Tex	139,120	67,120	72,000	0	0	1,687	51,829	21,746
Everett Bros., Pandale, Tex	94,945	94,945	0	0	0	5,059	50,153	50,153
Lemuel E. Henderson, Pumpville, Tex	148,535	148,535	0	0	0	6,288	59,699	59,699
Charlie F. Hinds, Comstock, Tex	125,745	102,825	22,920	0	0	4,572	61,266	44,851
Ira G. Deaton, Del Rio, Tex	236,080	236,080	0	0	0	5,174	52,776	52,776
Marvin T. Ratliff, Del Rio, Tex	103,510	103,510	0	0	0	3,694	55,315	55,315
William J. Riggs, Dryden, Tex	151,075	151,075	0	0	0	5,847	47,852	47,852
Jack and Roy Deaton, Sanderson, Tex	236,240	236,240	0	0	0	5,137	62,570	62,570
Tol Murrah, Sanderson, Tex	150,160	150,160	0	0	0	7,490	64,777	64,777
Manning H. Vick, Graham, Tex	64,505	32,605	31,900	0	0	583	49,708	29,948
James C. Roark, Alpine, Tex	104,970	82,190	22,780	0	0	3,944	54,337	42,637
Levi M. Waters, Jr., and Arnold O. Waters, Meadow, Tex	186,920	181,760	5,160	0	0	1,943	57,548	57,548
L. J. Schmidt, Dalhart, Tex	93,100	53,100	40,000	0	0	1,163	87,600	19,450
Henry D. Lewis, Dumas, Tex	187,110	89,515	60,630	$16,320	$20,645	2,445	72,077	30,204

Agricultural conservation payments, dollar value of emergency feed purchase orders cashed, and dollar value of hay and roughage certificates cashed in Texas by certain farmers and ranchers

Name of borrower	Location	1953	1954		1955		1956		1957			1958
		ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Hay and roughage certificates redeemed	ACP payments
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Texas												
Wm. E. Crews, Jr	Marfa	$1,214	$3,125	$1,373	$856	$2,268	$296	$1,489	$5,553	$1,500	0	0
Fowlkes Brothers	do	0	46,685	0	5,156	0	0	1,000	73,760	1,000	$39,179	$750
N. B. Chaffin	do	0	6,996	0	64	500	205	1,142	475	1,000	946	750
Carl B. Black	do	0	1,524	0	861	0	0	0	395	247	95	0
W. R. Cartledge & Son	do	0	0	663	0	0	0	0	0	0	0	0
W. R. Cartledge (individually)	do	0	1,376	741	1,680	1,152	0	1,211	1,320	0	0	0
Gene Cartledge (individually)	do	0	7,632	640	300	0	0	1,125	1,998	0	0	0
O. G. Hill, O. G. Hill, Jr., and Foster Hill	Hereford	0	3,042	384	0	120	7,815	0	6,756	0	645	0
O. G. Hill, Sr. (individually)	do	0	7,057	0	2,435	0	4,050	0	7,758	0	0	0
O. G. Hill, Jr. (individually)	do	0	7,210	0	6,642	0	0	0	0	0	0	0
Foster Hill (individually)	do	0	1,781	0	6,386	0	0	0	0	0	0	0
James L. and Lee M. Gates	Pearsall	0	788	1,000	0	1,500	718	0	450	0	0	0
James L. Gates (individually)	do	0	453	0	0	0	0	0	0	0	0	0
William M. Hemphill, Jr	San Angelo	500	3,053	450	1,174	353	218	0	376	0	87	0
Lacy Brothers	Benjamin	459	186	1,336	524	1,041	0	0	0	0	1,606	0
Lee R. Graves	Fort Stockton	0	795	427	447	0	0	0	0	0	0	0
Frank A. Perry, Jr	Iraan	0	3,992	0	0	0	775	0	380	0	3,728	0
Powell C. Coates	Sanderson	0	3,601	0	0	0	1,044	0	1,915	0	277	0
Harry O. Geffert	George West	0	1,868	0	0	0	507	0	1,313	0	0	0
D. K. McMullan, Jr	Big Lake	0	6,334	400	8,960	700	5,663	700	15,634	700	0	1,000
D. K. McMullan, Jr. and Bob Sims (partnership).	do	0	2,057	0	6,987	1,374	753	0	8,464	0	0	5
Ernest D. Goodloe	Pecos	0	1,246	0	0	0	0	0	0	0	0	0
Mike Q. Smith	Sabinal	600	209	584	429	239	520	0	0	0	0	0
Everett Brothers	Pandale	597	6,981	422	250	0	0	925	1,686	500	0	0
Lemuel E. Henderson	Pumpville	1,804	5,964	750	280	1,499	1,015	1,500	3,818	1,500	0	0
Charlie F. Hinds	Comstock	1,096	994	750	600	1,500	400	1,445	1,555	1,200	360	0
Ira G. Deaton	Del Rio	0	1,589	0	2,460	0	0	0	1,406	0	0	0
Ira Deaton & Sons (partnership).	do	1,999	0	500	0	0	0	799	0	0	0	0
Jack and Roy Deaton	do	0	0	0	0	0	0	0	0	0	342	0
Marvin T. Ratliff	do	621	5,737	1,200	1,374	1,350	1,932	1,500	2,955	550	1,015	1,500
William J. Riggs	Dryden	0	10,419	0	598	700	997	800	3,287	1,450	0	1,373
Tol Murrah	Sanderson	0	32,778	0	1,059	0	324	800	2,038	1,350	187	0
Manning H. Vick	Graham	0	0	420	0	0	0	0	2,064	0	360	0
James C. Roark	Alpine	1,453	1,781	0	785	0	0	605	750	877	0	470
Levi M. Waters, Jr., and Arnold O. Waters.	Meadow	0	1,717	0	0	0	0	0	0	0	0	0
Levi M. Waters, Jr. (individually).	do	0	0	793	0	1,380	0	756	0	338	0	0
Arnold O. Waters (individually).	do	600	0	1,428	0	1,002	0	600	0	0	0	0
L. J. Schmidt	Dalhart	0	0	268	0	674	0	826	0	0	0	0
Henry D. Lewis	Dumas	345	130	23	0	966	0	1,060	0	402	0	386

Borrowers in Oklahoma owing $50,000 or more on emergency and special livestock loans

Borrower	Total amount loaned	Amount loaned for—				Unpaid balances		Amount of principal delinquent as of Jan. 17, 1958
		Annually recurring farm and home operating expenses	Purchase of livestock and equipment	Refinancing of debts	Real estate repairs and improvements	Interest	Principal	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Walter H. Hyatt, Beaver, Okla	$57,935	$11,196	$150	$22,459	$24,130	$1,690	$48,314	$9,879
George W. Kirton, Boyd, Okla	84,490	28,040	17,100	26,565	12,785	1,290	61,162	8,422
Robert E. Selman, Selman, Okla	128,810	125,956	1,580	0	1,274	8,386	81,737	81,737
Charles V. Word, Arnett, Okla	92,925	35,450	33,050	24,000	425	740	52,928	9,456

Agricultural conservation payments, dollar value of emergency feed purchase orders cashed, and dollar value of hay and roughage certificates cashed in Oklahoma, by certain farmers and ranchers

Name of borrower and location	1953	1954		1955		1956		1957			1958
	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Feed purchase orders redeemed	ACP payments	Hay and roughage certificates redeemed	ACP payments
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Walter H. Hyatt, Beaver	0	$549	0	$178	0	$2,406	0	0	0	$2,010	0
George W. Kirton, Boyd	$54	764	0	126	$1,514	440	$1,885	0	$1,048	0	0
Robert E. Selman, Selman	0	6,132	0	2,838	785	6,315	1,277	0	1,373	0	0
Charles V. Word, Arnett	0	0	0	0	0	0	0	0	0	1,162	0

THE SOLID RECORD OF ACCOMPLISHMENT BY MONTANA'S FRESHMAN REPRESENTATIVE, THE HONORABLE LEROY H. ANDERSON

Mr. MURRAY. Mr. President, I wish to call attention to the solid record of accomplishment compiled by the junior member of the Montana Congressional delegation, Representative LEROY H. ANDERSON, during his first term in Congress.

Fifteen of the bills he introduced, or companion measures to them, have become law. These measures deal with major fields such as agriculture, Indian affairs, reclamation, wildlife, banking and currency, excise taxes, military affairs, and social security.

His ability has been particularly recognized here in Congress in the fields of agriculture, military affairs, fiscal policy, and veterans affairs.

He serves on the Committee on Banking and Currency and the Committee on Interior and Insular Affairs, and has appeared before many other committees, both in Senate and House, on behalf of his Montana constituents.

Let me cite an example of the kind of work he has done to further worthy development of the Nation's resources:

We have in Montana, at Benton Lake near Great Falls, a potentially wonderful breeding ground for ducks. However, except for about 1 year out of 20, the rainfall is insufficient to attract the waterfowl.

Representative ANDERSON talked this problem out with local wildlife enthusiasts and managers of a nearby irrigation system. Plans were developed to divert water from the irrigation system into the lakebed. Representative ANDERSON was instrumental in obtaining approval of this plan from the Fish and Wildlife Service. Then, the pertinent appropriations bill having already left the House of Representatives, he personally conferred with members of the Senate and House Appropriations Committees, and convinced them of the merit of this plan. Consequently appropriations for this project were made, and Montana and other States will soon share the benefits of another fine waterfowl refuge, thanks to the little publicized but effective work of Representative LEROY ANDERSON.

His many years of experience as a Montana farmer, plus his legislative experience as a member of both the senate and house of representatives in the State legislature, qualified him to step right in and help solve some of the agricultural problems so important to Montana's Second Congressional District.

He steered through the House of Representatives legislation which continued the durum-wheat program last year. Additionally, he has been particularly effective in conferences with Agriculture Department officials, such as we had on the subject of wheat grading and resealing, for the simple reason that he knows at least as much about grain and livestock as the departmental experts do.

As a member of the Committee on Banking and Currency Committee, he played an important role in obtaining approval of the area-development bill, which offers great possibilities for economically depressed communities in our State and for our Indian citizens.

As chairman of the Senate Interior and Insular Affairs Committee, I have been privileged to work with Representative ANDERSON toward successful action on a number of bills relating to Montana's resources and Indian problems.

His efforts in the Interior Committee resulted in Congressional approval of bills relating to mineral development of the Crow Indian Reservation, compensation for the Crow Indians for land within the Huntley project, and exchange of land on the Huntley project as desired by a local school district. In each instance Representative ANDERSON was able to obtain approval of amendments desired by local interests.

Most important, perhaps, was Representative ANDERSON's yeoman service on behalf of the Yellowtail Dam resolution, now signed into law. Largely because of his efforts, a settlement on payment to the Crow Indians has been reached. Next year, with his help, I am confident we will obtain construction funds for this large multipurpose dam, which will mean so much to eastern Montana, particularly the Billings-Hardin area.

One of the most important pieces of legislation approved by the 85th Congress, as regards Montana, was Representative ANDERSON's bill—now Public Law 85-151—which provides that the Surgeon General may, instead of building hospitals merely for Indians, construct community hospitals to serve Indians and non-Indians alike, when he finds it more efficient to do so.

The first hospital to receive funds under the Anderson Act was in Polson, Mont. High on the priority list to benefit from this law, when local questions are settled, are the communities of Wolf Point and Poplar.

As a member of the Banking and Currency Committee, Representative ANDERSON has an intimate acquaintance with the problems of Montana business. As a railroad worker, when a young man, he learned the problems of the laboring man the hard way.

An example of one community where both business and labor benfited from Representative ANDERSON's efforts is Roundup, where the coal mines are producing for the Atomic Energy Commission plant at Hanford, Wash., thanks to Representative ANDERSON's successful efforts to obtain a fair share of production, for the AEC, from this Montana community in his Congressional District.

A graduate chemical engineer with a degree from Montana State College, and advanced study in physical chemistry at California Institute of Technology, a major general in the Army Reserve, and national president of the Senior Reserve Commanders Association of the United States Army, a member of a national committee of the Presbyterian Church, LeRoy Anderson is one of the most versatile and well-rounded men to serve in Congress. He is fair, capable, and a worker, and I am proud to serve on a delegation which includes a man who delivered so well for the people of Montana during his first term in Congress.

PRESIDENT EISENHOWER'S STATEMENT ON THE LITTLE ROCK SCHOOL SITUATION

Mr. STENNIS. Mr. President, President Eisenhower's statement at his press conference yesterday shows that, once again, his plan is to use troops in integrating the Little Rock schools.

This plan is based on a misunderstanding of the conditions in that troubled city. The use of force cannot achieve any constructive goal, for the real opposition to integration is not found in lawless elements. Opposition to integration is actually the overwhelming voice of the mothers and fathers of the children, those most directly concerned. Their objection is in no spirit of defiance or lawlessness on their part. They are sincere, patriotic, and law-abiding citizens. Traditions and customs for a pattern of separate social and civic activities between the races have been handed down from mother to daughter, from father to son. This pattern has afforded generations of peaceful and harmonious cooperation among the people of the two races. These traditions cannot be erased by court orders, nor swept aside by force.

The evils of bad law have a way of multiplying and perpetuating themselves. The illegal school decision of 1954 will continue to haunt people of this country and bring division between men until corrective action is taken. The local institution which we highly regard, our public school, must again become subject to the control of the good citizens who have struggled to raise it and our educational standards to their present levels.

The Supreme Court decision which established this principle vested the control of the local situation with the district judge. The court of appeals' unfortunate and tragic decision of Monday indicates the adoption of a course which will destroy public-school education in the South. If the extreme proponents of integration, at whatever cost, continue to prevail in their insistence on rule or ruin, they will succeed only in rule and ruin of our local public-school system.

Mr. President, there was recently published a very timely editorial on the tragic situation, in the Washington Star of August 20, 1958, entitled "Little Rock's Ordeal." I ask unanimous consent that the editorial be printed in the Record as a part of my remarks.

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

Little Rock's Ordeal

Unless it is held in abeyance pending an appeal to the Supreme Court, the 6 to 1 ruling by the Eighth Circuit Court presumably means that Little Rock's ordeal will begin all over again 2 weeks from tomorrow.

What is presented in this situation is a potentially destructive collision between wisdom and the law.

The six appellate judges conceded that they were directly concerned only with the legality of District Judge Lemley's order for a 2½-year postponement of integration in Little Rock. They were only incidentally concerned with the consequences of their reversal of the Lemley order. The basic issue, as the majority saw it, "plainly comes down to the question of whether overt public resistance, including mob protest, constitutes sufficient cause to nullify an order of the Federal court directing the board to proceed with its integration plan. We say the time has not yet come in these United States when an order of a Federal court must be whittled away, watered down, or shamefully withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto."

This seems to say that the appellate court reversed Judge Lemley because it would not yield to mob action, and this, as a principle of law, may be valid. But we are not so sure that it is wise.

Certainly, the strong language used by the court is not likely to help the Little Rock School Board and School Superintendent Virgil Blossom in the coming school year. Both the board and the superintendent have tried throughout in complete good faith to put the integration plan into effect. The appellate court concedes this. The court also concedes that integration under Federal bayonets imposed physical and mental strain on teachers and members of Central High School's administrative staff, and that, in general, there was bedlam and turmoil in and upon the school's premises, outside the classrooms.

These were among the practical considerations which prompted Judge Lemley to grant the 2½-year postponement, and which persuaded Chief Judge Gardner of the appellate court that Judge Lemley was right in doing so. The chief judge put it this way: "The action of Judge Lemley was based on realities and on conditions, rather than theories. The exercise of his discretion should not, I think, be set aside as it seems to me it was not an abuse of discretion but rather a discretion wisely exercised under the conditions."

It may be that this gets to the heart of the matter. How much discretion did the Supreme Court intend that a district judge should have? Are the findings of a district judge to be ignored by an appellate court which does not wish to appear to be yielding to mob pressures? What, really, is the meaning of all deliberate speed, as that term was used by the Supreme Court?

If this ruling is appealed, perhaps the Supreme Court will take the case and clear up these uncertainties. We hope so. For there is no future, it seems to us, in merely sending a case of this kind back to the school authorities who have tried in good faith to implement integration and who now say, also in good faith, that they simply cannot, in the existing circumstances, cope with the problem. This kind of judicial policy can lead only to a succession of Little Rocks, with severe impairment if not the destruction of public education for both colored and white children.

DEFICIENCY IN TROOP CARRIERS

Mr. SYMINGTON. Mr. President, a member of the staff of the News and Courier of Charleston, S. C., has sent me a thought-provoking article from that outstanding newspaper entitled "Fast Troop Carriers Lacked by MATS To Deploy United States Armed Forces for Battle."

Mr. President, we all know of the tragic inadequacy of the airlift for our Army and Marines. The article is but further proof of that fact. I ask unanimous consent that the article from the News and Courier be printed in the Record at this point.

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

Fast Troop Carriers Lacked by MATS To Deploy United States Armed Forces for Battle

(By Anthony Harrigan)

France is a fleck of green under the clouds as this turboprop troop carrier, loaded with a 9-ton truck needed in Lebanon, flies at 22,000 feet toward Evereux Air Base outside of Paris.

The Lockheed C–130–A plane, built in Georgia, is fast (350 miles per hour) and takes off after a short run, which is important for planes designed for use in a battle zone. But C–130–A's are few in the United States Air Force.

The fact is that the United States airlift capability is inadequate to meet the needs of the Nation in a major crisis.

The small number of planes in the pipeline to Lebanon testifies that the Military Air Transport Service should be equipped with new planes of the most advanced types.

On the flight line at Rhein-Main Air Base, Frankfurt, Germany, are 20 giant, 4-motored C–124's, the Globemasters familiar to residents of Charleston and Greenville. The propeller-driven C–124's are part of a special task force that flew to Germany from Donaldson Air Base (Greenville) to Germany within hours after President Eisenhower ordered troops into Lebanon.

Col. Roland J. Barnick, United States Air Force, a veteran of Bataan who flew B–29's in the Pacific during World War II, is commander of the task force. Within 15 minutes after the task force arrived at Rhein-Main Air Base, the first aircraft was dispatched for Lebanon.

But if Colonel Barnick and his men were ready to do their job, the United States has not demonstrated its willingness to provide aircraft in sufficient numbers.

Colonel Barnick cannot discuss the number of aircraft in the task force. But this writer, in conversation with pilots and officers handling cargo, as well as from studying scheduled flights, concludes that less than 40 C–124's are attached to the task force.

In addition to these planes operating under MATS control, the United States airlift was augmented in its early phases by approximately 40 C–130A troop carrier planes based in France, and a similar number based at Ardmore, Okla.

The C–124's can carry approximately 200 men. The C–130A's are equipped to carry 65 paratroopers with full equipment. Had all these planes been available in Europe at the time the President ordered intervention, they would have been able to airlift less than 10,000 men.

Actually, they wouldnt' have been able to airlift 10,000 men who were ready for battle.

Soldiers without machine guns, ammunition, artillery, rockets, medical units, and all the housekeeping elements of field forces are not battle forces.

A large portion of the airlift capability was devoted to military supplies, not fighting men. For instance units of Colonel Barnick's task force flew gasoline to Jordan for the support of British units in that country.

The C-124's comprising the task force have a big payload but require more refueling stops than the C-130A's. The first missions were flown across the Brenner Pass into Italy. But the Austrians protested violation of their air space. Subsequent flights had to be made via Marseilles, France; Naples, Italy; Piraeus, Greece; Adana, Turkey; and Beirut, Lebanon. The C-130A's can make the flight to Beirut nonstop, but the heavily laden C-124's cannot.

MATS has a few modern C-133A's, big brothers to the C-130's. But these were grounded during the airlift because of an accident to one which required a survey of all planes of this type. Senator STUART SYMINGTON, former Secretary of the Air Force, pointed out July 15 that the United States is ordering only 15 C-133's a year.

The MATS activity that Charlestonians know is routine overseas transport of servicemen and military dependents. This is a task for which present equipment is clearly inadequate when MATS is called on to fulfill its primary obligation—the airlift of United States military forces and their battle equipment.

One wonders what would have happened had the United States troops in Lebanon met resistance from Red volunteers or if the Chinese Reds had launched a diversionary move against some area of American interest in the Far East.

It seems that the United States would have been completely incapable of meeting its needs for airlift.

The United States has rejected the idea of a mass Army deployed at bases throughout the world. Instead, it has chosen to develop a highly mobile force armed with tactical nuclear weapons. Such is the United States intention, but the planes to airlift these troops do not exist.

To this writer, it appears that MATS is suffering from acute anemia of appropriations. The super-Constellations that fly over Charleston are beautiful planes. But a few quality planes are not a substitute for numbers when the Nation faces a crisis requiring troops.

MATS needs quality and quantity in its airfleet.

MATS hasn't a single jet transport. But it is a fact that several European airlines have jet transports.

United States airlines are in the process of equipping themselves with the Boeing 707 transport. It is precisely such equipment that MATS needs at the earliest possible date. The Boeing 707 will carry 150 passengers at 550 miles per hour. The faster the planes, the quicker the delivery, the fewer the number of planes needed in the pipeline.

It is entirely possible that the Martin *Jetmaster* seaplane, developed for the Navy, should be added to the MATS fleet. This fast seaplane would be of use in many parts of the world where airports might be inadequate or damaged.

If Americans are concerned about the equipment available to their own military, they should consider the fact that the Russians already have the TU-104 jet transport in service that flies almost twice as fast as United States military transports. Observers in Russia have also remarked on the numbers of large jet helicopters the Russians have in service.

The workhorse of the Air Force on short personnel and cargo runs is the C-47, the two-engined transport familiar to American servicemen in the last war. It is a fine plane but a far cry from a jet helicopter.

The cost of enlarging and modernizing the MATS airlift fleet is likely to be very expensive. A jet transport costs in the neighborhood of $7 million, compared with $2.5 million for a Superconstellation. But if the United States rejects a big military force, it can't fail to provide up-to-date equipment for a small, battle-ready force.

RURAL ELECTRIFICATION ADMINISTRATION: ADDRESS BY SENATOR SYMINGTON

Mr. SYMINGTON. Mr. President, several months ago, expecting this session of Congress to be over by this time, I accepted an invitation to speak at the 20th annual meeting of the Consolidated Rural Electric Cooperative at Mexico, Mo.

I was honored to receive the invitation and looked forward to meeting with this fine group of farm families, to discuss with them some of the work of the Congress and present to them some of my thoughts with regard to the problems of agriculture and rural electrification.

As the Members of the Senate know, we were in session from 10 o'clock the morning of August 19 until 12:15 a. m. the next morning, with 14 votes and 4 record votes during the day and evening.

Late Monday afternoon, August 18, realizing that it would be impossible for me to meet with the members of the Consolidated Rural Electric Cooperative, I talked to their manager, Mr. R. D. Buresh, and explained the situation to him. He understood. I appreciate that understanding.

My administrative assistant, Mr. Stanley Fike, did attend the meeting, however, and delivered my talk prepared for that occasion.

Since I discussed matters believed of interest to all of us, I ask unanimous consent to have my remarks prepared for the 20th annual meeting of this great cooperative printed at this point in the RECORD.

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

ADDRESS PREPARED BY SENATOR STUART SYMINGTON FOR DELIVERY AT THE 20TH ANNUAL MEETING CONSOLIDATED ELECTRIC CO-OP, MEXICO, MO., AUGUST 19, 1958

Thank you very much for inviting me to be with you in Mexico today as you celebrate 20 years of progress in your Consolidated Electric Co-op.

Several weeks ago, in reading the July issue of your co-op magazine, Electric Gleams, I was impressed by the growth of the Consolidated Electric Co-op since its origin in June of 1938—from a few miles of power line then to more than 1,800 miles today; and a few hundred members then to more than 4,700 members today.

I was also impressed with the way you have been paying off your debts and liquidating your loans. Yes, as stated in that article, it is indeed "a record to be proud of."

I congratulate you, the members, your board of directors, and your manager for this excellent record.

But, the success story of your co-op is typical of many hundreds of other electric co-ops throughout the country.

This is not to minimize your success. Your record emphasizes the national record of the rural electric co-ops.

REA is the success story of individual farmers, working in cooperation with their neighbors, with the assistance of their Government, overcoming obstacles, to bring electric power to rural America—to bring farm families out of the dark ages.

In 1935, when the REA was first created, only 6 percent of our Missouri farms were receiving central station electric service. Today, 23 years later, more than 95 percent of our farms have electricity.

Along with light for the farm homes, have come the many electrical appliances—refrigerator, toaster, stove, radio, television, automatic washer—all designed to ease the workload and make farm life more pleasant for all members of the family.

In addition through the power provided by rural electric co-ops, much of the drudgery associated with farming has been greatly reduced, or eliminated.

The pump handle has been replaced with an electric motor and a complete water system on many farms. The manual chores of milking, feeding, handling grain, have all been made easier.

The advent of electricity in rural America is one of the most significant accomplishments in agriculture. In the 23 years prior to the creation of the Rural Electrification Administration, productivity per man-hour of farm labor had increased 20 percent. In the 23 years since 1935, farm labor productivity has more than doubled.

Of course, there have been many other factors contributing to the sensational increase in farm productivity. Improved crop varieties, increased efficiency in livestock production, modern power machinery, improved management techniques, all have contributed to this complex of agricultural development. In 1935, one farm worker was able to produce enough food and fiber to support 10 other people. Today, that same farm worker produces enough to support 20 other people.

Despite these outstanding accomplishments, the economic gap between agriculture and other segments of our economy has not been reduced.

In other segments of the economy, increases in productive efficiency are rewarded by higher wages, and increased profits.

This has not been true in agriculture. Farm productivity has doubled since 1935, but total farm income in 1957—in terms of purchasing power—was 2 percent less than in 1935.

What is even more serious is that the farmer's economic position has degenerated in recent years as compared with other segments of our economy. For example, from 1952 to 1957, corporate profits increased 15 percent; wages increased 30 percent; interest income increased 73 percent; but net farm income declined 24 percent.

In 1957, dollar farm income was at its lowest point since 1942—15 years.

In view of this situation, is it any wonder that nearly 4 million farm people have been forced to give up their farms and their homes in the last 5 years and move elsewhere to try to find jobs which would give them a reasonable standard of living?

A number of years ago, one of our great farm leaders warned that national depressions are farm bred and farm led.

As farm income decreased, the purchasing power of farm families dropped sharply. Business for main street merchants declined. Factories and businesses throughout America have felt the effect of these depressed economic conditions.

Since 1952, farmers have suffered a total loss of income of more than $15 billion—an average of $3,000 for every farm in the United States.

How much has this contributed to the current recession and to the hardships and suffering of the millions of workers who have been and are still without jobs?

No one can be certain, but we do believe that the depressed conditions in agriculture are the result of the farm policies being put

into effect in these past 5 years. That policy has been based on a theoretical assumption that lower prices will discourage farm production.

The farmers, who have been the unwilling tools in this experiment, know how foolish is this theoretical assumption. Farmers know what their fixed costs are. They know how their operating expenses have gone up in recent years. And they know that if the price per bushel or the price per pound goes down they have to produce and sell more bushels or more pounds in order to have the same number of dollars to meet their costs and to maintain a reasonable standard of living for their families.

Despite the obvious fallacy of this theoretical approach, and ignoring the protests of farmers, farm leaders, and many of us in Congress, the Department of Agriculture has doggedly driven prices down, repeatedly asserting that production would be reduced and markets would be expanded.

Has this happened?

Let's look at the record.

From 1952 to 1957, farm prices dropped 16 percent. If the theory that lower prices would reduce production is accurate, then total production should also have declined.

But this has not happened.

Instead, between 1952 and 1957, total farm output increased 6 percent and, according to the latest Department of Agriculture crop-production report, it will increase even more this year.

The official reports of his own Department prove this part of Secretary Benson's textbook theory a colossal failure.

But what of the "expanded markets" which were to result from the lower farm prices?

The most obvious expansion has been in the Government warehouses and storage bins.

In January of 1953, the Commodity Credit Corporation's inventory of all agricultural commodities was valued at $1.1 billion. In January of 1958, after 5 years of the policies of this Administration, there was $5.4 billion of farm commodities in Government storage—an increase of 500 percent. These supplies would have been even greater had it not been for Public Law 480 and other export programs. They have moved billions of dollars of farm commodities out of CCC stocks and into foreign markets.

The failure of the present farm policy is even more evident when we examine the cost of the program.

During the 20-year period from 1933 to 1953, the cost of price support operations for the 6 basic agricultural commodities was $20 million. In the 5-year period from June of 1953 through May of 1958, price support costs on the basic commodities have been $2.4 billion.

In other words, in the 5 years under this Administration, the costs of price supports on basic commodities are 120 times greater than the costs in the previous 20 years.

At the same time, price support costs for all farm commodities have increased 445 percent.

During the 20-year period prior to the present administration, the cost of all farm price supports averaged only 35 cents per person per year. During the past 5 years, that cost has been $5.70 per year per person.

As a former businessman and as one with experience in various Government agencies, I am always interested in the type and quality of the administration of any department in the Government. Based on the record, the present administration of the Department of Agriculture is weak.

The Department has some 20 percent more employees today than it had in 1952. The administrative and other general costs associated with the price support programs have increased over 900 percent in the past 5 years—from $34 million in 1952 to $312 million in 1957.

We need to keep in mind that, while the costs of the programs were increasing at an almost incredible rate, farm prices were declining 16 percent, the parity ratio dropped 18 percent, and farm income was down 24 percent.

This is the almost unbelievable record of the policies and administration of the past 5 years.

Some informed observers assert this record has been developed to bring public ridicule and resentment against the farmer and all farm programs, so as to eventually destroy all farm programs.

Whether or not this is true, there are examples where attempts have been made to destroy certain basic elements of the overall program. One of these is very close to home for many Missouri farmers.

I am, of course, referring to the efforts of the Department of Agriculture to weaken the local farmer committee system. Many of you may recall that in 1953 regulations and directives were issued which prevented the local elected farmer committeemen from functioning as administrators of the farm program on the local level.

County committees in Missouri were ordered to hire office managers who were to assume this administrative control. County committees were suspended or fired because, in some instances, they were unwilling to accept the office manager sent by the State office.

Others were discharged on various trumped up charges.

The situation became so serious that, in the fall of 1955 and again in 1956, a special Senate Agriculture Subcommittee conducted hearings to investigate the situation.

As a result of those hearings, and based on the report issued by the subcommittee, I joined with several other Senators in introducing a bill designed to prevent some of the abuses of the county committeeman system.

In spite of vigorous opposition from the Secretary of Agriculture, this bill has been passed by the Senate, and is now awaiting House action.

Another example of the Administration's efforts to weaken or destroy important farm programs is of great concern to you and to all REA members throughout the Nation.

For several years, people closest to the REA program have felt that the present Administration was not fully sympathetic to the general concept of farmers, through cooperative effort, supplying electricity in rural areas.

Until last year, however, there had been little positive evidence of any threats directed at the REA program. Then, sometime during May of 1957, the Secretary of Agriculture asked the REA Administrator to submit all REA loan applications of $500,000 or more to the Secretary for final clearance.

This was the first time, since the creation of the REA in 1935, that the Administrator was not permitted to exercise his best judgment with regard to loan applications.

Through the years the Secretary of Agriculture has had the authority to exercise general supervision and direction over the Administrator of the REA. However, prior to 1957, no Secretary of Agriculture had tried to overrule the Administrator.

In 1953, during consideration of the Government Reorganization Plan, Secretary Benson testified before Congress that he would make no changes in the procedures relating to REA without first consulting not only the Congress but also with the farm groups concerned.

This he did not do.

When Secretary Benson told the present Administrator, Mr. Hamil, to submit loan applications, he had not consulted Congress or any farm groups. In fact, his action was kept secret for some time. Only when a local co-op questioned a delay in the processing of its loan did the information become public that the delay came in the Secretary's office where the loan had been sent for clearance.

As this change in policy was reported in the newspapers throughout the country, REA members, their co-op leaders, Members of Congress and others familiar with and sympathetic to the REA program, protested this action as an effort to weaken or destroy the REA.

Many believed this was a substantial change in REA policy, and that it posed a serious threat to the future of the program. Questions were raised as to why Secretary Benson wanted to review the larger loans, why he did not announce this change, why Congress was not consulted.

The Senate Government Operations subcommittee charged with the responsibility for keeping a check on activities of Government agencies, immediately called Secretary Benson to testify and to explain his actions.

After some time, the Secretary finally appeared and gave his explanation. But that explanation was far short of being adequate, and legislation was immediately introduced to restore REA to the independent status it had prior to 1953.

During the hearings on that legislation, witness after witness, representing REA co-ops throughout the country, testified in support of restoring the REA to an independent status.

REA members and their co-op managers were also concerned with other actions of the administration which hit at the foundation of their program.

One of these was the administration proposal of legislation which would have the effect of raising the interest rate on REA loans. The justification for this action is based on the fact that, in recent years, because of the higher interest rates under the tight-money policies, the cost of money to the Government has been above the 2 percent interest rate charged on REA and other Government loans.

However, those proposing this legislation overlook the fact that for nearly two decades the Government actually made $48 million on the 2 percent REA loans.

In addition, during our investigation we found that this proposal had not originated within the Administrator's office. Instead, it came from the Secretary of Agriculture and was sent to Mr. Hamil for his approval.

Before our committee, Hamil testified that higher interest rates would be harmful and would impede the development of REA co-ops in some areas of the country. It became rather obvious that the REA Administrator was, in effect, required to support the administration's recommendation, even though he did not believe it was in the best interests of the electrification program.

The Department of Agriculture cut by one-half the funds requested by the REA for new loans. Through the action of Congress, the entire amount needed by REA was restored.

When the REA appropriation bills came before Congress this past year, the Administrator of the program was relegated to a secondary position, while an appointed Assistant of the Secretary of Agriculture testified to the committee.

None of these incidents taken alone would be construed as a serious threat to the REA, but viewed together, they indicate the Administration's unsympathetic and perhaps hostile attitude.

This is the reason many of us in Congress believe legislation is needed to restore full authority for the functions of the program to its Administrator.

The REA program, which has provided such a great service to rural America, must not and will not become a pawn in the hands of any Secretary of Agriculture.

Even though we believe the REA concept is well established, all members, their leaders and their representatives in Congress need to be constantly on guard so that progress in the next 23 years can be as great and as significant as it has in the past 23 years.

So, too, must we be more vigilant and more emphatic in demanding overall farm policies that are sound, plus administration that will make those policies work.

In the entire farm program, we need the spirit of cooperation which has been so successful in your own consolidated electric cooperative right here in the heart of Missouri's Little Dixie.

If all of us who are interested in a fair share of American prosperity for the American farmer will but work together, with that spirit, then success will be assured.

To this cause, I pledge my full support and again thank you for the honor and privilege of presenting these thoughts today.

PROGRAM OF FEDERAL GOVERNMENT ACTION AT LITTLE ROCK

Mr. JAVITS. Mr. President, it is time that we were very clear about the major domestic crisis referred to earlier by my colleague, the junior Senator from Mississippi [Mr. STENNIS], which could be again brought on by events in Little Rock. It is essential that there be stated in advance not only the policy of the United States, which the President has now done, but also that there be initiated a course of action endeavoring to avoid if at all possible, dire emergencies like those which faced the country when rioting occurred at Little Rock last September.

Whatever may not have been done that should have been done by the Congress when the Senate eliminated part III of the civil rights bill of 1957, the fact is that we must act now with the means we have at hand. I believe it fair to say, however, that if the President finds that Congressional action is necessary to meet any emergency at Little Rock, then he should call the Congress into special session for the purpose. The courses of action which should now be taken I respectfully suggest and urge are the following:

First. That the Civil Rights Commission hold hearings in Little Rock in conjunction with its Arkansas Advisory Council, which was appointed to advise and assist the Commission in tackling our country's most crucial domestic problem.

Second. That the Attorney General should promptly intervene as a friend of the court, preferably at the request of the school board or the court, but in the absence of either on his own responsibility and at once.

Congress has enacted a statute establishing the Civil Rights Commission with broad powers to study and recommend—calmly and deliberately—in the field of school desegregation and other fields. I think Little Rock is an ideal place for the Commission to do its work now.

Mr. President, the Department of Justice should lend the full weight of the United States Government to the current judicial proceedings, and the Attorney General should without delay apply to intervene in the Little Rock case. The history of the 1957 disorder at Little Rock's Central High School which required Federal troops to be sent to Little Rock last September and the continuance of the position of Governor Faubus along exactly the same lines which brought on the previous emergency demand that this be done.

In that connection, Mr. President, I ask unanimous consent to have printed in the RECORD, the text of the statements by Governor Faubus on the Little Rock decision, made yesterday and today; and, Mr. President, preceding those statements, I ask unanimous consent to have printed in the RECORD, the statement of the President of the United States at his press conference yesterday, expressing the same determination which he expressed in 1957, and in that connection I asked unanimous consent that the White House statement dated October 3, 1957, be printed as a part of my remarks.

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

(WASHINGTON, August 20, 1958.—Following is the transcript of President Eisenhower's news conference:)

President EISENHOWER. Good morning. Please sit down.

Ladies and gentlemen, anticipating questions about this recent decision [on school integration] of the Eighth Circuit Court, I am going to read a little statement, and there will be copies of it available to you; so you don't have to take specific notes. Because there are still some phases of this case pending in the courts it would not be appropriate for me to express my view on the case itself.

This case, however, or any person's agreement or disagreement with its outcome, must not be confused with the solemn duty that all Americans have to comply with the final orders of the court. Nor should we lose sight of the fact that the maintenance of order to permit compliance with the final orders of the court is the responsibility of each State. Each State owes to its inhabitants, to its sister States and to the Union the obligation to suppress unlawful forces. It cannot by action or deliberate failure to act permit violence to frustrate the preservation of individual rights as determined by a court decree. It is my hope that each State will fulfill its own obligation with a full realization of the gravity of any other course.

Defiance of this duty would present the most serious problem, but there can be no equivocation as to the responsibility of the Federal Government in such an event. My feelings are exactly as they were a year ago. And I said then:

"The very basis of our individual rights and freedoms rests upon the certainty that the President and the executive branch of Government will support and insure the carrying out of the decisions of the Federal courts."

Every American must understand—that is the end of the quote, by the way.

Every American must understand that if an individual, a community or a State is going successfully and continuously to defy the courts, then there is anarchy.

I continue to insist that the commonsense of the individual and his feelings of civil responsibility must eventually come into play if we are to solve this problem.

I will have nothing further to say about the integration problems and specific cases that are now before the courts, not only in this one particular case—there are four others—but we will have to wait for the outcome of decisions and actions before any further comment.

[From the New York Times of Thursday, October 3, 1957]

WHITE HOUSE STATEMENT

(WASHINGTON, October 2.—Following is the text of a White House statement of legal principles guiding President Eisenhower in the school integration problem.)

1. The executive branch of the Federal Government does not participate in the formulation of plans effecting desegregation.

This function is left to the community where maximum understanding of local problems exists so that proper and effective solutions may be devised. This was clearly recognized by the United States Supreme Court when it said:

"To that end, the courts may consider problems related to administration, arising from the physical condition of the school plant, the school transportation system, personnel, revision of school districts and attendance areas into compact units to achieve a system of determining admission to the public schools on a nonracial basis, and revision of local laws and regulations which may be necessary in solving the foregoing problems. They will also consider the adequacy of any plans the defendants may propose to meet these problems and to effectuate a transition to a racially nondiscriminatory school system."

Although the Federal Government has no responsibility to initiate action to desegregate public schools or to formulate any plans for desegregation, the courts have made it clear that the Department of Justice, at the invitation of the Court, must participate in litigation involving public school desegregation for the purpose of assisting the court.

TIME IS UP TO LOCALITIES

2. The period of time within which any such plan should be put into effect likewise must be proposed by the local authorities and approved by the courts.

The Supreme Court held that admission of children to public schools on a nonracial basis should go forward with all deliberate speed. In requiring a "prompt and reasonable start to full compliance," the Court also made it clear that insincere or dilatory tactics could not be used to defeat constitutional protections and rights.

The executive branch of the Government does not play a part in these local deliberations or under existing law in the court proceedings when such plans are considered.

3. A final order of a Federal court giving effect to a desegregation public school plan must be obeyed by State authorities and all citizens as the law of the land.

The action of the Supreme Court has conclusively settled the principle that public school desegregation is, under existing constitutional provisions, the law of the land. Final orders of the Federal courts carrying out this principle must be observed.

It is the duty of the State authorities to give full aid to the enforcement of a desegregation public school plan once it is finally ordered by the court. This obligation is not open to any doubt. It is also a required responsibility of good citizenship that every person in the community respect the law and its processes. Such observance of law is fundamental to our existence as a Nation of free people under constitutional government.

GOVERNOR MAY NOT BALK COURT

4. Powers of a State governor may not be used to defeat a valid order of a Federal court.

The governors of the respective States have the primary responsibility for maintaining domestic order. However, under a pretext of maintaining order a governor may not interpose military force or permit mob violence to occur so as to prevent the final order of a Federal court from being carried out.

When an obstruction of justice has been interposed or mob violence is permitted to exist so that it is impracticable to enforce the laws by the ordinary course of judicial proceedings, the obligation of the President under the Constitution and laws is inescapable. He is obliged to use whatever means may be required by the particular situation.

TEXT OF STATEMENT BY GOVERNOR FAUBUS ON LITTLE ROCK DECISION

(LITTLE ROCK, ARK., Aug. 19.—Following is the text of a statement by Gov. Orval E. Faubus on a decision yesterday by the Eighth Circuit Court of Appeals in St. Louis. The decision overturned a district court ruling that had granted a 2½-year delay in integration at Little Rock's Central High School.)

The reversal of the Lemley decision by the Federal Court of Appeals is most regrettable. The higher court's decision indicates an indifference and disregard for the will of the people that is most alarming and dangerous.

The spotlight now has shifted to the school authorities, the officials of the NAACP (National Association for the Advancement of Colored People), and the parents of the Negro children.

Any action taken by the chief executive, the legislature, or the people before the attitude of these people is known, might prove to be premature and unnecessary.

The school board now needs to take the people of the district into its confidence and let them know its intentions and its plans. Does the board intend to continue to promote the complete integration of the Little Rock school while muttering insincere, half-hearted protestations, or does it intend to fight in every legal way possible the integration by force, with such dire consequences for education in the affected schools, and the peace of the community.

For evidence of the school board's attitude I point to two quotations from the reversal ruling itself:

"This court recognizes that, following the first Brown decision the members of the board, acting in good faith, and working with the superintendent of schools, moved promptly to promulgate a plan designed to gradually bring about complete integration in the Little Rock public schools, and they are to be commended for their efforts in that regard."

At another point in the reversal we find the following language: "On August 29, 1957, on application of the board, the United States district court at Little Rock entered an order enjoining the use of the State court injunction in an attempt to block the integration plan."

SCHOOL BOARD'S ACTION

It must be noted here that it was the school board that dashed into the Federal court presided over by Judge Davies the very next day after the State court ruling, staying the execution of the plan of integration, and asked for the ruling which said in substance: "integrate forthwith, without regard for the consequences."

If the school board intends to continue to promote the complete integration of the Little Rock schools, the people are entitled to know. It is the people's business, because the schools belong to the people and not to the school board.

How many Negroes will be admitted to Central High School on opening day? If only those previously enrolled are readmitted, when will the number be raised to 90 or to 900, the latter figure being the number eligible to attend Central High School under the board's complete integration plan?

Will Negro students be admitted to Hall High School on the opening day? If so, how many? If not, when will this be done? It is necessary under the board's plan of complete integration. The delay of the plan by Judge Lemley has now been reversed, and the board is ordered to continue.

What other schools will be integrated on opening day? They are all in the plan of complete integration. When will white students be ordered to enter the Negro school? Will that be on opening day this year, and if not, when will it be done? It is a part of the plan of complete integration, drawn up by the board and approved by the Federal Court.

How many Negro students have applied for admission to white schools? Who are they and when did they apply?

Why all the secrecy surrounding these developments? Why the secret board meetings? Aren't the people entitled to know about their own school affairs?

The school board must surely realize the dire implications of any forcible integration of the schools at this time.

Although it has been ordered to continue with the integration plan, it has every right to resist the order by any and every legal means.

1. The board may use the school-assignment law, now on the statute books, which was passed by the overwhelming vote of the people at the general election of 1956.

2. Meet with the parents of the Negro students, and the officials of the NAACP who have instigated and promoted the continued integration efforts. Discuss frankly with them the situation as it now exists, with the dire consequences that may ensue as to the quality of education for the Negro students as well as others, and also the jeopardy to the peace and tranquillity of the community. These Negro parents may rise above their desires for the attainment of their immediate objectives in this matter.

Their decision, the Negro parents and the NAACP in the interest of harmony and greater good to the whole community, to allow a cooling-off period, by sending their students to school with their own race during the coming year, would do much, if not more than anyone else could do, to resolve this whole unhappy situation.

Failing in both of the above, the school board should resign as previously suggested by Judge John Pilkington, of Hope, Ark., and others and allow the people to select a new board which would have the courage to act in conformity to their wishes.

The schools are scheduled to open in less than 2 weeks from this date. If the people, the members of the legislature, or the chief executive are to have any opportunity to do anything about this situation, without the possibility of unnecessary action, or of conflicting action with the efforts of the school board, then it is necessary to know almost immediately the plans and intentions of the school board and the Negro leaders.

Surely the board has plans. If not, it has been very shortsighted indeed.

TEXT OF FAUBUS REPLY TO EISENHOWER

LITTLE ROCK, ARK., August 20.—Following is a text of a statement by Gov. Orval E. Faubus today in reply to President Eisenhower's comments at his news conference on problems raised by racial integration in the public schools:

You have asked for comment on the statement of President Eisenhower.

The free people of a democracy such as ours think of the "law of the land" in terms of laws passed by their own votes at the ballot box, or in terms of laws passed by their elected representatives.

Time after time the people of Arkansas and other States have voted overwhelmingly against forcible integration.

VIEWS ON COURT EDICT

Furthermore, many, many eminent lawyers throughout the Nation, regardless of their views on the segregation-integration question, have expressed the view that the United States Supreme Court decision of 1954 is without the basis of law. No law has ever been passed which says that all people of every section of the Nation must be forced to integrate against their wishes and regardless of the consequences, however bad they might be.

Millions of Americans hold a deep and sincere conviction that the original Supreme Court decision is illegal and violates the principles of democracy, and that the decision is not in accordance with the Constitution, which guarantees to the States certain rights—among them the field of education.

Therefore, compliance cannot be obtained by invoking the sacred name of the Constitution, or by the use of the once-magic name of Eisenhower.

DISCORD SEEN LIKELY

It is, then, inevitable that the integration of the races cannot be achieved without great discord, except by the process of evolution, which requires patience, tolerance, and understanding over a period of time. The length of time must be based upon the peculiar circumstances and conditions in each area, and the period of time required will vary from community to community and, perhaps, from State to State.

If it is the purpose of Mr. Eisenhower's statement to reaffirm his position of last fall, that it is my duty as Governor to use the military to enforce integration in any school district in this State, then I must say that my position of last fall is unchanged.

I do not interpret my constitutional duties to cover any such theory as that advanced by the President.

I do recognize my duty to preserve the peace of my State, and I shall continue to do so to the best of my ability. It is also elementary that I am bound under my oath of office to uphold the Constitution and to enforce the laws of my own State, within the framework of the Federal Constitution.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes, to conclude my remarks on this subject.

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

Mr. JAVITS. Mr. President, only as I have indicated can the dignity and authority of the United States be manifested well enough in advance to work out within the bounds permitted by the mandate of the Supreme Court against public school segregation some program for desegregation in the Little Rock public schools which may prove just and feasible. Without the participation of the United States Department of Justice there is every reason to suppose that the situation can deteriorate as it did in September last with a national emergency—indeed what was an international emergency—on our hands again.

I point out again, Mr. President, we hear constantly from our Southern colleagues that one must be temperate and judicious in trying to work out this situation. Mr. President, I ask my colleagues to judge the words of Governor Faubus and tell us whether they are temperate and judicious and whether the Governor himself and the people of Arkansas could not make a great contribution toward handling this controversy temperately and judiciously.

I certainly agree that should be our aim and our end, and the suggestions

I have made are directed toward such objective.

The Circuit Court for the Eighth Circuit has settled the judicial situation as to Little Rock, and most Americans will applaud the statement of Judge Matthes that in the court's opinion, "The time has not yet come in these United States when an order of a Federal court must be whittled away, watered down or safely withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto. To hold otherwise would result in accession to the demands of insurrectionists or rioters and the withholding of rights granted by the Constitution of the United States."

Not only did the court eloquently state the problem with which this country is faced in Little Rock, it went further and observed "that at no time did the (school) board seek injunctive relief against those who opposed by unlawful acts the lawful integration plan, which action apparently proved successful in the Clinton, Tenn., and Hoxie, Ark., situations."

Mr. President, the President of the United States has made clear his determination to follow the policies which he followed in September 1957. The Governor of Arkansas has made clear his intention to use all legal force at his command again to endeavor to frustrate the Federal court—and, I submit, the Constitution itself. He tried it last year with the National Guard. Now he has urged the school board to resign rather than comply with the latest order of the court. It would be folly, under those circumstances, to expect the State to ask assistance, or to expect the school board and the local authorities to ask the Attorney General to intervene.

The court itself might well ask the Justice Department to intervene as a friend of the court, but I do not believe that the Federal Government should wait at the door considering the urgency of serving notice that there must be order in the house. Under the circumstances the initiative should be taken by the executive branch. The courts have borne the full brunt of this problem long enough. They cannot be expected to perform legislative and executive functions as well.

Congress has failed, in my humble opinion, by refusing to pass an effective part 3 to the Civil Rights Act, to do its part. Part 3 would have given the Attorney General authority to participate without leave of anyone, in individual actions to enforce the 14 amendment.

Again the situation bears out what I and others have been arguing, that such a course would be in the best interests even of those opposed to integration, because it would provide an orderly process of law, with the highest authority of the United States serving notice in advance as to what would be done, and not waiting until the emergency is upon us.

The authority of the courts and of the law and that their mandates shall be obeyed is the very essence of community order. Without it, government fails the people. Even if the Congress has not acted as a body to give the Federal Government specific authority to intervene in the Little Rock school litigation, each of us nonetheless has a duty to do his part to uphold the law and its enforcement by the Federal authorities. It is for this reason that I have urged these courses of action which are designed to anticipate events rather than to react to them just as they threaten to overwhelm us.

Mr. JENNER. Mr. President, has the morning hour been concluded?

The PRESIDING OFFICER (Mr. HOBLITZELL in the chair.) Morning business has not been concluded.

STATEMENT BY PRESIDENT EISENHOWER ON LITTLE ROCK INTEGRATION DECISION

Mr. NEUBERGER. Mr. President, inasmuch as the Senate is now debating the vital issue of Supreme Court rulings and judicial sanctity, I ask unanimous consent to include in the CONGRESSIONAL RECORD the statement made by the President of the United States on August 20, regarding the Little Rock integration decision and the crisis in school integration generally. I approve of the President's words, and I trust he will back them up with Executive action at the appropriate time.

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

[From the Washington Evening Star, August 20, 1958]

EISENHOWER STATEMENT

(Following is the statement on the Little Rock integration decision and school integration generally made by President Eisenhower at his news conference this morning:)

Because there are still some phases of this case pending in the courts, it would not be appropriate for me to express my view on the case itself.

This case, however, or any person's agreement or disagreement with its outcome must not be confused with the solemn duty that all Americans have to comply with the final orders of the Court. Nor should we lose sight of the fact that the maintenance of order to permit compliance with the final orders of the Court is the responsibility of each State.

Each State owes to its inhabitants, to its sister States and to the Union the obligation to suppress unlawful forces. It cannot by action or deliberate failure to act permit violence to frustrate the preservation of individual rights as determined by a court decree. It is my hope that each State will fulfill its obligation with a full realization of the gravity of any other course.

Defiance of this duty would present the most serious problem, but there can be no equivocation as to the responsibility of the Federal Government in such an event. Our feelings are exactly as they were a year ago. As I said then:

"The very basis of our individual rights and freedoms rests upon the certainty that the President and the executive branch of Government will support and insure the carrying out of the decisions of the Federal courts."

Every American must understand that if an individual, community or State is going successfully and continuously to defy the courts, then there is anarchy.

I continue to insist that the common sense of the individual and his feeling of civic responsibility must eventually come into place if we are to solve this problem.

UNHEEDED ALARMS

Mr. CLARK. Mr. President, I ask unanimous consent to be permitted to proceed for not more than 7 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. CLARK. In this morning's Washington Post appears a thoughtful article by Walter Lippmann, entitled "The Unheeded Alarms." I ask unanimous consent that the article be printed in the RECORD at this point as a part of my remarks.

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

[From the Washington Post and Times Herald of Thursday, August 21, 1958]

THE UNHEEDED ALARMS

(By Walter Lippmann)

A week ago Senator JOHN S. KENNEDY made a powerful and impassioned speech about the prediction, which is widely supported among experts, that within a few years the Soviet Union will be far ahead of us in the big strategic missiles. The period of our inferiority is estimated to be from 1960 to 1964 when the Soviet Union will, according to these estimates, have the power to destroy our Air Force and to devastate 85 percent of our industry, 43 of our 50 largest cities.

Senator KENNEDY's speech was applauded by the Democratic Senators who took part in the debate. But it was attacked by Senator HOMER E. CAPEHART of Indiana who objected to it on the grounds that in such a public exposure Mr. KENNEDY was selling America short and giving aid and comfort to the Russians. This charge was easily disposed of because the fact of the matter is that the speech contained nothing that could be news to the Russians, nothing that has not been said publicly many times before. The most notable occasion when it was said before was on January 23 of this year, during this session of Congress, in the unanimous report of the so-called Preparedness Subcommittee.

This subcommittee heard some 70 witnesses, interviewed some 200 experts, and took about 7,000 pages of testimony. It reported unanimously that the Soviet Union leads in ballistic missiles and in the number of submarines, that it will soon surpass this country in manned bombers. It reported too what is even more significant and portentous, that "the Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States" and that "the Soviet Union is producing scientists and technicians at a rate substantially greater than our own country." If this is true, the lead of the Soviet Union will increase and the gap will not be closed.

Perhaps the most important question raised by Senator KENNEDY's speech is why, in view of the subcommittee report in January at the beginning of the session, he did not deliver this speech until August 14 at the very end of the session. What has been happening between January, when the alarm was sounded, and August when Mr. KENNEDY sounded it again? What happened, it is plain enough, is that the failure to respond to the alarm was in both parties, and that there is no discernible difference between the attitude of the Eisenhower administration and that of the Democratic opposition. A few Democratic Senators have made speeches which are on the record but the party as an organization has reacted to the warning as the President himself has reacted.

The bipartisan reaction to the discovery that the Soviet Union is forging ahead in the race of armaments has been governed, I think, by the human propensity to prefer a disagreeable fact which is still in the future to a disagreeable remedy in the present. The danger period, according to these calculations, will not begin for at least 2 years; the remedial measures to cope with it ought to have been laid down in this session of Congress. The bipartisan leadership has avoided the disagreeable remedies, hoping that somehow the alarming predictions of Senators SYMINGTON, JACKSON, and KENNEDY, and of Mr. Joseph Alsop, will not come true.

Indeed, so far as I know, there does not exist an agreed program of what the disagreeable remedies are. Mr. KENNEDY made a few suggestions but he offered no program, and although the Democratic opposition is very critical of President Eisenhower, there is no alternative Democratic program before the country.

Why is it like that? I think it is because the real problem—the relatively greater speed of Soviet technological development—cannot be overcome by a spending program alone. It would be quite easy to push Congress into new and bigger expenditures. But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest. We are in competition with a new society which is in deadly earnest, and there is no use pretending that amidst our comforts and our pleasures, we are serious enough.

That is why, when the alarms are sounded, we turn over and go to sleep again.

Mr. CLARK. Mr. Lippmann states that—

Within a few years the Soviet Union will be far ahead of us in the big strategic missiles. The period of our inferiority is estimated to be from 1960 to 1964 when the Soviet Union will, according to these estimates, have the power to destroy our Air Force and to devastate 85 percent of our industry, 43 of our 50 largest cities.

I believe that that is a sound statement of fact, based upon nonsecret information available to every American citizen, and buttressed by the fine research done by the Preparedness Subcommittee, headed by the distinguished majority leader, the gentleman from Texas [Mr. JOHNSON], and ably abetted by the distinguished Senator from Missouri [Mr. SYMINGTON], and the distinguished Senator from Washington [Mr. JACKSON].

Mr. Lippmann further concludes that—

The Soviet Union is producing scientists and technicians at a rate substantially greater than our own country.

That also is a clearly established fact, buttressed by the Encyclopedia Britannica, as well as by visits to the Soviet Union by many distinguished American educators, two of whom come from my own Commonwealth of Pennsylvania—the president of the University of Pennsylvania, Gaylord P. Hornwell, the chancellor of the University of Pittsburgh, and other distinguished Pennsylvania educators.

At that point I leave Mr. Lippmann, because he states that there is no discernible difference between the attitude of the Eisenhower administration and that of the Democratic opposition on defense and educational policy. He says that a few Democratic Senators have made speeches which are on the record, but the party as an organization has reacted to these warnings as the President himself has reacted—negatively.

I deny that allegation. I say again what I have said so many times on the floor of the Senate, that it is impossible to push water uphill. A legislative body cannot supply the zeal, the vigor, the imagination, and the implementing policy which it is the problem and duty of the Executive to furnish. No amount of money which the Congress might appropriate would make up for the feeling of smug complacency which affected the Eisenhower administration long before sputnik, and which, unfortunately, still continues.

I think we had a little indication the other night on the floor of the Senate that a guilty conscience was finally gnawing at the minds of some supporters of the administration in this body. I pray that that guilty conscience may gnaw further until, in God's good time, we find reawakened in this administration the sense of urgency which was present for a few short weeks after sputnik.

I commend my colleagues on the Foreign Relations Committee, on the Preparedness Subcommittee, and on the Armed Services Committee, for the extraordinary contribution they have made toward reawakening that sense of urgency. I hope that in some small way I have been able to aid them to a slight degree.

Mr. Lippmann continues:

The danger period in the missiles race, according to these calculations, will not begin for at least 2 years; the remedial measures to cope with it ought to have been laid down in this session of Congress.

That is correct. My friend, the Senator from Missouri [Mr. SYMINGTON], and my friend, the Senator from Washington [Mr. JACKSON], have pointed this out again and again on the floor of the Senate as the distinguished junior Senator from Massachusetts [Mr. KENNEDY] did the other day, and as the distinguished Senator from Arkansas [Mr. FULBRIGHT] did in his fine speech on the question of our policy in the foreign relations field.

I suggest that, as Mr. Lippmann says that the real problem—

cannot be overcome by a spending program alone. * * * But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest. We are in competition with a new society which is in deadly earnest, and there is no use pretending that amidst our comforts and our pleasures, we are serious enough.

That is why, when the alarms are sounded, we turn over and go to sleep again.

I feel very strongly indeed that it is an obligation of Members of the Senate to hammer away at the sense of national complacency which is on its way to destroying our liberties, our freedom, and our very national existence.

I suggest that—

The fault, dear Brutus, is not in our stars,
But in ourselves, that we are underlings.

Mr. SYMINGTON. Mr. President, I congratulate the Senator from Pennsylvania for his eloquent remarks in connection with the interesting and thought-provoking article by Mr. Lippmann. Ever since the first week the distinguished Senator from Pennsylvania came to the Senate, he has joined with a group of Senators who have been constantly warning the American people that the plans and programs of this administration with respect to our position, vis-a-vis that of the growing Communist conspiracy, are not adequate to meet the danger. I am glad once again that the voice of the Senator from Pennsylvania has risen in the Senate so that the people will know the truth in connection with the most important problem we have today.

Mr. CLARK. Mr. President, I thank my friend for his kind remarks. I point out that inadvertently—and I have no excuse for it—I overlooked mentioning the distinguished junior Senator from Montana [Mr. MANSFIELD] and the distinguished junior Senator from Alabama [Mr. SPARKMAN] as two of the Members of this body who have constantly impressed upon the Senate and upon the country the dangers of a continuation of our present course in foreign policy and in national defense.

THE UNITED STATES EXHIBIT AT THE BRUSSELS WORLD'S FAIR

Mr. GREEN. Mr. President, I have received a most interesting letter from 20 of the young American guides serving at the Brussels World's Fair. These guides are American young people who day after day have had an opportunity to observe the foreign reactions to our exhibit in the United States pavilion there.

The letter which these young Americans have sent to me is in defense of an exhibit there entitled "Unfinished Work." These 20 guides believe that a recent policy decision to remove this exhibit was provoked by criticism emanating from the Congress, and that the decision may well destroy one of the most significant and powerful of our exhibits at the Brussels Fair.

I have avoided thus far participating in controversies which have arisen over the nature of our exhibits at the fair, but this letter is so thoughtful that I believe it deserves the most careful attention of every Member of Congress, of the Department of State, and of the United States Information Agency.

The essence of the comments of these young Americans is that our exhibit entitled "Unfinished Business" has had a heavy and favorable impact on visitors to the fair, and also, these young Americans note, "It takes courage to be honest."

I ask unanimous consent that this letter be printed in the RECORD at this point.

I intend to pursue this matter with the appropriate officials of the United States Government, and I take this op-

portunity to commend these Americans for their splendid, thoughtful letter:

BRUSSELS, BELGIUM,
August 16, 1958.

Hon. THEODORE F. GREEN,
United States Senate,
Washington, D. C.

MY DEAR SENATOR GREEN: We, the undersigned American guides at the Brussels World Fair, would like to submit a report on an exhibit in the United States Pavilion entitled "Unfinished Work." Our action has been inspired by a recent change in policy which will replace the three problems now portrayed in this exhibit (race relations, urban renewal, and conservation of natural resources) by a public-health exhibit. We understand that this change will be made because of the recommendations of some Members of Congress, the State Department, and the United States Information Agency.

Because Unfinished Work has been criticized in the United States, we believe it is imperative to present our evaluation of this exhibit which is based on our direct, personal experience. We are sending this report to you because we earnestly hope that you will understand our position and, if you see fit, take appropriate action.

Unfinished Work has been open to the public about 10 weeks (it opened late and was closed for changes), and has been seen by approximately 250,000 persons. Visitors are usually taken through it in separate language groups, ranging from 5 to 25 persons. This permits each guide to have direct contact with everyone. In brief, this exhibit is made up of three sections: (1) Introduction to the problems through newspaper clippings; (2) improvements already achieved and steps being taken toward further progress through photographs and charts; and (3) the ideal for the future through photographs. The general purpose of the exhibit is to demonstrate how the dynamics of American society resolves its problems and eventually realizes the ideals for which we stand.

In the first part, the problems are simply stated as follows:

1. The American Negro: One American citizen in 10 is descended from African slaves. These 17 million Negroes have yet to win all of the equal rights promised them by American democratic theory.

2. The Alliance With Nature: The American Continent was settled with little thought for the future of its seemingly unlimited resources; now Nature needs help from man's management to husband and renew our trees, soil, and water.

3. The Crowded City: In less than two generations, Americans have changed from a country to a city people. Three-fourths of them now live in urban areas, whose rapid growth has brought problems of congestion and of housing that is not yet up to the other standards of American life.

Throughout this exhibit, we try to be as honest as possible, admitting that many aspects of the present situation are unfortunate, but that recent changes justify optimism. For example, in the second section of the exhibit, the racial problem is discussed from three points of view—educational, political, and economical. One graph shows the increase in the number of Negro students in American universities and colleges: 27,141 in 1930 and 196,000 in 1956. The accompanying photograph depicts Negro and white students, with a Negro professor, at the University of California. The graph below shows the results of the 1954 Supreme Court decision on integration. Out of a total of 3,008 southern school districts, 761 have integrated. In explaining this graph, we say that schools in the North already were integrated, but that the South does not have a monopoly on the problem. We add that although it is a legal problem in many parts of the South, it still remains a social and economic problem in the North. On the subject of Little Rock, all heads immediately nod in recognition when this name is mentioned. Without exception, every European and Asian is familiar with this incident and all too frequently, this is as far as his knowledge extends. We add, however, that while the headlines were filled with the violence of Little Rock, there were many other communities in the South which carried out integration in a quiet and orderly manner. In these cases, usually committees of whites and Negroes cooperated in working out a long-range integration program which gave both sides adequate time to adapt to this new concept. The next photograph shows Negroes using voting machines (which fair visitors are already familiar with, having seen them in the pavilion). The accompanying chart shows the rise in the registered Negro vote in the South: 1947—595,000; 1952—1,008,614; and, 1956—1,238,038.

The next group of photographs depicts Negroes and whites working together. There is also a photograph of the New York Commission on Discrimination. We explain that many cities have such public service commissions which permit white and Negro citizens to protest against discrimination of any kind.

Another photograph shows a Negro couple in a modern, upper-middle class kitchen in a Little Rock home. In explaining these pictures, we say that they are not necessarily typical of either Negro or white living conditions but that they indicate that such standards are possible. The accompanying chart shows the rise in Negro per capita incomes: 1937, $384; 1947, $750; and 1956, $1,070, on the basis of the constant dollar. We add that there is still a large difference between the average white and Negro income, but that this gap has steadily decreased in recent years. On the corner of this wall, there are photographs of President Eisenhower, Adlai Stevenson, the Rev. Martin Luther King, and Walter Reuther with accompanying quotations. For example, Reverend King's words are: "This is not a war between the white and the Negro, but a conflict between justice and injustice. It is one of the greatest glories of America that we have the right of protest."

The other side of this structure is occupied by the housing problem and the conservation problem. In the housing section there is a photograph of the southwestern section of Washington, D. C., showing slums with the Capitol dome in the background. This same photograph was circulated in some parts of Europe and throughout Communist countries several years ago as an example of how Americans live. A scale model of a new apartment building is placed under this picture, indicating the type of housing which is replacing this section. Other photographs contrast slum areas with new housing projects. We also explain in this section how cities can participate in an urban renewal program and share part of their costs with the Federal government. The accompanying charts explain that 60 percent of all homes in the United States are occupied by their owners. There are also photographs of Levittown showing our development of large scale, low cost, one family housing projects.

In the conservation of natural resources section, there is a photograph showing soil conservation through contour plowing, a concept which is relatively new to Europeans. The accompanying chart reveals that in 1957, out of a total of 4,900,000 farmers, more than 1,700,000 of them had conservation plans. A chart also shows that the forest area now under protection is 600 million acres, compared to 387 million in 1937. A map of California is exhibited as an example of how this State is helping to solve its irrigation problems through such projects as the Shasta Dam. The adjoining chart shows that reservoir capacity has risen from 1.5 million acre-feet in 1940 to an expected 410 million in 1970.

According to the amount of space we have devoted to describing the racial problem in this report, it may appear as if it has been overemphasized. But we can explain this imbalance by the amount of interest shown in the racial problem abroad and the criticism which has been focused on the presentation of this problem by people in the United States.

In the third section of this exhibit, three large photographs communicate a loose idea of the American ideal. One wall shows Negro, white, and Oriental children dancing in a circle, hands joined. The other side shows the graceful sweep of threshers curving over a Kansas wheat field, and the third photograph is a tall, modern apartment building. The plaque reads: "American communities, like American individuals, like to emulate and surpass each other. By this process democracy's unfinished business, already partially mastered, will get done on a national scale. To be followed no doubt by other (and perhaps nobler) challenges. The goal that draws us is not utopia, but larger freedom, with more justice. Democracy is our method. Slowly, but surely, it works."

In this section we ask visitors, if they have questions about any part of the exhibit. Almost all will say, "Thank you very much," and will shake our hands. Visitors are definitely and positively affected by this experience. Others will add, "It shows the democratic and free spirit of the United States," or "You are very courageous to do this," or "Only a great country can recognize its own faults." Many, who have only heard of Little Rock, will say, "We did not realize that the Negro has made so much progress." Often it is contrasted to th Russian pavilion.

Each nationality group has a somewhat different reaction to the exhibit. Often they will admit that they have similar problems in their own countries: the British with the West Indians, the Dutch with the Indonesians, and some Belgians with the Congolese. The most interested response, however, comes from peoples from Asiatic and Communist countries. They have been told about our racial problems with more intensity and exaggeration than any other groups. Many will start out with complete skepticism and leave with an indication of new respect.

For example, a group of Indian and African students bluntly asked, "How can you call yourselves a democracy and the representatives of free peoples if you treat your Negro citizens like this?" This same group stayed and discussed the problem for more than an hour. They said that they were hesitant about coming to the United States to work and study. "If it is difficult we will come, but if it is impossible, please tell us." After the hour's discussion, although the problems had not been resolved, they had been opened up, and both sides felt as if something worthwhile had been accomplished. They came back again to say thank you. This is typical of many of the reactions we receive every day in this exhibit.

Some visitors will frankly ask, "But why do you have this problem at all?" We try to approach it from a historic, political, and economic point of view, adding, "It takes time for people to change, and it cannot be forced on them, especially in a democracy."

Sometimes people will start out almost belligerently, such as one German who said, "When the Americans came to Germany 10 years ago, they told us how terrible we were the way we treated the Jews, but you are doing the same thing with the Negroes." We made a distinction—the Germans tried to eliminate the Jew from society; we are

trying to integrate the Negro into our society.

Although American visitors are in the minority, almost all who have come to the exhibit have been impressed by it. While many may have heard critical reports before seeing the exhibit, they become convinced that it takes courage to be honest. This has been equally true of 3 housewives from Georgia as 2 law students from New York City.

In conclusion, we would like to evaluate this exhibit in terms of the larger context of the World's Fair and American foreign policy. The theme of the Exposition is a new humanism in a scientific age, and the efforts each country is making to improve the material standard and human rights of its citizens. The United States is the only country represented at the Brussels World's Fair which is engaging in this type of open self-evaluation. What has sometimes been termed as "hanging out our dirty linen" by critics of the exhibit in the United States has, on the contrary, turned out to be a powerful type of inverse propaganda. It is a total contrast to the Russian Pavilion and provides a positive answer to their twisted propaganda about us. This exhibit has succeeded in gaining for us a deep and sensitive measure of understanding and respect in the eyes of the average fair visitor.

Judging from the responses we have received when working in this exhibit, we strongly believe that the proposed changes in unfinished work will diminish our prestige abroad and will open us up to new and severe criticism because we have been forced by domestic pressure to retreat from a courageous position.

We thank you for your kind consideration.

Sincerely yours,

Michael C. Moore, Gloria H. Teal, Lawrence E. O'Neil, Madeleine May, Kibbe Fitzpatrick, Nancy Gore, Carol J. Hardin, Edward G. Janeway, Jr., Stanley Reeves, Kathleen M. Quinn, Ronald Davidson, Charles E. Butterworth, Lydia Blanchard, Henry Hammond, Beverly E. Franks, John R. Yancey, Mary-Lou Donahoo, Jane Bancroft, Armena Martin, Carleton Dallery.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Chair lays before the Senate the unfinished business, Senate bill 654.

The Senate resumed the consideration of the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

The PRESIDING OFFICER. The pending question is on the motion of the Senator from Colorado [Mr. CARROLL] that the bill be recommitted to the Committee on the Judiciary.

IN RETROSPECT

Mr. JENNER. Mr. President, the time has come for me to take my leave.

Twelve years spent in the Senate of the United States—nearly a third of a man's professional life—leave a mark which nothing will ever erase.

I am proud to have been chosen by my State of Indiana, to serve in the United States Senate.

I have made many happy associations here, and I hope they will not fade away.

Though I am sorry to leave, I am happy to return to the life of a private citizen. No people anywhere in our country care more for home and family, for private life and our local communities than the people of Indiana.

We have something of the feeling that our local communities are the hub of the universe, which was so strong among Americans in colonial and pioneer days.

It is nearly 14 years since the day in November 1944, when I first took the oath of office in this Chamber.

Those 14 years have been among the most critical in the history of the United States.

As I plan to depart, I ask myself, what does it all mean? What is happening to my country?

When I came to the Senate in 1944, the armies of the Allies had broken through the German West Wall and freed France from the enemy.

The end was in sight.

In the Pacific the Navy had begun the destruction of Japanese sea power. MacArthur and his men had started on the bloody island road to Tokyo.

Our country was the head and shield of the grand alliance.

We not only had 12 million men under arms, in every theater of the war, but we were the arsenal for all the Allied Nations.

Our farms and factories poured out rivers of goods for war. Our railroads carried them across a continent.

Our ships and the ships of the Allies braved the submarine-infested waters about England, the Arctic Coast of Russia, Africa and Latin America.

Our pilots set new records for flights over the oceans and opened the icy routes to Alaska, from which Russian pilots picked up not only planes for the defense of Moscow, but also secret reports on how to use atomic energy for war.

Though I abhor bigness as a test of American achievements, the might of our operations, at such a high level of quality, added the sense of overwhelming strength to the patriotic devotion which stirred our people.

We were fortified inwardly by the conviction that we had never used our superior power to impose our will on any other people.

We expected nothing from our sacrifices except liberty for all nations, and the peace that goes with freedom.

That year of 1944 was a truly great year in the record of our country.

Mr. President, what has happened to that America? What has happened to our courage, our clear direction and purpose, our proper pride in our accomplishments and sense of restraint in using the power that was given us?

The glory has departed. We no longer have a sense of elation. We are confused, operating at cross-purposes.

We refuse to face the harsh realities of the world we live in, and instead fall back on moralistic platitudes to hide the emptiness of our minds.

I keep asking myself why. I do not have a clear answer.

But, at least, I have tried to free my mind of cant, to strip it bare of the platitudes which are in style today.

I am willing to face the emptiness of things, because I believe that only after we have cleansed our minds of lies can new seeds begin to grow, in the little clearings where the weeds of self-deception have been cut down.

Only if we have the courage to live with the winter of our disillusionment, will we see, once again, a spring of new ideas and hope rise from the store left by our Founding Fathers.

I am not going to retrace the struggle which has gone on in Congress and the executive branch since 1944.

The point is that we have been engaged in a far greater struggle, against a far more powerful force, than consumed our full powers in the war against the axis.

We are fighting against a tidal wave of collectivism, coming out of Eastern Europe, which, if it is not stopped, will destroy all western civilization and the Christian faith on which it is based.

It must be stopped, though we do not yet see on what battlefront the present-day Huns will be halted.

You recall the story of Jacob wrestling with the angel. Jacob struggled long and hard, in the darkness, with an opponent he could not see. He was sure his strength would fail, but he fought on. With the breaking of the day, Jacob knew he had been wrestling with superhuman power, but the angel told him he had the blessing of God and would prevail.

The Communist challenge may yet prove the goad which compels us to rise out of our sloth and security, to face the dangers of the world we live in.

In many ways Congress has been the frontline of this struggle for the soul of America.

We know of the determined efforts by a little group of willful men to perpetuate in the war and postwar years the unrestrained executive power they had built up during the New Deal period and World War II.

Let me say here that I am not speaking as a Republican. I am not making a defense of my party, and I am not making any partisan criticism of the Democratic Party.

My only concern is with the question: What is happening to our country?

As I have said repeatedly, the New Deal had no common interests with the Democratic Party. New dealism is an importation from countries where the executive power was always dominant, or where rising left-wing fractions, inexperienced in politics, yielded to the childish hope that, if governments were

made strong, they would use their power to serve the interests of the people.

I said to members of my own party in 1953 that the New Dealers were interested only in the party in power.

I said they would make the same efforts to capture the Republican Party in 1953 that they made to take over the Democratic Party in 1933. I leave the rest to my colleagues.

Let us go back to November 1944. Most Americans saw only the grand coalition with its huge armies and navies and air armadas pressing forward to victory.

The Atlantic Charter promised a just peace. But little groups of men were already hard at work, to make over our Government, on the anvil of war, in their own image.

We know how the Atlantic Charter was replaced by the agreements of the Big Three at Teheran, Yalta, and Potsdam.

We know how carefully thought out plans for military government of Germany and Austria were replaced by the Morganthau plan for making Germany a pastureland and sending her scientists and others to slave labor in Russia.

We know how the trained diplomats who understood the Far East were replaced by John Carter Vincent and Lachlin Currie, Owen Lattimore, and E. C. Carter, with their precise plans for the softening up of Free China, and the abandonment of Asia to the Communists.

We know how American economic ideas of free enterprise in foreign trade were replaced by GATT and other parts of the blueprint for one economic world.

We know how our policy was directed to let Korea fall, without letting it look as if we pushed her. Our valiant fighting men in Korea resisted and defeated the screaming hordes of Red China. We know how the victory was taken away from us, in the dark recesses of collaboration between our State Department and the United Nations.

We know how the Republican Party was gradually shifted from the leadership of Ken Wherry, Robert Taft, Arthur Vandenberg, and the group of Senators who fought so bravely with them. We know how it was taken over by Paul Hoffman, and his kind, the modern Republicans, and the men in the shadows behind them.

We know how the Democratic Party was transformed from a party which accepted Franklin Roosevelt's temporary reforms, but still was committed to the Constitution, into a party managed by Harry Hopkins, Dean Acheson, Walter Reuther, and the men in the shadows behind him.

We know how brilliantly Congress brought out the facts about the Communist influence on our Government's policies. The House of Representatives supported, through every kind of pressure and abuse, the Committee on Un-American Activities. The Senate supported the Subcommittee on Internal Security, under Senator McCarran, Senator Eastland, and myself. The evidence brought out by those committees and other committees of Congress documented large areas of the Communist conspiracy within our Government.

We know the pressure which set in to destroy these committees and to besmirch the evidence the Congress had gathered, and, even, to attack the legislative power itself.

Many brave and distinguished Members of Congress were retired to private life, because they incurred the anger of the Communists, who relentlessly pursue any one who dares oppose them, until the day he dies. There is a long line of such brave, defeated, forgotten men, up to the day of infamy when Joe McCarthy was censured by his own colleagues in the Senate because someone in high office did not want him to get nearer to the secret places where Communists had power over our Armed Forces.

While this struggle was going on in our country, the Soviet rulers were busy expanding the empire of death over half the world of living men.

We remember that, even while our flyers were piloting planes over Canada to Alaska, and our seamen were going down to death in the icy waters near Murmansk, the Soviet Union had its spy network in Japan, under Richard Sorge, urging the Japanese to attack America, instead of Siberia. When Japanese planes rained death out of the morning sky on Pearl Harbor, the Soviet Union knew Siberia was safe. It moved its Asian forces to the European front.

Let every American who praises the Russian defense of Moscow remember that the Russian victory was possible only because our loyal ally, the Soviet Union, had persuaded the Japanese to attack our country.

The Soviet Union, in 1944, was so weak that it barely survived the conflict with Hitler. It survived only because America sent the extra margin of food and planes and trucks which kept the Russian armies in the field.

How did the Soviet Union repay our help, when the victory was won? Just exactly as they had said they would repay it. Lenin had long taught the Communists that they must use every nationalist war to start the world civil war. As soon as the Communists were sure we would defeat the Nazis, Soviet political leaders started their intrigues to destroy Chiang Kai-shek and conquer China. They intended that America would have no friends and no bases between Outer Mongolia and the coast of California.

They lit the fires of civil war in Korea and Southeast Asia, stirred up civil commotion in Germany, Italy, Austria, France, and England, trained their subversive followers in India, Africa, and Latin America, and brilliantly directed their traitorous fifth column and its dupes in America.

Now half the world is under the heel of their armies. A large part of the so-called Free World is so confused by their intrigues, so fearful of their vengeance, that it cannot plan a counterattack.

All over the world the simple people know the score. They know Communism is death. They will try to escape so long as they can. All over the earth they are leaving the Communist world for the Free World—voting, if you please, with their feet.

Our Government tells us Tito is a great champion of freedom; but the plain people of Yugoslavia do not understand. Every day they are walking their way to freedom.

In Germany, all the human traffic is one-way—from Communist Germany to Free Germany. We remember the pictures of the Korean refugees clinging by the hundreds to every cart and truck that left the Korea of the Communists for the land of Syngman Rhee. They are still coming. Farther south, the Chinese flee in junks from the mainland to Taiwan; yet we are asked to believe the armed forces of China, with the best modern equipment, could never return from Taiwan to the mainland.

Politically, the world is covered with a blanket of silence. There is not much debate or argument. There is only the stillness, and the soft sound of feet crossing the borders to freedom, or junks sailing in the winds to the land of hope.

Our people have not failed. Our principles have not been found wanting. Our political leaders have failed. The people have courage, and the instinct for truth. They know the greatest political earthquake in history has destroyed all landmarks. They are willing to work and to suffer. They ask of their leaders only that they be given new maps, so they can find their way over the new territory, through which, like the children of Israel, they must journey if they are to reach the promised land.

Our times call for soul-searching by both our political parties. In a crisis as deep and as wide as that of today, political leaders cannot do everything. But have they done enough?

It is the task of political parties, under the two-party system, to mediate among the many special interests, but to find answers that serve the common good.

Today, that task is, I admit, harder than it has ever been before. America is sick with a sickness that goes very deep. The sickness has spread into our schools, our industries, our unions, even our churches. But that is no excuse for failure of the political parties to do their own work.

The duty of our parties is to serve the one great political interest in our country, the interest of those Americans who ask no gifts from their country, who believe—with Cleveland—that the Government does not support the people. The people support their Government.

Have our political leaders read Plato and Aristotle and learned how old is the trick of buying the support of the people with their own money? Have they worked hard enough to see that those who promise a brave new world in our day are no different from the demagogs of Athens and Rome? Have they learned to read, in the high-minded pronouncements about peace, collective security, and a new day for the common man, the same lies and deception that have destroyed so many republics?

Do they know, but fear for their own little safety?

It is the duty of political leaders to lead the Nation to clear political thinking. They must tell the people where, in the lies and confusion, their vital interests will be found.

Behind all the fooling and the horseplay, the partisan argument, and appeals to emotion, the great American parties have served our Nation well. I hope they will again. But today the individual who is trying to understand the dangers to our country must stand alone, and do what little he can, until the parties take up their burden again.

This is no time for me to speak of what I have done, or tried to do, although I am trying, by this recounting, to find the answer for myself.

Wherever I could, I have fought vigorously the Communist penetration into American Government and American life. The records of our subcommittee and other committees tell the story of how much we uncovered.

Wherever I could find a means to weaken the communism influence on our soil, I have fought for it—in the immigration laws, in internal security legislation, in the fight to give the States their sovereign right to legislate, except where it conflicts with the national purpose. The bill before the Senate on yesterday, which I first introduced, would take from the Supreme Court the power to hear appeals in areas where the Court has deliberately restrained Congress, the executive branch, our States, our school system, and our bar examiners, from necessary and proper steps to guard our country against internal communism. That bill is not before the Senate at this time; it was defeated yesterday by a vote of 41 yeas to 49 nays. But I hope it has left its impression. That fight is not over; it still will have to be won.

In foreign affairs, I have opposed solemn agreements with men who frankly admit they regard all agreements as military feints to deceive the hated enemy. I have opposed collective security and foreign aid, because they are failures, and the record shows it. They have not strengthened American security or brought peace and good will to the world. Instead, we have exported jobs and have drained away the wealth of this country; and still the Communists go merrily on their way.

It is just as stupid for us to fall into Communist boobytraps as it would have been for President Roosevelt and his advisers to talk peace with Hitler, join him in a world government for collective security, and distribute billions of our earnings in foreign aid to keep the neutral nations from turning pro-Nazi.

I have urged at every opportunity that we take the Communists at their word, and admit they are engaged in a civil war against the world. That means we should keep from them everything which builds up their warmaking power. We cannot feed their strength by trade, diplomatic relations, summit conferences, unchallenged rulership of the satellites, and the most absurd folly of all—cultural exchange with those who have reduced all culture to obedience to the state.

I have fought against all steps leading to world government, by people afraid to make an honest appeal to Americans to abandon their Constitution. I have opposed the perversion of the treaty power into an instrument for reducing our Government to a province of a world state. I have opposed abandonment of the constitutional rights of our fighting men through status of forces treaties and agreements. I have fought all the many-pronged attempts to transform American fighting forces into police contingents, subject to control by the Security Council of the United Nations, where they would no longer be able to safeguard our country or obey our Constitution.

Finally, I have fought, wherever I saw a chance, against the weakening of America through financial waste, Government extravagance, red-ink budgets, the lies about owing our debt to ourselves, and the widespread inflation throughout our whole economy which follows fiscal dishonesty.

Congress is kept in a state of perpetual confusion, goaded to such speed the Members cannot think. But if one looks carefully, there is no confusion. The problems are really simple.

If I had to reduce everything I have learned in the last 14 years to one sentence, I could sum it up in these words, "Please do not give your Government so much money."

Easy money is the root of political corruption. Rigid control of public money is the root of political morality and political creativeness.

Corruption of governments by too much wealth is not a new problem, but a very old one. The founders of our country understood how essential it is to keep government close to poverty's edge. They put the control over expenditures into the hand of Congress for a simple reason. The Congress which appropriated the money would not have the spending of it, and could not build up an empire of pressure groups. The executive, which could misuse public money, was not permitted to appropriate it, or lay taxes to collect it.

If the New Dealers had not had too much easy money, they could never have set up emergency agencies and created the sprawling bureaucracy which devoured the old-line Federal agencies. If the Government in wartime had not had too much money, it would never have been able to put teams of one-worlders into every field of Government, to prepare the directives, to write the laws, and to make the propaganda for our postwar Tower of Babel.

If the postwar agencies had not had far too much money, they would not have been able to make our executive branch so huge, that Congress cannot control it, so secret that neither Congress, the press, nor the people can find out what is going on.

A government with too much money to spend destroys the society it governs, in two ways. A spending government corrupts the weak with the current equivalent of bread and circuses. Today we call them Federal aid and summit conferences. More important, a spending government must destroy the strong.

No spending government ever gave up spending voluntarily. If it is threatened with loss of the money it loves, a spending government will fight with everything it has to preserve its advantage. A government with billions of dollars to spend as it likes is a government with economic soldiers it can send out to make war on its own people.

It must use money as a weapon to destroy the strong, who want no dependence on government. Why should anyone be surprised when the obvious happens?

I need only mention the income tax, Federal control of expenses of industry like advertising and depreciation, Federal control of income-tax exemptions and tax-exempt foundations. Why is it that the tax-exempt foundations are almost as a unit committed to the welfare state? Let us not be naive.

The Members of this body have seen the growing demand by the public for reduced spending, and lower taxes, which reached its peak last year. Senators remember how angrily the public protested the Eisenhower budget for fiscal 1959.

Yet we have seen this year the wildest spending debauch ever engaged in by any Congress. I have chosen those words deliberately. Nothing in the New Deal, nothing in World War II, and nothing in the postwar years or Korea, is anything like as outrageous as was the spending spree of 1958.

The administration had virtually achieved a balanced budget in 1957 and was trying to pay back part of the debt that now costs us $8 billion a year in interest alone.

Where is the surplus now? Gone with the wind. The Secretary of the Treasury says we went into the red nearly $3 billion in the year just ended. The deficit will be perhaps $12 billion this year. We have thrown away the hope of a balanced budget for years to come.

I think the estimates of our deficit will prove much too low. The inflationary spirit is like a fire. Once started, it is hard to bring under control.

What is the end? We know. It is an old, old story. Always the end has been foreseeable long before the crash.

I will not repeat to you the story of inflation in Germany or France or any other country. But I say this—the financial losses of inflation are of the size of catastrophe. But they are not intolerable.

The American people could stand the loss of every dollar of their accumulated capital, and start from the bottom, to rebuild all their wealth, as Germany did after 1945.

My fear is this. The American people, like other people, cannot stand the moral deterioration, the intellectual decadence, that the flight to inflation brings. The men in Congress who pushed the American economy over the brink, from financial responsibility to runaway inflation, will have to answer for the destruction of everything political, economic, moral, intellectual that has made America strong.

Inflation in Germany was the start of Adolf Hitler's journey to the summit. In-

flation in the French Revolution led to Napoleon Bonaparte. Inflation is political suicide.

I have not said the American people are going to travel the primrose path of inflation. I say they are being pushed in that direction by wild-eyed Socialists, ambitious intellectuals, power-seeking demagogs and hidden Communists.

I say the issue is not over money. The issue is over the political sanity, the intellectual honesty, the moral decency, and the military vitality of the United States.

I am not retiring from political life because I am retiring from Washington.

As I said recently, our country is not governed by officials in the Capital. So long as America is true to itself, its strength will lie in the country, not in the Capital. Its political sovereignty will lie in the people, not in the officials. Its intellectual energy will be widespread in all parts of the Nation, not emanating in a cloud from Washington. Its spiritual strength will be in its families, its local communities, its local papers, its local schools and colleges, and symphony orchestras and baseball sandlots. Whenever the American people decide to rise up and rebel against Government that comes from their Capital City, they can end it forever.

If the day should ever come when the centralists and power seekers succeed in draining the strength of America to the Capital, I hope they will give up the sacred name of our country, and let it gather dust in the annals of history instead of being perverted to serve men not worthy of our past.

Our time will be known as one of the most decadent periods in political history, or it will be a time of great creativeness. We do not know. But let us not forget that the years immediately preceding the Constitutional Convention of 1787 have gone down in history as the Critical Period. The men who struggled with the difficulties that followed the Revolution did not know what 1787 would bring.

What Americans did once, they can do again.

The men who assembled to form the Constitutional Convention, were deeply grounded in both history and the practical affairs of life. They did not try to impose on the New World an exact model of the England of Magna Carta or Simon de Montfort, or the Parliamentary war with the Stuart kings. As men of wisdom and true scholarship, they knew the only way to preserve for new generations the virtues of the past is to understand both the deeper significance of history, and the challenge of formless new experience.

We have inherited in our Constitution and our political system something greater than that document itself, magnificent as it is. We have inherited something of the greatness of mind of the men who made our Nation. They were faced with heavy burdens, but they took from the confusions and currents of their day the best that men had learned from the past and crossed it with their clear understanding of the universe opening before us, in which we move step by step into the new world of time.

It is my hope that the people of our generation will meet the difficulties of this period of confusion and chaos with the same fiery spirit of our forefathers. I hope and believe they will recreate the spiritual life of our country, for new generations, as the voyagers from old Europe recreated the spiritual, intellectual and political achievements of the Old World in the virgin lands of America.

To leave the Senate is not to abandon the fight. Those who have been once involved in this conflict will never be able to turn away again until the fight is won.

I close with the words John Adams wrote to his wife Abigail, the day after the signing of the Declaration of Independence.

Adams wrote:

> You will think me transported with enthusiasm, but I am not. I am well aware of the toil and blood and treasure it will cost us to maintain this Declaration, and support and defend these States. Yet through all the gloom I can see the rays of ravishing light and glory.

I leave the Senate with regret. I return to my home in Indiana with hope and joy. Wherever we are, we shall continue working together, to make sure that this new birth of freedom shall not perish from the earth.

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

Mr. JENNER. I yield.

Mr. GOLDWATER. I have not the words with which to express myself and my gratitude—and I think I speak for the people of my State when I say their gratitude, too—for the service of the distinguished Senator from Indiana, who will leave the Senate at the end of this session.

I believe that his speech today will go down in history as a part of the warning sign which is long overdue, not about what is happening to America, but what has happened to America.

I wonder if the Senator from Indiana will allow me to ask him a question or two in that connection.

Mr. JENNER. Certainly.

Mr. GOLDWATER. I wonder if, when the Senator came to the Senate 14 years ago, even though we had been subjected to 10 or 12 years of New Deal philosophy, he did not find at that time the majority of Members of this body and the other body, the executive branch, and even the judicial branch, adhering to the words of the Preamble to the Constitution:

> We, the people of the United States—

Did the Senator not find that to be the situation, even in those days?

Mr. JENNER. I did.

Mr. GOLDWATER. Am I correct in thinking that when the Senator came here 14 years ago there was still some sanctity attached to the 10th amendment, which reads:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Was not some degree of sanctity attached to that part of the Constitution 14 years ago?

Mr. JENNER. It certainly was.

Mr. GOLDWATER. Mr. President, I believe in history. I am a firm believer in what is written on the front of the Archives Building "What is past is prologue. Study the past."

I am not going into ancient history. But does the Senator from Indiana remember hearing on this floor yesterday, about 18 hours ago, these words from one of our colleagues:

> But we cannot go back 75 years. We must go forward. Each year the population of this country increases by 3 million persons. Our economy is expanding and we are moving forward. We are constantly confronted with new problems.

Does the Senator remember that, vaguely?

Mr. JENNER. That is what I referred to in my remarks. That is a part of the New World philosophy which we are asked to accept, breaking loose from all fundamentals, and destroying the greatest country under God's shining sun.

Mr. GOLDWATER. I wonder what our forefathers would think about us if they could see us shivering about an increase in our population, and not preparing to get along as they did when their population increased by the same or a greater percentage rate. Their problems were far greater than those we have to solve today.

I wonder if the Senator heard on the floor of the Senate yesterday these words:

> We are moving in a new age, a new era. We have been living in a new era since 1945.

Mr. JENNER. We have been living in a new era since 1787. However, that does not mean that we can safely abandon all basic principles, all keystones of constitutional government, and depart on the primrose path of inflation, in the belief that we, 170 million people, can feed, clothe, support, and elevate the standard of living of the rest of the world, and still retain our standard of living and our form of government.

Mr. GOLDWATER. That is exactly the point I am trying to make in my colloquy with the Senator. I believe that words were uttered on the floor of the Senate yesterday which are dangerous words, words which have never before been heard in this Chamber, words which give us all pause and cause us to feel concern.

Let me read a little further, to see if I can refresh the Senator's memory:

> What is the value of talking about going back 75 years? We have problems enough as we move forward, and that is what we are attempting to do in connection with this legislation. We do not want to turn the clock back 150 years with this legislation.

Mr. JENNER. How many times have we heard that?

Mr. GOLDWATER. I ask the Senator, if our problems could be solved 179 years ago by the Constitution, the Declaration of Independence, and the Bill of Rights, problems which were basic then and are basic today because they deal with man's spiritual strength, not his material strength, why must we depart

from that concept and say that we must change the Constitution and change the intent of the Constitution to put one branch of the Government—nay, two branches of the Government—above the branch which is supposed to represent the people?

Mr. JENNER. I thank the Senator for his remarks.

Mr. GOLDWATER. Mr. President, before the Senator takes his seat, I wish to express my gratitude to the Senator for having expressed in so eloquent a way the fears of so many Americans. Again on the floor it was said yesterday:

> I suspect, though I could be wrong—I am not at all sure I am correct—that the stream of history, the one-world concept, and all the things which have bound us together, from space to the atom bomb and interstate commerce are carrying us inevitably to a situation in which the supremacy of the Federal Government is something we will not much longer be able to controvert because it is essential to national safety.

Is the national safety helped by the recognition on the floor of this body that our Constitution, in effect, means nothing, that what we need is a Federal bureaucracy over us?

Mr. JENNER. And then one world.

Mr. GOLDWATER. I thank the Senator for having yielded to me. I know that other Senators will wish to comment on what the Senator said. One of the greatest events in my life has been the friendship of the Senator from Indiana, and as he goes back to the green hills and green fields of Indiana and to the wonderful people of that State, of whom my wife is one, I hope our friendship will continue to grow and blossom throughout the years.

Mr. CURTIS. Mr. President, I wish to commend the distinguished Senator from Indiana, not only for the speech he has just made, but for many he has made heretofore. We are taught in Holy Writ to prove all things; hold fast that which is good.

The theory of the American Constitution, including States rights, the rights of local government, the rights of the individual and adherence to a system set up under the Constitution, has proved to be good. Those who would change that concept, who would tear down State lines and would make the Federal Government powerful in all things, those who feel that this economy can be changed and divided and deviated from, have not proved their case. They have tried for many years but they have never proved that their methods can bring about a happier, healthier society than has been enjoyed under this Republic.

Mr. CAPEHART. Mr. President, I have been with BILL JENNER from Indiana, our home State, in many a fight. Some of them we won; some we lost. I have known BILL JENNER politically for 20 years, and I have never known a man who was a harder fighter, a harder hitter, or one who campaigned more aggressively for the things he believed in than BILL JENNER. We shall miss him here because of his aggressive fighting spirit. We all wish him well "back in Indiana." I shall be joining him one of these days. If there is anything that I or any other Senator can do for him, I am sure we shall be happy to do it. I wish him well in his new business. I hope he will not completely withdraw from politics. He should not get out of politics, and I certainly hope he will not. I am sure that every Member of the Senate wishes him health and happiness in the coming years.

Mr. JENNER. I thank my senior colleague.

Mr. CASE of South Dakota. Mr. President, 6 years ago this summer it was my privilege to attend a dinner at the Hotel Claypool in Indianapolis to which 1,000 women from all over the State of Indiana came to help launch a campaign to speed up a campaign for the reelection of BILL JENNER to the United States Senate. On that occasion I heard the distinguished Senator from Indiana deliver a speech which, in fervor and strength, was second only to the one which he has given here today. He made certain pledges to the women of Indiana and to all the people of Indiana on that occasion when he was a candidate for reelection. I wish to say to him—and through the RECORD, to the people of Indiana—that the Senator from Indiana has done his level best to redeem every promise to carry forward the ideals which he expressed on that occasion when those 1,000 women came to wish him well in that campaign.

Mr. THURMOND. Mr. President, I wish to extend my congratulations to the able and distinguished Senator from Indiana. This is my fourth year in the Senate, and I look upon the Senator from Indiana as one of the soundest, ablest Senators within this body. He is a true patriot, a loyal citizen, an able Senator, and a great American. I regret that he has not sought reelection to the Senate of the United States. America needs more men of his type and his mind.

I am proud to have served here with the great Senator from the State of Indiana, and I wish him the finest of success and happiness in the years to come.

Mr. KEFAUVER. Mr. President, I have served on the Judiciary Committee with Senator JENNER for a number of years. On a great many fundamental problems we have disagreed, as we do now, within the committee, and on other legislation that has come to the floor of the Senate.

Senator JENNER has always been a man of his word. If he ever tells us anything, we know that is the way it is going to be. There could not be a more likable, charming person than he is to work with on a committee or in the Senate. I wish him good luck in his endeavors. We shall miss him in the Judiciary Committee of the Senate.

Mr. COOPER. Mr. President, I wish to make a short statement about our colleague, Senator JENNER. I do so, first, because we came here together in 1947. Second, because he is representative of a State, the State of Indiana, which is very close to my own State, not only geographically, but in the character of its people; for there were thousands of people from the eastern seaboard who streamed through the Cumberland Gap, remained a while in Kentucky, and then passed on into Indiana. Among them was the Great Emancipator, Abraham Lincoln.

We all know that Senator JENNER is not only strong but relentless in his views, and yet outside of this Chamber he is tolerant of the views of others. No one is more kindly or friendly than BILL JENNER. In a personal sense I believe I have been his friend, and I have felt always in a personal sense that he has been my friend. I know he is an American of great patriotism and of strong convictions. He presents his vigorous views to the Senate and to the Nation. I know that he is a man who deeply loves his country. So I say as a friend to my colleague, I shall miss him, and I wish him every success.

Mr. BRIDGES. Mr. President, service in this great body has two important byproducts not often thought about either by our own Members or by the public at large. One—and of great value to the Nation—is that the Senate is a testing ground for the talent, personality, and character of the men sent here to represent the sovereign States of the Union. The scroll of statesmen in the Nation's history has been distinguished by the names of many great men whose service was rendered in this Chamber.

SENATE IS CRUCIBLE OF FRIENDSHIPS

The other is that the Senate is the crucible in which so many fine and understanding friendships are compounded.

I have been fortunate to have nearly 22 years of service in this body. What I have done here for my State and Nation will ultimately recede into history, but the treasured friendships I have made here will remain fresh in memory for all the rest of my life.

The closing days of each Congress always lay an extra strain on the heartstrings because for one reason or another some of our good friends and colleagues will not be with us when the roll of the next Congress is called.

One, who leaves this body by his own choice, is my good friend and able colleague, BILL JENNER.

COULD HAVE BEEN EASILY REELECTED

Senator JENNER was elected to the Senate three times by the people of the progressive midwestern State of Indiana. He represented them so ably that if he had chosen to remain here they would have supported him overwhelmingly.

BILL JENNER'S life and career express the good earthiness of the Indiana soil where he was born. He was raised by stern but loving parents in a day when fathers and mothers recognized their responsibility to guide their children along the straight and good road. He learned from them the simple code to fear God, love his country, and to stand on his own feet.

These are the virtues he brought to his service in this body. They are the great values which distinguish our Nation's history.

HIS CODE OF LIFE

BILL JENNER has never shirked the basic responsibilities of the devoted parent, the good citizen, and the trusted public servant. In his code of life there

is no room for the fair-weather friend, the political faddist, or the middle-of-the-roader who fears to take a positive stand.

His service in this body is distinguished by political honesty, by the courage of his convictions, by true patriotism, and by firm insistence on the sound principle of self-reliance for men and nations.

His yardsticks are his understanding of the eternal truths of life and of the principles which have molded our American Republic. These he found embodied in our heritage, in sound economic principles, in the Declaration of Independence, in the Constitution, and in Washington's Farewell Address.

And so he fought loose fiscal policies, the Socialist welfare state, distortions of the Constitution by the executive branch and by the judiciary, and the feather-brained doctrines of those who maligned the good name of liberalism.

AMONG FIRST TO RECOGNIZE RED THREAT

BILL JENNER was among the first to recognize the true nature of the Communist international conspiracy against the United States and the Free World. In his fight to expose subversion and propaganda in the Communist aim to destroy America, he gave no quarter and asked for none.

In BILL JENNER's book, the yardstick of American foreign policy is true patriotism and the national interests of the United States. He sought strength, independence, and dignity for the Nation at home and abroad.

He has been the foe of bigness in government, of bureaucracy, of welfarism and blind internationalism—not because he is out of date with the times as his critics charge—but because he believes that these developments weaken the self-reliance and individuality of men and nations.

FUNDAMENTAL PRINCIPLES ARE ETERNAL

BILL JENNER would not deny that times have changed, but he insists that fundamental principles are eternal. In this he does not stand alone, but in the illustrious company of some of the greatest statesmen in the history of this body.

In the light of his patriotism, convictions, and forthright courage, it is no mystery that Senator JENNER became a controversial figure. There were times when his critics charged him with intemperateness.

What these critics never understood was that here is a man true to himself, a man moved by intense love for his country, devoted to fundamental principles, and determined to discharge his responsibilities to the Nation as he saw them.

Like Ezra, the celebrated Biblical character whose name he bears, BILL JENNER sought to call his countrymen back from what he believed were the errors of our times.

Progress in such a mission is not made by tip-toeing around the fringes of controversy, nor by imitating the squeak of a mouse.

GREAT MEN ALWAYS CONTROVERSIAL

So what if he were controversial and occasionally intemperate? These are controversial and intemperate times. And few men have been great in history who were not controversial.

What matters most is that BILL JENNER is honest and sincere; that he spoke out for the preservation of the Constitution; that he fought for sound economic principle; and that he held the patriotic interests of his country a sacred trust of his public service. In these things, he has met successfully the high standards of this body.

RESCUED MANY A DULL DEBATE

All Senator JENNER's friends and colleagues regret his decision not to stand for reelection. We shall miss him. He always proved to be a loyal and understanding friend. His personal integrity and good sportsmanship constantly inspired us. Many a dull debate on this floor was rescued from boredom by his earthy wit and humor.

His leaving is a temporary parting of friends. What is said here is not an epitaph on BILL JENNER's public life. He is still young with many years of public service yet before him.

This is a bon voyage as he leaves for his new undertakings, with all of us wishing him success and happiness.

And it is something of a reminder, too, that whenever he decides to return to public life, he will find many friends to welcome him.

Mr. BARRETT. Mr. President, I join my colleagues in paying tribute to BILL JENNER. He has been a great advocate on the floor of the Senate for all the measures which will mean much for the betterment of our country. He has taken a great part in the development of legislation which he thought and which we thought would be best for the country as a whole. He has been a great Senator from the State of Indiana. He has been a great United States Senator. He is a great American. I am proud to say to BILL JENNER today that we are sorry he is leaving this body.

Mr. ALLOTT. Mr. President, it is a real honor and a privilege to join my colleagues in saying a few words on the floor about a man whom we all know as BILL JENNER, and who will always be known to us as BILL. I know of no man in the United States Senate, whether we have agreed with him or disagreed with him—and I have done both—who has more consistently attempted to resolve issues on the basis of the principles which our forefathers laid down in the Constitution. I believe that is something all of us should practice, for the good of our country. As a personal friend I admire him, and I can only say to him that in the choice he has made the Senate of the United States will suffer. He has made contributions to the Senate which will not be appreciated for some time. We will all miss him immensely.

BILL, all I have to say is, God bless you, and I hope you will find in your life ahead the fulfillment of your dreams and aspirations which you so richly deserve.

Mr. JAVITS. Mr. President, I am very much pleased to be on the floor to join with my colleagues and friends in saying, "BILL, we are sorry to see you go. We wish for you all the best. We wish for you personal happiness and all the things which you want for your future."

The junior Senator from Indiana and I have practically had an automatic voting pair. It became a matter of interest. When we voted alike on the floor, it was something really unusual.

Yet I have a deep conviction that such a condition is the very essence of why our country is so great; that it is this amalgam of ideas which makes it great; that each of us, in his own way, has an impact upon our people and upon our time. That is the way we want it. I think I would be untrue to my own conscience if I did not say that only the Lord knows who is right.

It is only the free and fair exchanging of ideas and awaiting the mandate of the Senate, of Congress, and the country, that gives us the national virility and strength to meet the towering challenges, unmatched in history, which our country faces today.

I say to my colleague, as he leaves, that notwithstanding our disagreements on many fundamental matters of policy, I appreciate the sincerity and respect, the indefatigable energy and erudition, with which he has attacked problems in his way, as I have tried to do so in my own. I believe that in this way each of us makes his contribution to what is good for the United States and the Free World.

Mr. JENNER. I thank the Senator from New York.

Mr. BUSH. Mr. President, I appreciate the fact that it must be very difficult for the distinguished Senator from Indiana to take leave of the Senate. That was evident in the remarks which he made a few minutes ago.

I wish to acknowledge that it has been a privilege to enjoy the friendship of the Senator from Indiana. While holding very sharp and definite views, and perhaps opinions different from those of other Senators, he has never allowed that to interfere with his friendliness or with their having the advantage of the warmth of his friendship. I am one who appreciates that.

The Senator from Indiana has made many contributions to this body. I think of two at the moment which I should like to mention, so that if the Senator from Indiana ever looks at this RECORD he will know that I have remembered them.

I recall the days when he presided over the very important subcommittee which was investigating largely in connection with Communist activity and infiltration. Those were days when Senators were under criticism concerning the fair procedures of investigating committees. I recall particularly that the distinguished Senator from Indiana was commended by many persons, both those who agreed with him and those who did not, for the way in which he conducted the hearings over which he presided.

I recall particularly a statement made by Dr. Harry D. Gideonse, of Brooklyn College, one of the great institutions of learning in the New York area, in which he specifically said that he thought that the Senator from Indiana had conducted those hearings with eminent fairness to all concerned. I thought that was a great compliment to the Senator from

Indiana, especially as it came from so eminent a source.

Finally, I think the Committee on Finance will miss the Senator from Indiana very much. I doubt—and in private conservations other Senators have indicated to me that they doubted—that his place on that committee can be filled, from among those who remain in the Senate, by one who has the sound ideas which he has respecting matters which come under the attention of the Committee on Finance.

I congratulate the Senator from Indiana particularly upon his service on the Committee on Finance, which I believe has been only in the closing years of his membership here, but which has been extremely useful to the committee, to the Senate, and to the people of the United States.

I wish the Senator all happiness in his retirement. I hope he will not lose contact with us; nor will we lose touch with him.

Mr. JENNER. I thank the Senator from Connecticut.

Mr. SALTONSTALL. Mr. President, while I do not always agree with my friend from Indiana, I shall miss him as a Member of this body. I look to him as a friend. I have always enjoyed him as a colleague, even though at times we have differed.

Mr. JENNER. I thank the Senator from Massachusetts.

ORDER FOR SENATOR MARTIN OF PENNSYLVANIA TO ADDRESS THE SENATE

Mr. MARTIN of Pennsylvania. Mr. President, I am very desirous of saying something concerning the distinguished Senator from Indiana and also the other Senators who are retiring with me at the end of the year. I ask unanimous consent that I may have the floor immediately after the distinguished Senator from Massachusetts [Mr. SALTONSTALL] has concluded his address.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 3268) to amend the National Science Foundation Act of 1950, as amended, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendment to the Senate amendment No. 36, and further insisted upon its disagreement to the amendment of the Senate No. 114 to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. THOMAS, Mr. ROONEY, Mr. GARY, Mr. TABER, Mr. BOW, and Mr. FORD were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H. R. 12212) for the relief of certain employees of the Department of the Navy, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

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

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3966. An act to amend Public Law 85-422;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization; and

S. 4273. An act to provide for cooperation with the European Atomic Energy Commission.

THE NATION'S SECURITY

Mr. SALTONSTALL. Mr. President, complacency certainly has no place in our consideration of the adequacy of our Nation's defenses now or in the future; but equally certain, we must not become panicky about them.

This last week we in the Senate have listened to discussions concerning our Nation's defenses: First, whether studies concerning methods of surrender were being conducted. The President ended that with the word "nonsense" and the Senate disposed of it by a vote of 88 to 2 against the use of any Government funds for any such study; and, second, whether our preparations for the defense of our country are adequate.

The American people have a right to all of the facts we can possibly make available. I have based my entire life in public office on the belief that the people reach right decisions once they know the facts on which to base a decision.

Our Nation's security requires a frank discussion of our capabilities, for much has been said in recent weeks estimating the possible inadequacy of our defenses in the years ahead. To make an intelligent appraisal of our Nation's defense capacity all of the facts must be known.

Policies must be debated and should be criticized—but responsible criticism must be grounded on a solid foundation of fact.

By affirming as fact what is, at best, opinion does not lead to sound action by our people.

Above all, let us not give credence to the propaganda of those who would destroy us by adopting their boasts as facts.

Surely every one competent to judge tells us that today we are sufficiently strong so that no nation will dare to attack us because of our ability to retaliate devastatingly.

But, will the day come, say in 1960 to 1964, when the Soviet can inflict damage on us without our ability to inflict great enough damage on them to stop them from attacking us? That is what some critics of our defense policies say may happen.

The fact that they can damage us we all realize. The asset that we must have is the strength to damage them sufficiently so that they will not attempt to damage us.

We will never be the underdog if we maintain confidence in ourselves, advance our science by hard, constructive research, develop new weapons, and put them into production.

We do not hide our failures—we cannot be complacent in our successes.

Our defense policies are postulated on two fundamental considerations:

First. We must maintain adequate retaliatory power, not necessarily overwhelming, but sufficient to deter attack by any nation now or in the future.

Second. We must build a strong economy, maintain strong conventional forces to back up free nations who are our friends, and maintain our defenses against the political and economic aggression so characteristic of the Soviets.

Our task is to maintain this strength, not man for man, with any potential enemy, and not bomb for bomb, but by sufficient strength—whatever that quantum may be—so that we may discourage an attack on us by any nation.

We must look at the whole spectrum of our Nation's defense, not merely one isolated aspect.

Consider for a moment a few hard facts—some recent developments—about our defense posture:

First. The intermediate-range ballistic missile is in production. And this even though our missile program was not begun until 1953. The Russians had a 5-to-10-year headstart on us.

Second. The Atlas ICBM has been successfully test-fired and a nose cone has been shot into space and returned. We have developed the ICBM with unprecedented speed.

Third. The United States has unsurpassed leadership in the application of nuclear power to naval vessels. The 1,500-mile Polaris missile-firing nuclear sub is being converted from dream to reality; and it was great news when our nuclear-powered sub, the *Nautilus*, split the North Pole under the icepack and the *Skate* followed 8 days later.

Fourth. Three American satellites are circling the globe in outer space, better instrumented, scientifically, than any of the models produced by the Russians.

Fifth. American military forces are on 24 hours' call anywhere on the globe, with mobility that all the Russian ground forces put together cannot muster.

Sixth. The Strategic Air Command is equipped with the most modern manned aircraft in the world. Our drawing boards are replete with bold, new models.

Seventh. (a) Our atomic weaponry, including nuclear depth charges, has in-

creased a thousandfold the striking power of our military forces.

(b) An atomic charge has been fired several miles into the air—a precursor of the anti-ICBM missile.

Eighth. The BOMARC, a deadly defensive missile, has been fired, with incredible accuracy, by remote control 1,500 miles away.

Ninth. Under the reorganized Pentagon, we have good reason to believe that our Nation's defenses will be administered more speedily, more efficiently, and with less waste.

Is this lack of research or—lack of progress? Does this indicate that we are headed for second best in 1960 or 1964?

So let us not sell ourselves short. The Soviets may be ahead of us in some developments. But when some persons base their conclusions on estimates of Russian efforts, as compared with our efforts, when actually the Russians' are merely estimates, and are not hard, certain evidence, then I am worried. There is a great deal of difference between making a judgment based on estimates of what we think the Soviets are doing, and making a judgment based on what we know they are doing.

Let me offer one illustration of the kind of misunderstanding which can arise. We have heard a great deal of discussion about the quantitative comparison of Russian and American ICBM strengths. Figures which have been used show 130 United States ICBM's in 1964, as compared with 2,000 Russian ICBM's in the same year.

But this, I find, is a comparison of two entirely different things, for the 130 United States ICBM's represent only our developmental objective, and do not take into account what we can mass-produce, once preproduction models are completed and a decision to concentrate on a particular missile has been made.

The Russian figure of 2,000, however, is based on estimates of the maximum number they might produce, once in full mass production.

Furthermore, preliminary production estimates on one ICBM model indicate that we can exceed the Soviet effort numerically, if desirable. The exact numbers are classified, however.

In other words, we are comparing the optimum Russian mass production capacities with what are simply our own preliminary objectives, and do not even account for what we intend to produce.

We shall never be the underdog if we keep on the job. We need more efficiency. We must cut down on waste. We must make decisions as to choice of weapons, and then must proceed to develop and produce them.

The Preparedness Committee, under our majority leader, developed 17 points where speedy decisions and more action are needed. Decisions have been made; actions have followed.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Massachusetts yield? He referred to me, and I wish to make a brief comment in that connection. Ordinarily I would wait until the conclusion of the Senator's formal statement; but I am required to leave the Chamber in a moment or two.

Mr. SALTONSTALL. Let me say that in connection with these remarks I intend to submit a memorandum on the 17 points, and to include the unclassified material submitted in that connection. I realize that there is also a group of classified material; I have a copy of it, and so does the majority leader. However, I intend to submit for the RECORD only the unclassified material.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Massachusetts will yield briefly to me——

Mr. SALTONSTALL. I yield.

Mr. JOHNSON of Texas. I should like to observe that the distinguished former chairman of the Armed Services Committee [Mr. SALTONSTALL] and I have no difference of opinion about the need for adequate defense for the Nation. I commend the Senator from Massachusetts for his efforts to keep America prepared.

I commend the Defense Department, under Secretary McElroy, for its attempts and his attempts to accelerate our defense preparations.

I do have a difference of opinion, I believe, in regard to whether we are going far enough, fast enough.

So I do not think the question here is one of patriotism or dedication to one's country. The question is purely one of judgment.

I recognize that the President, the Commander in Chief, has had great experience in this field; and naturally his opinions carry great weight. However, I wish the RECORD to show now—as I have wanted it to show year after year after year—that I believe the question is one of relative strength; and I do not think America is doing as much as it should be doing now.

I thank the Senator from Massachusetts for yielding to me; I appreciate his courtesy. I commend him for his efforts to keep America strong.

Mr. SALTONSTALL. I thank the Senator from Texas.

Mr. JOHNSON of Texas. I do differ with him on the extent of our effort.

Mr. SALTONSTALL. In the course of the remainder of my prepared remarks, I believe I shall answer some of the questions the Senator from Texas has raised.

Mr. JOHNSON of Texas. I reviewed the Senator's prepared statement a short time ago; and I wished to make this statement to him.

Mr. SALTONSTALL. I appreciate it very much.

Mr. CASE of South Dakota. Mr. President, will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Massachusetts yield to the Senator from South Dakota?

Mr. SALTONSTALL. I prefer to finish my formal statement before I yield further, Mr. President. I yielded to the majority leader because I realize that he is extremely busy, and that he had to leave the Chamber. After I conclude my prepared remarks, I shall be glad to yield to other Senators.

Mr. President, in the coming January, we must review those actions, to see whether we are still going forward as fast as we should.

I ask unanimous consent to have printed at this point in the RECORD the 17 points named by the Preparedness Subcommittee, together with the unclassified answers of the Department of Defense.

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

RECOMMENDATION NO. 1.—MODERNIZE AND STRENGTHEN THE STRATEGIC AIR FORCE

Since April 3, 1958:

(1) The standard SAC alert force has been increased. The number of bombers on 15 to 30 minute alert is up 33 percent and tankers by 50 percent. In the present situation, number is higher (but classified).

(2) One ICBM training squadron and one Atlas squadron have been activated at Cooke Air Force Base. We have commenced deployment of the first Thor squadron to the United Kingdom to assist in training program. We have revised the ICBM operational concept to decrease vulnerability to enemy attack and permit greater effectiveness. (Refers to dispersal—which is classified.)

RECOMMENDATION NO. 2—STEP UP THE DISPERSAL OF SAC BASES

Since April 3, 1958, all money has been released to the construction agencies, and construction contracts are being placed as rapidly as possible.

RECOMMENDATION NO. 3.—PUTTING MORE EFFORT INTO DEVELOPING ANTIMISSILE MISSILES

(1) Appropriate modifications to missile test ranges in order to test adequately the missile when available are being determined.

(2) Program of over $200 million for Nike-Zeus for fiscal year 1959 has been approved.

(3) Management responsibility for Nike-Zeus program has been assigned to chairman, ballistic missile committee (Holaday) to provide expediting advantages possible through ballistic missile committee channels.

(4) Advanced Research Projects Agency has been directed to proceed with fundamental research phases aimed at later missile improvements.

RECOMMENDATION NO. 4.—IMPROVE EARLY WARNING SYSTEM FOR MANNED AIRCRAFT AND ACCELERATE THE DEVELOPMENTS OF AN EARLY WARNING DETECTION SYSTEM FOR BALLISTIC MISSILES

(1) Program for construction of a two-station ballistic missile early warning system and associated communications with estimated cost of over $500 million has been approved.

(2) Negotiations underway with appropriate government to increase number of stations in ballistic missile early warning system.

(3) Negotiations underway with appropriate government for improving communications with ballistic missile early warning system and distant early warning.

(4) Negotiations are underway with appropriate government for augmenting DEW line and other warning lines with more modern radars.

(5) The Argentia extension of the DEW line on the Atlantic side and the Aleutian extension on the Pacific side are in operational use.

(6) Management responsibility for the BMEWS assigned to the chairman, BMC (Holaday) in order to achieve expediting advantages through specialized organizational structure.

(7) Advanced Research Projects Agency to proceed with fundamental research phases applicable to later improvements of BMEWS.

RECOMMENDATION NO. 5.—MODERNIZE AND STRENGTHEN GROUND AND NAVAL FORCES

Army modernization by its very nature is a continuing process. This program continues and will be strengthened with the approval of the fiscal year 1959 budget. Among the advanced weapons in progress are Honest John adaption kits, battlefield radars, improved reconnaissance systems, communications, and equipment to provide increased mobility.

Since April 3, 1958:

1. On April 18 the 4th Army Missile Command (air transportable) was activated in Korea.

2. On June 20 the 40th Field Artillery Missile Group (Redstone) was deployed to the 7th United States Army in Germany. This unit has successfully fired Redstone missiles as part of its training program (two).

3. Conversion of Continental United States Nike-Ajax air defense units to Nike-Hercules was initiated and training begun. The first three Nike-Hercules batteries are now in operation.

4. By June all 24 batteries of the 6 Nike-Ajax air defense battalions in Europe were operational.

5. The F4H-1 supersonic all-weather carrier-based fighter was assigned a DOD urgency second only to the national priorities program. This priority and the comparable priority previously given to the F8U-3 will help assure early availability of the F4H-1 for evaluation of which aircraft is to be procured for the air defense mission of the Navy.

6. About 80 percent of fleet Marine forces have completed reorganizing under new concepts of amphibious warfare and tactical nuclear warfare. The remainder will be completed by the fall of this year.

7. On August 3, the *Nautilus* reached the North Pole under ice, followed by the *Skate* crossing the North Pole on August 11, 1958.

8. Army authorized to procure Mohawk airplanes.

9. Navy extends contract with Martin Co. for engineering studies on nuclear seaplane.

10. World's largest submarine *Triton* to be launched August 18, 1958. A total of 33 atomic powered subs have been authorized, the *Triton* will be the 8th launched.

STATEMENT BY GEN. NATHAN F. TWINING, UNITED STATES AIR FORCE, CHAIRMAN OF THE JOINT CHIEFS OF STAFF, BEFORE THE PREPAREDNESS INVESTIGATING SUBCOMMITTEE (JOHNSON) OF THE COMMITTEE ON ARMED SERVICES, UNITED STATES SENATE, ON RECOMMENDATION NO. 6, PROVISION OF ADEQUATE AIRCRAFT FOR GROUND FORCES, JULY 24, 1958

One of the 17 recommendations of this subcommittee was that there should be provided for the Armed Forces of the United States "an adequate airlift for ground troops." In my first report to the committee on this recommendation on February 26, 1958, I stated that, as of that date, the Joint Chiefs of Staff were on record that our airlift capabilities were, in general, adequate. I further stated that the Joint Chiefs of Staff had directed that another study be made of the whole airlift problem in the light of the world situation as it exists today. On April 3, I reported that the Joint Chiefs of Staff study on airlift was still in progress and would not be completed for some time.

Any study of strategic airlift is bound to be complex, studded as it must be with assumptions that may or may not be valid in actual emergency situations. Such factors as I discussed in my testimony of April 3, as—bases, servicing facilities, stocks of gasoline and spart parts, communications, and terminals capable of receiving, unloading, and servicing the aircraft expeditiously—must be taken into account. Furthermore, these factors must be taken into account for each movement contemplated. All of the factors I enumerated vary for movements from and to different points. A very good discussion of the general factors involved in strategic airlift was given by my predecessor as Chairman of the Joint Chiefs of Staff to the Mahon subcommittee of the House Committee on Appropriations. A sanitized version of this presentation appears at pages 2049 through 2097 of that subcommittee's hearing on the Department of Defense Appropriations for 1958.

With the above as a background, let me give you a progress report on what the Joint Chiefs of Staff organization has accomplished since I last testified on this subject 2½ months ago. The Joint Staff has, all during this period, been engaged in an extensive and comprehensive study of strategic airlift under mobilization and wartime conditions. This study covers a 4-year time period, 1958 through 1962—and constitutes an overall evaluation of airlift capability versus airlift requirements for the first 2 months of a general war. The evaluation is made under two major conditions: First, when D-day follows a mobilization day of 6 months; and second, when D-day and M-day coincide. This study has been completed and coordinated throughout the Joint Staff and is currently being commented upon and cleared by the services. It should be ready for formal presentation to the Joint Chiefs within the next 2 weeks. Should the committee desire, the conclusions and recommendations of this study could be discussed in a later executive session, subsequent to consideration of the paper by the Chiefs.

In addition to the study I have outlined above, the Joint Chiefs of Staff have noted and approved a report of the joint advanced study group on United States airlift capability in a specific emergency situation in the Pacific. This group took a typical limited war situation as set forth in an existing CincPac operation plan calling for United States military participation in the defense of a Far Eastern country. The group did what we in the military call "war gaming" of this particular operation plan. In developing that portion of the study concerned with United States airlift capability to support troop deployments to the emergency area in accordance with plans, a problem allocation of airlift consistent with United States airlift capabilities in the Pacific area was utilized. The study group concluded that, with the airlift allocated, the planned deployment of forces and materiel to implement the operation plan was feasible from the airlift point of view. That is to say—they concluded we had sufficient airlift to do the job required. I wish to emphasize that this is but one limited war situation out of many possibilities. It was studied and war gamed, however, with the maximum amount of realism which can be put into such a problem. Because this is an actual, not a theoretical, war plan, the solution is very highly classified and further details cannot be given in open session.

I would like to conclude by stating that nothing which has been developed by the Joint Chiefs of Staff organization thus far has changed my opinion that we have in being and programed sufficient airlift to meet our real needs. I want the committee to know, however, that I and the Joint Chiefs of Staff as a corporate body have an open mind on this subject and our study of it is deep, thorough, and continuous.

The balancing of priorities in what we must buy to best defend the United States is one of the most difficult problems which face the Chiefs as a corporate body. If the individual services could have everything they wanted, I'm sure the Air Force would like to have more troop carrier aircraft—so would I. But, as I pointed out to this committee on February 26 of this year:

"Somewhere the Joint Chiefs as a corporate body has to make up its mind what you are going to buy."

The fact of the matter is—when the Joint Chiefs were considering in March of this year a priority list of what they would like most to buy if they were given $1.5 billion additional funds and what they would like most to buy if they were given $2.5 billion additional—troop carrier aircraft were not on any service list.

RECOMMENDATION NO. 7.—POUR MORE EFFORT INTO OUR ANTISUBMARINE PROGRAM

Since April 3, 1958, several significant steps have been taken to improve antisubmarine capabilities. All of these, primarily involving detection, are of highly classified nature.

August 4: Navy awards multimillion contract to Lockheed for P2V-7 antisub aircraft and equipment.

RECOMMENDATION NO. 8.—SET UP PRODUCTION SCHEDULES OF ATLAS, THOR, JUPITER, AND ACCELERATE DEVELOPMENT OF TITAN

(1) Successfully completed first phase of testing Atlas program with successful June missile flight. Now engaged in more complex test phase of this missile.

(2) Buildup of Atlas production rate continues.

(3) Titan, which was started later than Atlas program, is coming along in satisfactory manner.

(4) Thor program on schedule with flight test program achieving considerable success. Expect occasional flight test failure as reliability and debugging test program proceeds. Expect to meet scheduled operational deployment date.

(5) Buildup of Thor production rate continuing toward maximum approved schedule.

(6) Thor-Able, a Thor missile with a modified Vanguard second stage, successfully boosted a nose cone to a distance of over 5,000 miles giving us important nose cone reentry information.

(7) Two full-scale Jupiter nose cones have been successfully recovered after full-range flights, confirming solution of IRBM nose cone problem and providing data for further improvement.

RECOMMENDATION NO. 9.—REDUCE LEAD TIME IN THE DEVELOPMENT OF WEAPONS SYSTEMS BY CUTTING DOWN ON DECISION TIME AND BY SIMPLIFYING PROCUREMENT PROCEDURES

(1) Reorganization of the Defense Department is expected to assist materially, particularly the establishment of the Director of Defense Research and Engineering.

(2) Progress has been made in simplifying procurement procedures governing smaller transactions which impose heavy workloads on industry and government.

RECOMMENDATION NO. 10.—PROVIDE FOR A FREER EXCHANGE OF SCIENTIFIC AND TECHNICAL INFORMATION BETWEEN THE NATIONS OF THE FREE WORLD

Since April 3, 1958 Congress has just (July 2) enacted Public Law 85-479, broadening the degree to which information in the atomic field can be shared with our allies. The President on July 3 submitted to the Congress a new proposed agreement for cooperation with the United Kingdom.

Under our revised national disclosure policy, the sharing of scientific information with selected allies has increased.

RECOMMENDATION NO. 11.—START WORK AT ONCE ON THE DEVELOPMENT OF A ROCKET MOTOR WITH A MILLION-POUND THRUST

Since April 3, 1958 a contract has been let with North American Aviation for develop-

ment of an engine of about 1-million pound thrust. Development of this engine is carefully coordinated between ARPA and NACA.

[Department of Defense news release of July 25, 1958]

In amplification of Defense Secretary McElroy's remarks before the Senate preparedness investigating subcommittee yesterday, the Department of Defense said today that, after careful coordination between ARPA and the National Advisory Committee for Aeronautics, the Air Force has been authorized to proceed with the development of a liquid propellant rocket engine which will produce over 1 million pounds of thrust from a single combustion chamber.

While the first application for such a large engine has not yet been definitely established, it will unquestionably be needed in this era of satellites and space vehicles. An engine of this size could be used to put up a manned satellite weighing approximately 20,000 pounds or an interplanetary vehicle weighing 5,000 pounds.

The Air Force has let a contract to the Rocketdyne Division of North American Aviation to begin development of major components for the engine, which is similar in principle to the Rocketdyne powerplants now used in the Atlas, Thor, and Jupiter missiles. One aspect of this new engine development is that the single combustion chambers may be clustered together to provide a multimillion pound thrust capability for United States military and civilian space programs of the future.

The authorization comprises only a part of the total program for high thrust engines under consideration. It is considered an interim measure to ensure continued progress in this field, while the total program was being developed between ARPA and the National Advisory Committee for Aeronautics.

RECOMMENDATION NO. 12.—GIVE SERIOUS ATTENTION TO THE QUESTION OF SHELTERS AND STOCKPILES FOR CIVIL DEFENSE

This does not fall under our direct responsibility.

RECOMMENDATION NO. 13.—REORGANIZE THE STRUCTURE OF THE DEFENSE ESTABLISHMENT

Since April 3, 1958, a bill embodying most of the points in the President's proposal has now been enacted.

RECOMMENDATION NO. 14.—PROVIDE INCREASED INCENTIVES FOR THE RETENTION OF TRAINED PERSONNEL IN THE MILITARY SERVICES

Since April 3, 1958:

(1) The military pay bill (Cordiner) has been passed into law (May 20).

(2) To amend the Universal Military Training and Service Act to authorize additional deferments in certain cases (category IV).

Modern weapons have intensified our urgent need for realistic standards of initial acceptability for service whether through enlistment or induction. In the absence of this authority, the Army has been compelled to accept through induction many marginal individuals with limited training capability, requiring the Army to place them into uniform, house them, assign them basic training, and—then—after considerable initial outlay has been forced to separate them from service as inept or unsuitable.

Status: This legislation has passed both Houses and is before the President for signature.

(3) To amend title 10, United States Code, with respect to active duty agreements for Reserve officers, and for other purposes (term retention).

This proposed legislation is designed to provide an improved status for Reserve officers on active duty with the Armed Forces. It is urgently needed to raise the critically low rate of retention of Reserve officers beyond their obligated tours of duty.

Status: It has been introduced in the House as H. R. 13472. Hearings have not been set by either Senate or House Armed Services Committee.

RECOMMENDATION NO. 15.—ACCELERATE AND EXPAND RESEARCH AND DEVELOPMENT PROGRAMS; PROVIDE FUNDING ON A LONG-TERM BASIS

Since Apirl 3, 1958:

(1) It is hoped that the new office of the Director of Defense Research and Engineering will help in this respect.

(2) The Department of Defense has requested increased transfer authority in the Department of Defense emergency fund from $100 million to a total of $500 million. Such an increase would enable us to move promptly in both research and development and procurement, to capitalize on any unexpected developments or important technological breakthrough.

RECOMMENDATION NO. 16.—PUT MORE EFFORT INTO DEVELOPMENT OF MANNED MISSILES

(1) X-15 rocket powered manned research aircraft development program is proceeding on schedule.

(2) Contracts have been awarded to the General Electric Co. and the North American Aviation Corp. for design of full-scale sealed capsules capable of providing environment adequate to sustain a man in space.

(3) The joint ARPA-NACA panel has continued its review of various proposals for placing a man in space with the object of achieving manned space flight at the earliest practicable date.

RECOMMENDATION NO. 17.—ACCELERATE THE DEVELOPMENT OF THE POLARIS (FBM) MISSILE SYSTEM

Since April 3, 1958:

The Polaris program is continuing to meet its demanding schedule with a remarkable degree of success thus far. To assure continued acceleration of the program in the interim preceding passage of the 1959 budget, the Navy was given special authorization of $248 million for obligation and commitment for Polaris.

The Secretary of Defense has assured the Defense Appropriations Subcommittee that this program will be carried forward at all practicable speed.

Mr. SALTONSTALL. Mr. President, above all, America possesses an intangible quality which no totalitarian world power can share, namely, a will to win, and a belief, indeed, a conviction, in that which we know to be right. This spirit is our most formidable weapon. H-bombs can never destroy it, for freedom and liberty know no compromise.

Mr. President, let us never sacrifice, by psycho-surrender, the heritage of our great free democracy.

Instead, let us take a realistic look at the situation we face. The Communists are the aggressors. As aggressors, they may select the time for attack.

It is simple for them to concentrate on developing, for example, 1965 weapons, and to disregard today's technology. We must strike the proper balance between the weapons of the future and the weapons we need today. We cannot hope to concentrate on each year's military weaponry to the same extent that the Russians, if they choose to attack us, can concentrate on the weaponry of the one particular time they may select for attack.

Should we be drawn by fear into laying all-out effort on a particular period of time—let us say, the period from 1960 to 1964—for our primary defensive emphasis, we may then neglect the modernization of our present forces, and may invite an attack at the present time. Or we may neglect the weapons we need for defense in 1970, and may invite disaster in that year.

It is our job to strike the balance which will most effectively, at any given time, insure the security of our Nation. This is the balance that we have achieved today.

It is this balance that we must maintain each hour, each day, and each week of each year. We cannot be panicked into unwarranted emphasis on any future time, at the expense of the present time. The alternative, clearly, is to select a period of time for primary emphasis on our military development. And that, we can easily see, might well lead to disaster, because then we would either lose our present strength or lose our future strength beyond that selected period.

We can never rest on our oars. But much of our work will be undone if we pass to our people, as judgments, what are truly mere estimates.

I have confidence in the judgment of our President and his military advisers. I have faith that our scientific researchers, our leaders in education, and our industrial leaders and workers will continue with their skills and efforts to keep us in front. I have confidence in the will of our people to remain free.

The gap we have to avoid is in our will and determination. Then there will be greater security for ourselves and, we pray, more peace in the world.

We have confidence in our will to win and in our belief—indeed, our knowledge—that ours is a right and just cause. For in this knowledge lies our greatest strength; and from this strength emerges a weapon more powerful than anything a totalitarian nation can shoulder.

Mr. President, the strength of our will and determination, of our belief in ourselves and the rightness of our purpose, stands between freedom and slavery.

Mr. CASE of South Dakota. Mr. President——

Mr. SALTONSTALL. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. First of all, I wish to commend the efforts of the Senator from Massachusetts in the entire field of military preparedness and national security. I also wish to commend him for the speech he has made in the Senate today.

I should like to draw attention, by way of emphasis, to one of the points he made. He said we have the problem of selecting weaponry and building a defense balanced for the particular danger which will face us at any particular time.

Does not he feel that one of the important values provided for in the military reorganization bill which recently was passed by Congress was the placing upon the Secretary of Defense of the responsibility for making decisions with respect to new weapons systems, so that

in spending our money and in devoting our efforts, we may concentrate on those best suited to meet our particular needs?

Mr. SALTONSTALL. That is one of the most important parts in the reorganization bill, in my opinion—to give that decision to the Secretary of Defense, through his administrator, for that purpose.

Mr. CASE of South Dakota. I am reminded of one of the little stories I learned when I was a boy, which was allegedly credited to Benjamin Franklin, in which he told of the boy who went to the fair and spent all of his money buying whistles at the first stand he found when he went inside the fair gates. After he had loaded up on those whistles, he made the rounds of the stands at the fair, and saw many other whistles and other articles he wanted to buy, but he was out of money.

I have thought of that story many times in thinking about the problems of national defense. Along comes a new gadget which sometimes is attractive. Perhaps it has some value. But any nation that spends all its scientific talents and money upon a Maginot Line or on something new may use up all its money and resources and not have them available for something which is really needed. The problem of the correct exercise of judgment as to what we should spend our money on is a real one. I am glad the Senator from Massachusetts has pointed out that problem in connection with our national security.

Mr. President, supplementing what the Senator from Massachusetts has already done in the way of asking unanimous consent to have printed the 17 conclusions of the Preparedness Subcommittee, to which I was one of the subscribers, and the comments of the Defense Department thereon, I should like to ask, if I may, that following my remarks there be printed in the RECORD an interview which took place in a television broadcast, in which Professor Wiesner, of Massachusetts Institute of Technology, was interviewed by Mr. Erwin D. Canham, of the Christian Science Monitor. This contains the key paragraphs of the interrogation of Professor Wiesner, by Mr. Canham, followed by the comment of the Defense Department, which was placed in the open record of the Preparedness Subcommittee hearings.

There being no objection, the television interview and the Defense Department statement were ordered to be printed in the RECORD, as follows:

CANHAM-WIESNER INTERVIEW

The panel moderator, Mr. Erwin D. Canham, of the Christian Science Monitor, asked Professor Wiesner this question:

Mr. CANHAM. * * * In what areas are the Soviets already stronger than we?

Professor WIESNER. I presume you are talking about military areas now?

Mr. CANHAM. That's right.

Professor WIESNER. First of all I believe, although not everyone would agree with me, that the Soviets have managed to make a considerably more effective air-defense system than we have; I think it is perfectly obvious to everyone that they are ahead of us in the missile field. I believe that their limited war capability both in quality and quantity is superior to ours, and their submarine fleet is certainly a much larger one than we have at the present time.

Mr. CANHAM. If their air defense is as strong as you state, and assuming a surprise attack such as Mr. Sprague spoke of, does this mean that our capacity of retaliation is uncertain?

Professor WIESNER. At this point I do not think that is so. The situation is changing rapidly and it could be that a few years hence it would be impossible for us to do an effective retaliation.

Mr. CANHAM. You think the situation is getting worse instead of better?

Professor WIESNER. I think so; yes.

DEFENSE DEPARTMENT STATEMENT ON WIESNER'S REMARKS

We would comment as follows on Professor Wiesner's remarks. His first statement is that "the Soviets have managed to make a considerably more effective air-defense system than we have." He wisely prefaces this assertion with the statement that not everyone would agree with him, since as General Twining pointed out (see p. 278 of the record), no one, including the Chairman of the Joint Chiefs of Staff, really knows the answer to this question.

As Secretary McElroy pointed out in his testimony before your committee (p. 277 of the record), "* * * the Soviet Union has one problem of defense, we have another. He puts together his defense program in relationship to his need and we put ours together in relationship to our need."

Thus, any comparison of our air-defense system with that of the Soviet's should be based on an evaluation of the problems of the two powers. Taking into consideration, however, that our defense needs are different and examining all the weapons in our arsenal, offensive as well as defensive, and evaluating the Russian capabilities in the same fields from known intelligence, we conclude on the basis of the best military advice we can get that our air-defense system is superior to that of the Soviet Union.

Professor Wiesner's second comment was that "it is perfectly obvious to everyone that they are ahead of us in the missile field."

We would not concede that it is perfectly obvious. It has been stated publicly that it is probably true that the Soviets are ahead of us in the development of the intercontinental ballistic missile with a range of some 5,000 miles. Mr. McElroy made such a statement on June 6, just 2 months ago. We believe, however, that we are closing the gap in the development of this long range missile.

Our successful Atlas firing the other day is evidence of our progress in this field. There are some categories of missiles, such as air-to-air and air-to-surface, where we believe we have a definite edge on the Soviets. It is misleading to take just one category and draw conclusions from it without considering the whole missile picture.

WHAT SORT OF WAR AND WHERE?

Professor Wiesner's next statement was that the Soviet's "limited war capability both in quality and quantity is superior to ours."

It is difficult to comment on such a statement without asking the obvious question: "What sort of a limited war, fought with whose troops, and what weapons in what location of the globe?"

This is the sort of statement on which long essays could be written unless the conditions for the limited war were set forth. In some areas of the globe, we believe our limited war capability, both in quality and in quantity, is superior to the Russians', while in other areas of the globe, we would concede the opposite.

We have no quarrel with Professor Wiesner's next statement that the Soviet "submarine fleet is certainly a much larger one than we have at the present time."

On the other hand, the Soviets have nothing to match our nuclear submarines now coming off the ways in increasing numbers.

We have accelerated our Polaris program, and the Navy is bending every effort to improve its antisubmarine capability, for which additional moneys were voted by the Congress in the budget augmentation programs.

There is no doubt that the large numbers of Soviet submarines pose a great threat to our Navy, our merchant marine, and our Nation. However, our answer to this threat should not merely be to try to build a larger submarine fleet.

Of course, we disagree with Professor Wiesner's final conclusion that the military situation is getting worse instead of better.

We believe great strides have been made in the past few months and we, therefore, think if our military posture versus that of Russia has changed, it is getting better instead of worse. This is no indication of complacency on our part for we in the Department of Defense realize full well that herculean efforts must be made to keep us in favorable military balance versus the Soviet Union.

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

Mr. SALTONSTALL. I yield to the Senator from Washington.

Mr. JACKSON. I gather from the distinguished Senator's speech that he wants to make the point that our knowledge of Russian capability in certain areas is based on estimates. Is that correct?

Mr. SALTONSTALL. Well, not entirely based on estimates; based partly on estimates of intelligence and some on facts.

Mr. JACKSON. Obviously we do not want to get into facts here, that involve problems of security.

Mr. SALTONSTALL. That is correct.

Mr. JACKSON. Is it not true that, generally speaking this Nation has erred on the side of underestimating Russian capability?

Mr. SALTONSTALL. I know the Senator from Washington has a lot of information on this subject, but I would not say his statement is true in every respect, although it is true in some respects.

Mr. JACKSON. Not in every respect, but in some vital areas we have underestimated the capabilities of the Russians, have we not?

Mr. SALTONSTALL. In some areas.

Mr. JACKSON. In trying to project our capabilities in relation to the Soviets, it is well documented that, for a long period we have underestimated the Soviets. We underestimated the time at which they were going to get the first A bomb and the first hydrogen bomb. We underestimated them on the long-range bomber, the ballistic missile, their submarine fleet, and right on down the line. I think the past record is clear. While I agree with my friend that we clearly do not want to overestimate the Russians, the truth is that, until sputnik, many of the American people did not realize the growth of Soviet military power. The fact did come home to the American people with the dramatic revelation that the Russians had developed a propulsion system far superior to anything we had.

Mr. SALTONSTALL. I agree with the Senator that we underestimated the

Russians as to the time sputnik would be launched.

Mr. JACKSON. I make this statement in all fairness, and not with any intent to be partisan. As I said, we also underestimated the Russians on the A bomb.

Mr. SALTONSTALL. However, we have overestimated them in at least one instance which I would rather not mention—a very important instance.

Mr. JACKSON. I think there has been a miscalculation with respect to what the Senator has in mind. While the Russians may have dropped off in the particular area which the Senator has in mind and which I have in mind, that fact may be the basis for the development of a new and better system.

Mr. SALTONSTALL. That is what we have to be ready for.

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

Mr. SALTONSTALL. I yield to the Senator from Connecticut.

Mr. BUSH. I congratulate the distinguished Senator on his statement. In that connection, the Senator talked about our position in the field of missile development. I wonder if the Senator would permit me to ask unanimous consent to have printed in the RECORD at this point one page of the testimony from the hearings of the Johnson subcommittee, in which Dr. Teller answered the questions of Mr. Weisl. Mr. Weisl asked the question:

Dr. Teller, why do you believe we are behind the Russians in the development of the long-range missile?

Dr. Teller replied:

That is something of a long story; and may I take the patience of the committee to answer it in more than just a few words?

Senator JOHNSON. Yes.

Then Dr. Teller made the answer which I am sure is familiar to all members of the committee. He pointed out that the Russians began a vigorous ballistic missiles development program immediately after World War II, and that we did not. His answer appears in part I, page 9, of the hearings, and I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks, in order to conserve the time of the Senate.

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

WHY WE ARE BEHIND THE RUSSIANS

Mr. WEISL. Dr. Teller, why do you believe we are behind the Russians in the development of the long-range missile?

Dr. TELLER. That is something of a long story; and may I take the patience of the committee to answer it in more than just a few words?

Senator JOHNSON. Yes.

Dr. TELLER. I would like to say that there is a special reason, and there is a general reason.

The special reason I have already tried to indicate. The special reason is that we have not embarked on a really vigorous missile program before we had clear and definite evidence what we shall do with such a missile, how such a missile can be used.

Let me make this a little bit more complete. In 1946, right after the end of the war, we could have said: Let us develop ballistic missiles. One can go big distances, they are extremely interesting developments, some important wartime usefulness has been demonstrated by the German V-2.

Well, we did go into the development of ballistic missiles, but at an exceedingly slow and small rate. We did not start a vigorous development because it could not be proved that these missiles will be really important in the next war. We did not, if the next war comes, we did not have the really powerful explosive that would be needed in the warhead of such a missile.

Years later we finally realized that a system consisting of a guided missile and a warhead, which in the meantime has been developed, would indeed be an extremely powerful weapon. Therefore, we have determined to start a very vigorous program on the ballistic missile.

When we started this program, we went into it with quite a bit of energy and I think the efforts have paid off, and I have nothing to say about that program that would not bear out that it has been an excellent and excellently managed program, but it came too late.

The Russians have started on their ballistic-missile program, from all we know, right after the war, and they kept at it.

Mr. BUSH. Mr. President, I also ask unanimous consent, following that insertion, to have printed a table entitled "Programed Obligation Totals for United States Missiles Programs, Department of Defense, Fiscal Year 1946 Through Fiscal Year 1958" at this point in the RECORD.

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

Programed obligation totals for United States missiles programs, Department of Defense, fiscal year 1946 through fiscal year 1958 [1]

[In millions of dollars]

	Total missile program	Surface-to-surface program [2]	Long range surface-to-surface program [2]	IRBM and program [2]
Fiscal year:				
1946 and prior	70	19	9	(3)
1947	58	20	6	--------
1948	81	36	11	--------
1949	98	45	18	--------
1950	134	65	22	--------
1951	784	186	113	--------
1952	1,058	240	143	--------
1953	1,166	406	270	3
1954	1,067	350	258	14
1955	1,470	559	376	161
1956	2,270	902	679	515
1957	4,283	2,000	1,743	[4] 1,380
1958 (preliminary)	4,638	2,100	1,928	1,400

[1] Program data contained in this table include the cost of bringing guided missile weapon systems to an operational status, combining research and development, production facility expansion and tooling, procurement, contract, and military overhead to support missile testing and certain construction costs for research and development. The figures above do not include military pay, the cost of maintaining and running operational sites, construction installations not included in research and development costs, or building or converting ships incident to the guided-missile program.

[2] Each of the above columns is a part only of the preceding column to the left.

[3] Totals less than $1,000,000 are not included above.

[4] Unusually high expenditures in fiscal year 1957 were due to a large nonrecurring capital investment in test facilities.

Mr. BUSH. Mr. President, in a recent speech on the floor of the Senate the distinguished junior Senator from Massachusetts [Mr. KENNEDY] drew some conclusions from the Lebanon operation which I believe were unwarranted and bear comment, and perhaps correction. The statement of the junior Senator from Massachusetts which I have in mind reads as follows:

It should be obvious from our Lebanon experience that we lack the sea and airlift necessary to intervene in a limited way with the speed, discrimination, and versatility which may well be needed to keep it limited—and without weakening our ultimate retaliatory power. It is shocking to realize that units entering the Lebanon pipeline at the time of the Iraqi revolt emerged at the other end to find that by then the dust had settled and we had already recognized the new regime and it was time to evacuate.

I have attempted to analyze that statement and present a statement for the RECORD in which General Twining's comments on this matter are given, and in which conclusions are reached which I think do not support the statement of the distinguished junior Senator from Massachusetts. I ask unanimous consent now that the entire statement of mine be printed in the RECORD at this point.

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

STATEMENT BY SENATOR PRESCOTT BUSH

In a recent speech on the floor of the Senate Senator KENNEDY drew some conclusions from the Lebanon operation which I believe were unwarranted and bear correction.

Senator KENNEDY's statement was as follows:

"It should be obvious from our Lebanon experience that we lack the sea and airlift necessary to intervene in a limited war with the speed, discrimination, and versatility which may well be needed to keep it limited—and without weakening our ultimate retaliatory power. It is shocking to realize that units entering the Lebanon pipeline at the time of the Iraqi revolt emerged at the other end to find that by then the dust had settled and we had already recognized the new regime and it was time to evacuate."

Let me say at the outset that, as I understand the Lebanon operation from questioning officials of the Department of Defense, neither airlift nor sealift was a problem. We had both in more abundance than needed. The despatch and landing of our troops in Lebanon was effected at a deliberate and preplanned speed, executed as planned. Airlifting or sealifting of troops into Lebanon at greater speeds would not have been in consonance with the desires of our military and diplomatic planners.

I think the best description of the relationship of airlift and sealift to the Lebanon operation was given by testimony of General Twining before an executive session of the Senate Armed Services Preparedness Subcommittee on Friday, July 25. This testimony, while given in executive session, has since been edited by General Twining and declassified by the Department of Defense. Senator SALTONSTALL, a member of the committee, asked Secretary McElroy and General Twining, who were witnesses together, the following question:

"Senator SALTONSTALL. Following along those lines, if you had to move substantially more of our military forces into Lebanon or anywhere in the Mideast, have we got the available airlift or would we do it by water?"

The reply by the Chairman of the Joint Chiefs of Staff was as follows:

"General TWINING. We have a great deal more airlift than we could possibly use in connection with Lebanon. There is an example of the airlift problem. If we had to put a division into Lebanon on an emergency basis, what would be the fastest way to get it there from the United States? It certainly would not be by air because we

could not get it in by air. It is impossible. And there is the heart of the matter.

"The quickest way to get them into Lebanon would be to put them on a ship and send them over there or, airlift a small advance echelon and send the rest by ship. But we only have one field in the whole area. Even using it to full capacity, it would take a solid week to land a division in airplanes even if we had all the airplanes.

"So those are the problems you run into on his airlift. The Chiefs have been studying these problems through the years.

"I do not know of any place except the mainland of Europe itself where you could really launch a great massive airlift of the kind that General Gavin was talking about, 2 or 3 divisions."

The following colloquy then ensued:

"Senator SALTONSTALL. So your opinion on that question of the airlift versus the water transport, because of bases throughout the world—is still the same that you gave us 6 months ago?"

"General TWINING. That is right. Even on this small lift we had in connection with the Lebanon operation, the tactical lift, we had congestion at some of our terminals on the way over with some of these airplanes * * * If we had to put in a division somewhere in the world, Lebanon is an example for us to look at to see the difficulties * * * We could not airlift them into Lebanon. We just could not. The terminal facilities just are not there."

In this statement, General Twining has touched on the core of the problem. Careful study has shown that, for these extremely complex and complicated airlift operations the problem of terminal facilities will, in many areas of the world, establish limits upon the size and tempo of operations that can be successfully carried out.

It does not therefore, seem obvious to me, that anyone could conclude from this testimony or from the Lebanon operation itself that we lack sea and airlift to intervene in a limited war with the speed, discrimination and versatility which may be needed to keep it limited.

May I state once more that the Lebanon operation was carried out as planned and that lack of sea and airlift was not a factor. Therefore, the only conclusion which should be drawn from the Lebanon operation with respect to air and sealift is that we had all we needed for the operation as planned.

The entire Lebanon operation, airlifting 4,200 troops and 2,500 tons of cargo (1,800 Marines from the United States and 3,400 Army troops and cargo from Europe) used only a little over 100 transport aircraft. The United States has over 5,000 military type transport planes in its inventory, not to mention civil aircraft which could be used in any grave emergency.

This is more than twice as many transport aircraft as are possessed by any other nation in the world, including the Soviet Union. This does not suggest that all of these have the capacity of the transports that were used for the Lebanon operation. Many of them are older, smaller types. But even a quick comparison of the number of planes used for that operation with the total number on hand will show that we had many times the airlift capability that we actually used.

Our total airlift capacity is determined only after a most careful and searching study of the military problems we confront around the world today. Our responsible military leaders endeavor to make a reasonable provision from an overall point of view for such airlift needs—and not to be swayed by overemphasis on this, or any other major component, of our total military power.

Both military and commercial shipping were also more readily available than the troops they had to transport. Here again in numbers and types of troop ships the Free World enjoys an overwhelming superiority.

I would like to repeat the last sentence of Senator KENNEDY's paragraph on the Lebanon operation so it will be fresh in our minds:

"It is shocking to realize that units entering the Lebanon pipeline at the time of the Iraqi revolt emerged at the other end to find that by then the dust had settled and we had already recognized the new regime and it was time to evacuate."

Now I have read this statement several times and each time I return to probe its meaning. So far as I know, this Government never expressed or had any intent to intervene in the Iraqi revolt. It is a disservice to imply that we did, since the inaccuracy plays into the hands of the Soviets as they broadcast the same unfounded assertion. I cannot and do not register any shock, therefore, that our troops failed to reach Lebanon in time to intervene in Iraq. The important thing is they reached Lebanon at the time they were supposed to reach Lebanon and for the purpose they were sent there.

Mr. SALTONSTALL. I thank the Senator.

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

Mr. SALTONSTALL. I yield to the Senator from Colorado.

Mr. ALLOTT. A remark was made on the floor a few moments ago concerning the underestimate of the potential of the Russians. I should like to ask the senior Senator from Massachusetts if he recalls a statement by a certain columnist, whom everyone seems to love to quote at this particular time. Concerning the Russian potential about 2 years ago, the columnist made the prediction that by now the Russians would have over 800 operational Bisons. Does the Senator recall that prediction?

Mr. SALTONSTALL. I think I know to whom the Senator refers.

Mr. ALLOTT. Now we are told by this same columnist that the Russians have only about 250 Bisons.

A remark has also been made with respect to Russian submarines and how we have underestimated the Russians in that regard. The distinguished Senator has been a member of the Committee on Armed Services for some time. Is it not a fact that ever since World War II the Russians have been building up their submarine fleet, which was a matter of common knowledge and has been a matter of common knowledge throughout the world?

Mr. SALTONSTALL. That is entirely correct. Of course, the purpose of our submarines may be quite different from the purpose for which the Russians want to use submarines. There are some common purposes, but there are also completely different purposes. As I have tried to say, we have to have a balanced defense, which includes things other than submarines.

Mr. ALLOTT. I thank the Senator for yielding.

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

Mr. SALTONSTALL. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I am interested in the talk of the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I appreciate that comment. I have always been interested in the talks of the Senator from Missouri, although we sometimes disagree.

Mr. SYMINGTON. I appreciate what the Senator has just said. The Senator says in his talk that he wants to present the facts. The Senator mentions a figure of 130 ICBM's in 1964 and 2,000 Russian ICBM's in 1964. Does the Senator say that the figure of 130 ICBM's in 1964 is incorrect?

Mr. SALTONSTALL. I do not quite understand the question.

Mr. SYMINGTON. Does the Senator say we plan to have more than that number of 130 ICBM's in 1964?

Mr. SALTONSTALL. I have checked 3 or 4 times with responsible authorities on this matter. As I understand it, those figures are the figures of ICBM's for development purposes. That is, the different missiles which are being experimented with for development purposes. As I understand the situation, when the development of any one of those instruments, or of any group of them, is perfected, the missile or missiles will go into the production stage. Perhaps a lot of other missiles now being used for development purposes will be dropped. The first chosen will be mass-produced. That is what I understand to be the situation, and that is what I tried to say.

Mr. SYMINGTON. Does the Senator believe there are any plans or programs for producing, on any basis of any kind, more than 130 ICBM's by 1962?

Mr. SALTONSTALL. Mr. President, the answer to that is "Yes." The figures of the proposals are classified. I am confident the Senator can get the figures if he wants them.

Mr. SYMINGTON. Does the Senator say that we plan to make more than 130 ICBM's by 1962?

Mr. SALTONSTALL. I would prefer not to answer that on the floor, but it is my understanding these figures relate to development weapons. The figures as to the amounts we can produce are under security regulations.

Mr. SYMINGTON. Let me say that I have not originated these figures which the Senator referred to in his talk. I was simply asking the Senator for his opinion. As I understand the Senator, he believes the plans are to produce more than 130 ICBM's by 1962.

Mr. SALTONSTALL. I say to the Senator from Missouri, who I know knows much about these things, that the 130 relates only to the developmental models planned and is not production capacity.

Mr. SYMINGTON. I am sorry I did not know the Senator was going to make this talk, until I saw excerpts from it on the ticker.

Mr. SALTONSTALL. I will say to the distinguished Senator from Missouri, the Senator has been courteous to me at various times, but I did not send a copy of the remarks to the Senator because I had no idea when I could get the floor to deliver them.

Mr. SYMINGTON. I thank the Senator.

Is not the Senator, in effect, comparing the estimated Russian position with what we could produce if we changed our military schedules with respect to ICBM's?

Mr. SALTONSTALL. Will the Senator please repeat the question?

Mr. SYMINGTON. Is the Senator not comparing the estimated Russian position with what we could produce if we changed our missile schedules?

Mr. SALTONSTALL. I am comparing their maximum production with what I understand is our developmental objectives. What we may then produce is classified.

Mr. CASE of South Dakota rose.

Mr. SALTONSTALL. Will the Senator permit me to yield to the Senator from South Dakota, who has a more elaborate answer on that subject?

Mr. CASE of South Dakota. Mr. President, on that point my understanding is that when the Secretary of Defense makes the decision he is required to make under the Reorganization Act our schedules may be revised with respect to ICBM's or whatever the application would be of his selection of the weapons systems.

Mr. SALTONSTALL. I thank my friend from South Dakota.

Mr. CASE of South Dakota. That is the purpose of the procedure.

Mr. SYMINGTON. I am simply trying to make the record clear.

Mr. President, in the talk the distinguished Senator has given, he stated the missile program was not begun until 1953. Does the Senator not know that the first contract for the intercontinental Atlas was given to Convair in 1946 or 1947?

Mr. SALTONSTALL. The first program was begun in fiscal year 1946, but the total program was then only $70 million.

Mr. SYMINGTON. Yes.

Mr. SALTONSTALL. The program ran from 1946 up to 1953, when it was $1,166,000,000. The figure for 1958 was $5,107,000,000, and in 1959 it is estimated at approximately $6.6 billion.

Mr. BUSH. Mr. President, will the Senator yield on that point, for a question?

Mr. SYMINGTON. May I please finish the colloquy, first?

It is true, is it not, that due to the discovery and development of new weapons, it was possible to have a great change in the missile picture later?

Mr. SALTONSTALL. Yes.

Mr. SYMINGTON. When the Senator says that the missile program did not start until 1953, does not the statement the Senator just made at least partially refute his statement?

Mr. SALTONSTALL. Partially.

Mr. SYMINGTON. I thank the Senator.

Mr. SALTONSTALL. I meant to give the impression that was when the program got under way as such.

Mr. BUSH. Will the Senator permit me to comment on the very point he is discussing?

Mr. SALTONSTALL. Will the Senator from Missouri permit that?

Mr. SYMINGTON. I would be glad to have the Senator do so.

Mr. BUSH. The important point under discussion in the remarks of the Senator from Massachusetts was in connection with the medium and long-range missiles. I think the table did show it was not until 1953 that any money was spent in that area.

Mr. SYMINGTON. That is not correct.

Mr. BUSH. That is in the table, which was submitted at the hearing.

Mr. SYMINGTON. The original contract was for the Atlas intercontinental ballistic missile.

Mr. BUSH. That information is in the table submitted officially to the Johnson subcommittee. It was in the hearings. I have excerpted the information and had it printed in the RECORD.

Mr. SYMINGTON. The contract was given to the Convair Co. for the Atlas intercontinental missile in 1946 or 1947.

Mr. BUSH. Let me say to the Senator, I do not question that.

Mr. SYMINGTON. The $70 million was appropriated at that time. I was simply asking a question so that the facts would be brought out.

Mr. BUSH. I was simply saying, there must be a question about the matter.

Mr. CASE of South Dakota. If the Senator will yield to me, I have a little personal knowledge on that point.

Mr. SYMINGTON. If the Senator from Massachusetts would prefer to yield to others, I will be glad to ask more questions when he has finished the colloquy.

Mr. SALTONSTALL. The Senator from Missouri has always been courteous to me.

Mr. SYMINGTON. May I continue?

Mr. SALTONSTALL. The Senator may do so.

Mr. SYMINGTON. I thank the Senator.

Mr. CASE of South Dakota. Mr. President, will the distinguished Senator from Missouri permit me to support his statement?

Mr. SYMINGTON. If the Senator desires to support my statement, that very much influences my position in the matter.

Mr. CASE of South Dakota. Mr. President, I happened to be a member of the appropriations subcommittee which dealt with the Department of Defense in 1946 and 1947. I know the Senator from Missouri is correct in saying money was made available to the North American or Convair people for a missile project in 1946. The Senator from South Dakota was one of those who at that time protested very bitterly—and it is a matter of record in the hearings in 1947—the transfer of part of the research and development money to "Pay of the Army."

Mr. SYMINGTON. The Senator is correct.

Mr. CASE of South Dakota. Representative Engel, of Michigan, and I bitterly opposed that transfer because we thought that the research and development program should continue. However, the decision was dictated at that time by someone in the Budget Bureau, I suppose. It is a matter of record.

The Senator from Missouri is correct in saying that the program was started then, that the money was transferred, and that we lost valuable time in 1947 and 1948 as a result.

Mr. SYMINGTON. The Senator is correct. With only the atomic bomb, the development of the intercontinental ballistic missile program could not progress satisfactorily. It was not until the development of the hydrogen bomb plus the great savings of weight that the ballistic missile program became really practicable.

Mr. SALTONSTALL. The missile program was started in 1947, canceled in 1948, reinstated in 1951, and began to operate in a bigger way in 1953.

Mr. SYMINGTON. We had the Navaho. The Senator remembers when that development started. It included the Rocketdyne engine.

Mr. SALTONSTALL. I take the Senator's word for that.

Mr. SYMINGTON. The present thrust of the Atlas intercontinental ballistic missile uses the Rocketdyne engine.

Mr. SALTONSTALL. So I understand.

Mr. SYMINGTON. If the development of the Rocketdyne had not been started in 1947, we would be at least 2 years further behind in the production of the Atlas ICBM would we not?

Mr. SALTONSTALL. I agree with the Senator.

Mr. SYMINGTON. I thank my friend from Massachusetts.

In connection with point 4, the Senator says:

> Three American satellites are circling the globe in outer space, better instrumented, scientifically, than any of the models produced by the Russians.

I ask the Senator how he knows that?

Mr. SALTONSTALL. That is based upon information given to me as recently as this morning. With respect to the instrumentation of our satellites, we are using miniaturized electronic equipment, while the Russians are still using conventional vacuum tubes. I cannot explain to the Senator the details of the miniaturized electronic equipment, but that is the information which I have received.

Mr. SYMINGTON. We are engaged in a discussion of relative military strength. The Senator knows that the largest satellite we have put up has no military significance, whereas the Russian satellite has a weight which indicates the Russians have a thrust capable of use in intercontinental ballistic missiles.

Mr. SALTONSTALL. I agree with the Senator. However, our scientists report that we are getting more data from our satellites than the Russians are from theirs.

Mr. SYMINGTON. In connection with the fifth point the Senator makes, he states:

> American military forces are on 24 hours' call anywhere on the globe, with mobility that all the Russian ground forces put together cannot muster.

What is the implication of that statement?

Mr. SALTONSTALL. I thought over that statement fairly carefully before I made it. The implication in that statement is that we are alert today to help our friends in a situation in which our assistance might be required.

Mr. SYMINGTON. The Senator knows, does he not, that we have sworn testimony before our committee that this

country cannot lift and properly support overseas a single division?

Mr. SALTONSTALL. I agree with the Senator that we received such testimony. I am concerned with the airlift. In the original statement that I had prepared there were some statements on that subject, but I omitted them because I thought the statement was becoming too long. There is the question of the airlift and the sealift. As I understand, in the recent landing at Beirut, we used 10 percent of our airlift, and a very small fraction of our sealift. I am sure the Senator will agree that the question involves landing fields. That is a problem in many sections of the world today. The question is, How big an airlift will be practicable and realistic to use, in view of the shortage of airfields around the world?

Mr. SYMINGTON. When the Senator says that American military forces have a mobility which all the Russian ground forces put together cannot muster, is he talking about airlift?

Mr. SALTONSTALL. I am talking about the airlift and the sealift combined.

Mr. SYMINGTON. There would be no reason for the Soviets to go by sea if they could go by land.

Mr. SALTONSTALL. That is correct.

Mr. SYMINGTON. There is no need for the Soviets to have any large airlift of a strategic nature, is there?

Mr. SALTONSTALL. A large airlift of a strategic nature?

Mr. SYMINGTON. Yes. In other words, their distances are shorter than ours.

Mr. SALTONSTALL. Distances in Europe and Africa are shorter than ours. I am not sure that they are shorter in all parts of Africa, but certainly in certain parts.

Mr. SYMINGTON. Is there any question in the Senator's mind, based upon his membership on the Armed Services Committee and other information he has available to him, that we are falling behind the Soviet Union so far as our defense strength is concerned vis-a-vis theirs?

Mr. SALTONSTALL. I would certainly disagree with that statement. That is what I have tried to say. I believe the Senator from Missouri, who is very well informed on all these subjects, will agree with me that all the testimony before the so-called Symington Committee and before the so-called Johnson Committee indicated that as of today and through 1958—and we hope the same situation will continue in 1959, and possibly in 1960—we are sufficiently strong so that no nation would dare to attack us. The problem will come in later years. We are never going to be an attacker Nation. Therefore we must remain prepared today. We must be prepared in 1959, 1960, and 1961. In certain respects we are not as far ahead vis-a-vis any possible opponent as regards certain weapons. On the other hand, we are very substantially ahead in the development of certain other weapons. For example, I know the Senator had the same pride I had when the *Nautilus* and *Skate* went under the North Pole. The Senator has the same pride as I have in the development of the Polaris submarine.

Those are weapons that we believe are unique insofar as we are concerned at the present time, and we hope that those weapons will be of very great value to us in the days ahead. I do not agree with the Senator that we are falling behind. I say that what we have to do is to continue our efforts, and in that, I will collaborate with the Senator from Missouri, although we differ in certain particulars.

Mr. SYMINGTON. I thank the Senator from Massachusetts. It is never a pleasure to disagree with him. I am sure he is sincere in his position and I hope he thinks I am sincere in mine.

Mr. SALTONSTALL. I agree with the Senator. I know he is sincere in his position; I disagree with him perhaps only as to tempo, and certain other respects.

Mr. SYMINGTON. I ask the Senator if he did not sign a report on last January 23, the first finding of which stated:

> The Soviet Union leads the United States in the development of ballistic missiles.

Mr. SALTONSTALL. I did. I signed it and I put into the RECORD, as the Senator has said, a report on the 17 points up to the present time. I know he has seen or can see the classified answers.

Mr. SYMINGTON. May I ask if the second point which he signed and agreed to on January 23, did not read as follows:

> The Soviet Union leads the United States in number of submarines, which raises the possibility of attack with modern weapons or missiles, although the indications are that we are ahead in the production of atomic submarines.

Mr. SALTONSTALL. I agreed with that statement then. I agree with it today. But I think the fact that we are so far ahead in the development of nuclear-powered submarines and certain other weapons for the protection of ourselves and our friends, offsets the increase in submarines on the part of the Russians.

Mr. SYMINGTON. The third point in the statement, which I believe the Senator remembers signing was:

> The Soviet Union is rapidly closing the gap in manned air power—and, at present rates, will surpass this country in a comparatively short time.

Mr. SALTONSTALL. I signed that statement in January. I believe the situation has somewhat changed now, as the Senator knows, but we cannot go into that subject here.

Mr. SYMINGTON. I agree that if there is a change it is in all probability because of their rapid missile development.

The fourth point, with which I think the Senator agreed is:

> The Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States.

Mr. SALTONSTALL. We have had evidence to that effect. I believe that evidence is what might be called reasonably hard evidence. I have introduced a bill on that very subject, which I have discussed with the Senator from Missouri, and I hope that if he feels the same way as I do, we can both try to improve the bill when I introduce it again next January. I think we should make every effort to cut lead time.

Mr. SYMINGTON. Let me say I certainly agree with my able friend from Massachusetts.

I shall skip the space item and go to the final point, because at that time we did not know the Soviets were going to launch a satellite. That was in 1956. Finally the point which was unanimously adopted by the Senator from Massachusetts, as well as all other members of the committee, was:

> The Soviet Union is producing scientists and technicians at a rate substantially greater than our country.

Mr. SALTONSTALL. I agree, and recently we passed a bill in this body, now pending in conference, which we hope and trust will improve that situation.

Mr. SYMINGTON. Mr. President, I have read the speech of the Senator from Massachusetts, and it is an interesting address. He talks about not being worried, but what worries me today on the floor of the Senate is that all of these matters which the Senator agreed to in January 1958, he disagreed with in January 1957.

As a result, the report which the able Senator was very helpful in formulating in 1956 was in effect discarded and considered perhaps unilateral; and I have never quite been able to figure out why it was that the Senator felt willing to sign and agree to a report in January 1958 to which in January 1957 he did not agree.

Mr. SALTONSTALL. Mr. President, that goes into a matter of history. I would first answer the question by saying that there again it was a question of degree. The Senator is referring to the so-called Symington committee.

Mr. SYMINGTON. It was the Subcommittee on Air Power. The counsel was picked with the Senator's approval.

Mr. SALTONSTALL. There it was a question of degree. The majority report, if I may say so without being rude or in any way intemperate to my colleague, for whom I have a great regard, was so intense that I did not feel I could sign it. I wanted to sign it, and, if it had been more moderate in its tone, I would have signed it.

Mr. SYMINGTON. Will the Senator yield and permit me to insert into the RECORD the language of the report of 1957 and the report of 1958?

Mr. SALTONSTALL. That is the Senator's privilege, and I would not disagree. I did not intend to discuss past reports, and I am sure the Senator does not want to emphasize them too much.

Mr. SYMINGTON. The statement that it was "intense" is an unfortunate charge. If the Senator will permit me, I should like to read into the RECORD and let the Senator decide as between the language of 1957 and the language of 1958.

Mr. SALTONSTALL. I shall withdraw the word "intense." I was working hard to find a word which I thought represented what I meant. I would say the minority report was more moderate in

tone, and the majority was a little less moderate than I cared to sign.

Mr. SYMINGTON. Will the Senator from Massachusetts permit me to insert in the RECORD at this point information I have about the investigations?

Mr. SALTONSTALL. Certainly. That is the Senator's privilege.

Mr. SYMINGTON. Mr. President, during 1956, hearings were held to bring out both the absolute and relative facts regarding our airpower. Not only was the record of these hearings published promptly after the witnesses gave their sworn testimony, but in January 1957 a report was issued, giving findings and conclusions as based on the expert testimony previously received.

One year later, in January 1958, another important report was issued regarding our military strength.

First of all, I would compare the 6 findings in the 1958 report with findings in the 1957 report.

The 1957 report states:

The Soviet Union has exceeded the United States at least in some aspects of the ICBM and IRBM * * * has fired long-range ballistic missiles farther than we have * * * [and] they are as far, if not further, advanced in the long-range ballistic missile field.

The 1958 report states:

The Soviet Union leads the United States in the development of ballistic missiles.

The 1957 report states:

The Soviet Union is producing substantially more submarines than the United States and the testimony credits them with the capability to produce missile-launching submarines.

The 1958 report states:

The Soviet Union leads the United States in number of submarines, which raises the possibility of attack with modern weapons or missiles—although the indications are that we are ahead in the production of atomic submarines.

The 1957 report shows:

The Soviet Union is producing more combat aircraft than the United States; has thousands more aircraft in combat units than the United States; and if present plans and programs are not changed, by the period 1958–60 the Russian long range Air Force will be stronger than that of the United States and therefore we will have lost our superiority in strategic airpower.

As we both know, these figures have been checked, but we cannot discuss them in detail.

The 1958 report states:

The Soviet Union is rapidly closing the gap in manned air power—and, at present rates, will surpass this country in a comparatively short time.

The 1957 report shows:

The Soviet Union has decreased the time used between the original design and quantity production of combat aircraft as compared with the time required by the United States.

The 1958 report states:

The Soviet Union has a system which enables it to develop new weapons in substantially less time than the United States.

The 1957 report shows:

The Soviets are progressing at a faster rate than the United States in the development and production of new type scientific weapons.

The 1958 report states:

The Soviet Union has led the world into outer space.

The 1957 report states:

The Soviet Union is currently graduating twice as many trained scientists and engineers per year as the United States.

The 1958 report states:

The Soviet Union is producing scientists and technicians at a rate substantially greater than our country.

I believe the 1957 testimony was given by Dr. Killian.

This comparison shows a remarkable similarity in findings. In fact, five of the six 1958 findings are practically the same as those listed in the 1957 report. The one partial exception is that the 1957 report points up the Soviet Union's greater progress in scientific developments, while the 1958 report simply states the fact that such scientific developments have permitted the Soviet Union to lead the race into outer space.

The 1957 airport report cited a large number of findings, and pertinent portions of testimony to support those findings, and also listed 23 conclusions. It recommended that the deficiencies in military strength which had been pointed out in the findings and conclusions be corrected as promptly as possible.

The 1958 report of the Preparedness Subcommittee listed 17 principal areas upon which decisive action must be taken.

It is clear that both reports called for action to correct weaknesses in, and otherwise strengthen, our defense posture.

A comparison of the 17 points in the 1958 report with the findings and 23 conclusions in the 1957 report reveals a significant degree of similarity.

The significance of this similarity can be more fully understood when it is realized that the sworn testimony given in both hearings was based, in large measure, upon the same character and content of intelligence information. This point prompts reference to one of the conclusions in the 1957 report which was not in the 1958 report—namely:

The defenses of the United States have been weakened because of the failure to act on national intelligence information; and also because of a tendency to either ignore or underestimate Soviet military progress.

Mr. President, I ask unanimous consent, with the permission of the Senator from Massachusetts, to have inserted at this point in the RECORD a point-by-point comparison of the 17 recommendations in the 1958 report with the contents of the 1957 report.

Mr. SALTONSTALL. I am glad to have the Senator do that. I think the two reports must be read in full in order to understand them.

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

1. (a) The 1958 report:

"Modernize and strengthen the Strategic Air Force."

(b) The 1957 report:

Several of the conclusions and a number of the findings for which corrective action was urged dealt with the modernization and strengthening of SAC. As example, the conclusions cited the "insufficient number of long-range modern jet bombers" and the absence of a "program to produce a sufficient number"; the failure of the United States "to produce an adequate number of jet tankers"; and the absence of "any adequate program to overcome that deficiency."

2 (a) The 1958 report:

"Step up the dispersal of SAC bases."

(b) The 1957 report:

"The United States has an insufficient air base structure. The present structure affords neither the alert status, nor that dispersal necessary for security."

3. (a) The 1958 report:

"Put more effort into developing antimissile missiles."

(b) The 1957 report:

Reference was made to "the importance of a solution to the problem of a defense against long range ballistic missiles," and also to the limitations that had been placed on many research and development programs which, in turn, had "retarded needed modernization of weapons systems," and also to the "increased vulnerability of the United States to sudden attack."

4. (a) The 1958 report:

"Improve our early warning system for manned aircraft and accelerate the development of an early warning detection system for ballistics missiles."

(b) The 1957 report:

Reference is made to the failure of the Department of Defense "to develop an adequate defense warning system."

5. (a) The 1958 report:

"Modernize and strengthen ground and naval forces."

(b) The 1957 report:

Specific reference was made in the conclusions to the inadequacy of the "direction and planning of naval strength"; the "inefficiency in defense planning * * * with respect to limited war"; the insufficiency of action taken "to maintain the mobility of the Army and enable the latter to meet overseas commitments."

6. (a) The 1958 report:

"Provide an adequate airlift for ground troops."

(b) The 1957 report:

This point was covered in the reference to "the mobility of the Army" and also in the language which points up the absence of plans for "provision for adequate airlift."

7. (a) The 1958 report:

"Pour more effort into our antisubmarine program."

(b) The 1957 report:

The report stresses the fact that the United States is vulnerable "to submarine attack against our shipping, and particularly vulnerable to submarine missile attack on military and civilian targets within our heartland."

8. (a) The 1958 report:

"Step up production schedules of Atlas, Thor, Jupiter, and accelerate the development of Titan."

(b) The 1957 report:

This report refers to "duplication, even triplication, among the 3 services in the development and production of missiles"; to "waste in the allocation to the 3 services of responsibility in the missile field"; to delay "in giving overriding priority to the ballistic missile program"; and also to the "serious loss of time as compared with the rapid progress of the Soviets in this field."

9. (a) The 1958 report:

"Reduce lead time in the development of weapon systems by cutting down on decision time and by simplifying procurement procedures."

(b) The 1957 report:

The conclusions cited the fact that the Soviet Union has "decreased the time used between the original design and quantity production of combat aircraft as compared with the time required by the United States," and also scores our relative lack of "speed and quantity of prototype development."

11. (a) The 1958 report:

"Start work at once on the development of a rocket motor with a million pounds thrust."

(b) The 1957 report:

The report points up the "extraordinary Soviet progress in the research and development field"; the failure to allow sufficient funds for development of more powerful "jet engines," of "nuclear propulsion," of "high energy fuel"; and the fact that the Russians have developed "jet engines with substantially more thrust than any the United States has in operation."

13. (a) The 1958 report:

"Reorganize the structure of the Defense Establishment."

(b) The 1957 report:

The report cites the "duplication" and "triplication" in the Department of Defense; the "waste" in the Department of Defense; the necessity to obtain "proper programing and administration in the Department of Defense"; and states that "confusion and therefore inefficiency in defense planning have developed from the vacillating defense policies."

14. (a) The 1958 report:

"Provide increased incentives for the retention of trained personnel in the military services."

(b) The 1957 report:

The report emphasizes "the growing shortage of skilled manpower" and the resultant "inadequate maintenance of aircraft"; and also the "inadequate housing and inadequate pay scales (which) are decreasing the operational effectiveness and morale of our Armed Forces."

15. (a) The 1958 report:

"Accelerate and expand research and development programs, provide funding on a long-term basis, and improve control and administration within the Department of Defense or through the establishment of an independent agency."

(b) The 1957 report:

The report scores the fact that "the Soviets are rapidly closing the qualitative gap"; and also states: "The duplicating approach characteristic of many research and development programs in the Department of Defense, along with the dollar limitations established for such programs, has retarded needed modernization of weapons systems * * * retarded important scientific breakthroughs."

17. (a) The 1958 report:

"Accelerate the development of the Polaris missile system."

(b) The 1957 report:

No specific reference was made to the Polaris missile system, as this name had not yet been applied to the Navy's efforts to adopt the Jupiter missile to use on submarines. However, the report did urge action on the ballistic-missile program, which, at that time, included the Navy's efforts to develop such a missile within the Jupiter project.

This comparison shows the similarity of coverage between 14 of the 17 points in the 1958 report and the conclusions and findings of the 1957 report. The three 1958 recommendations not specifically covered are as follows:

"10. Provide for a freer exchange of scientific and technical information between the nations of the Free World."

"12. Give serious attention to the question of shelters and stockpiles for civil defense."

"16. Put more effort in the development of manned missiles."

It will be noted that Nos. 10 and 12, while significant to an overall study of defense matters, did not come within the appropriate range of study for an airpower investigation.

As for recommendation No. 16, i. e., to increase the effort in the development of manned missiles, this would have been appropriate in an airpower investigation, and was covered indirectly in the recommendation for increased effort in airpower research and development, including both manned aircraft and missiles.

Among the 23 conclusions of the 1957 report, there were some items emphasized that were not in the 17 recommendations of the 1958 report. One of these has already been referred to—the matter of more effective use of our national intelligence information.

Another had to do with urging that financial considerations not be placed ahead of defense requirements. This called for a major policy change.

Still another was the recommendation regarding our failure to use the capacity which we have to produce and maintain airpower which is relatively stronger than that of the Soviets.

In many respects, the most important conclusion, and recommendation to correct, had to do with the failure of our Government to give the public accurate and timely information which it has the right to know.

It should be noted that the 1958 report of the Preparedness Subcommittee was agreed to, as to its findings and recommendations, by all members of the subcommittee from both sides of the aisle.

On the other hand, the minority were not willing to publicly face the facts, based on national intelligence and expert sworn testimony, as presented in the 1957 report. In fact, the minority preferred to discount these facts and, to the extent of their ability, to prevent the American people from realizing the truth of our deteriorating relative defense position. Rather, the minority decided to tell the American people that these 1957 conclusions, based on the sworn testimony of expert witnesses—many of whom were the same as appeared before the Preparedness Subcommittee—were "unduly pessimistic, and not sufficiently objective.

The minority also took the position that vast programs for modernization of our forces are now in progress (and that) we can be optimistic about them and take confidence from the many instances of solid accomplishment.

The policy illustrated by this pleasant view of the vast programs and accomplishments was followed by even greater scientific strides by the Soviets, and by cutbacks and stretchouts in our own defense program in the fields of jet bombers, jet tankers, jet fighters, ICBM's, IRBM's, and research and development.

Mr. SYMINGTON. Mr. President, the point I make is that some of us signed the 1956 report and published it in 1957 in order not to have any political implications. If all of us had agreed to it then, our defenses would now be 1 year farther ahead than they are. Therefore, I hope, now that certain things have happened, such as the situation in Iraq and the placing in orbit of the sputniks, we will not once more return to complacency.

Mr. SALTONSTALL. I agree with the Senator from Missouri that we must never be complacent.

Mr. SYMINGTON. I make that point to the Senator because in one of the so-called chins-up speeches of the President in the fall of 1957, the latter said that the American people would not sacrifice security to a balanced budget. I was much impressed by that statement, and hoped that something real would be done; and that we would stop making things we did not need, and start making more of the weapons which we do need.

But I was very sorry to realize, upon checking the figures, that in the first 6 months after sputnik, or roughly within that period, the amount spent for our defense is much less than in the preceeding 6 months without even allowing for the depreciation in the value of the dollar.

Mr. SALTONSTALL. I respect the Senator's sincerity. We cannot be complacent. I agree with him in that statement 100 percent. I think the figures next January will show greatly increased activity. I thank the Senator from Missouri for his interest in the matter.

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

Mr. SALTONSTALL. I yield.

Mr. BARRETT. At the outset, I commend the Senator from Massachusetts for his splendid contribution to the discussion of the defense posture of the country. I served on the Subcommittee on Military Preparedness and heard witnesses over a long period of months. Seventy of the highest and best qualified experts on military affairs came before the subcommittee. We had the benefit of a considerable body of classified information.

It is fair and reasonable for men to differ on conclusions as a result of such extensive testimony. But I ask the distinguished Senator from Massachusetts if it is not his opinion, as it is mine, that from an overall standpoint we are well able to defend our country under existing circumstances, and that the prospects for the future are that we will be able, through our magnificent Strategic Air Command and the developments in the missile field, to protect our country under any set of circumstances.

Mr. SALTONSTALL. I believe we can do so today in the case of any prospective enemy. What we must do is not only to preserve our present strength, but, in the years to come, we must go forward with the development of new plans.

Mr. BARRETT. We are certainly doing that, as the Senator well knows. We are building the largest intercontinental ballistic missile base in my State of Wyoming. We have made tremendous progress in that field.

It may be that Russia has some advantage at the moment in that particular field, but we must also consider that in addition to intercontinental ballistic missiles, which are vital, so far as the Soviets are concerned, we have a capability, or will have tremendous capability, in IRBM's, and that we are in a much better position, as a result of them, in the ballistic missile field.

Mr. SALTONSTALL. We have IRBM's now in production. We are preparing bases from which they can be fired effectively. We hope to develop an IRBM to be used in conjunction with the Polaris submarine. By 1960, 1961, and 1962, we hope we shall have bases throughout the world from which they can be fired.

Mr. BARRETT. I had the occasion, together with the Senator from South Dakota [Mr. CASE] and the Senator from Connecticut [Mr. BUSH], and other members of the Committee on Armed Services, to visit the Convair plant in California; to see their proving ground at Kanova Park. We visited also the Douglas Aircraft Co., where the Thor missile is being produced, and also the plant of North American Aviation Co.

As a result of the briefings and the information we obtained at that time, I was very much impressed by the tremendous activity and progress which is being made in this field.

I also had occasion to visit the headquarters of the Strategic Air Command at Offut Field, in Omaha.

For the foreseeable future, at least, the United States is well protected because of the splendid organization headed by Gen. Thomas S. Power, of the Strategic Air Command.

I have made an appraisal of the situation. Taking into consideration all the factors which enter into the defense of the country, and the fact that we are spending 60 percent of our budget for defense, it seems to me that we cannot take one isolated instance in the entire defense program and judge the entire program by that one factor.

I have made an appraisal of the subject. I ask the Senator from Massachusetts if he will permit me to ask unanimous consent to have my appraisal, made as a result of the hearings, printed at this point in the RECORD.

Mr. SALTONSTALL. I will appreciate having the Senator do that. The Senator from Wyoming is a conscientious, hard-working member of the Committee on Armed Services. His opinion is of great value.

Mr. BARRETT. I thank the Senator from Massachusetts.

Mr. President, I ask unanimous consent that a statement I have prepared on this subject be printed at this point in the RECORD.

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

At the outset let us commend the distinguished senior Senator from Massachusetts for his splendid contribution on the matter of the defense posture of our country. As a member of the Senate Armed Services Committee I attended the hearings of the preparedness subcommittee covering a period of several months. The committee heard from over 70 of the highest caliber witnesses. That committee had the benefit of testimony from the best qualified experts in and out of the Government. We had the benefit of a considerable body of testimony of a classified nature.

It is natural that reasonable men may differ in conclusions after hearing the evidence brought forth during the course of the preparedness hearings on the difficult and complex problem of national defense in these difficult and troublesome times. In order to fairly appraise the security of our country it is necessary to consider the problem from every angle and to take a broad and comprehensive view of the adequateness of our defense system. It is not only folly of the highest degree but utterly silly to give even a moments thought to the question of this country surrendering to any foreign power now or ever for that matter.

I hope and pray that this world will be spared from a devastating atomic war, but should it come, I am certain that victory will come to our colors.

I agree with our top military people that from an overall standpoint we are capable of defending our country now and will be able to do so in the future.

Our ability to retaliate depends on many interrelated factors which must be weighed and judged by our military experts. Briefly, the retaliatory forces must be of such size, such variety and such effectiveness as to destroy any nation that would dare attack us. And, Mr. President, related to these is the maintenance of a defensive system that will not only provide early warning of impending attack but will also provide the dispersal, the speed of reaction, and the protection of the retaliatory forces to preclude the possibility of their destruction on the ground.

In my judgment we must place our chief reliance at the present time on the retaliatory power represented by our manned aircraft. The conversion of the heavy bomber force to all jet B-52's will soon be completed. The 11 wings each of 30 B-36's will be replaced by 11 or more wings of B-52's each with 45 aircraft. The replacement program provides more than a 50 percent increase in the number of heavy bombers in addition to the increased capability in each aircraft.

To be realistic we must admit that the Soviet air defense will also improve. For that reason the B-52's will be equipped with air-to-ground missiles so that it will be unnecessary for them to penetrate heavily defended areas in order to reach their targets. They will be supported in their penetration by a wide array of devices such as decoys, radar seekers, and electronic countermeasures to enhance their ability to destroy their targets. We are continuing the production line of B-52's with fiscal year 1959 funds and they will continue as a very potent part of our arsenal for a good long while.

Furthermore, Mr. President, very considerable capability exists in the over 1,500 B-47 medium bombers notwithstanding the eagerness in some quarters to write them off. These aircraft operating from the continental United States bases, with aerial refueling by the KC-97 tankers, can reach a substantial number of important targets without the use of our extensive complex of overseas bases.

I am reliably informed that many of these B-47's can hit their assigned targets with 1 or 2 refuelings for their mission and not 3 or 4 as stated by the junior Senator from Massachusetts.

The B-47's will be phased out as soon as we start getting delivery of the B-58 supersonic jet bomber which is presently being procured in production quantities. In addition, Mr. President, we can look forward to the time when the replacement of the B-52's by the new supersonic intercontinental B-70 heavy bomber, designed for speeds in excess of 2,000 miles an hour at very high altitudes will take place.

As everyone knows there is a massive effort underway to provide further diversity and effectiveness in our retaliatory strength by the development and production of ballistic missiles. These missiles will be deployed by SAC to complement the bombers. The first and largest intercontinental ballistic missile base is being constructed in my State. I would be remiss if I did not refer to our solid fuel Polaris IRBM, which has tremendous importance and potential as a nuclear delivery system. And, Mr. President, before long we will be delivering IRBM's to our allies in quantity.

The Secretary of Defense assured the Subcommittee on Defense Appropriations that the Polaris program will be pressed forward with all practicable speed.

While improving, diversifying and modernizing our own retaliatory forces, we are fully recognizing and reacting to the progress being made by the U. S. S. R. We have had in operation for some time and are constantly improving and modernizing an extensive radar warning system. This system has been designed and operated primarily for defense against attack by manned aircraft and air-breathing missiles. As most of my colleagues are aware, this far-flung warning system extends across the cold Arctic wastes out over the Atlantic and Pacific Oceans. The system includes the Mid-Canada and Pinetree radars which, to a considerable extent, were established and are operated by our friendly neighbor to the north. We have had the closest cooperation and working relationships in the air defense field with Canada.

Nor does this warning system disregard the missile threat. Work has already started on the construction of the detection phase of a new system, including radar stations and communications lines. Development of the antimissile missile active defense system is now being accelerated and is going forward under the highest national priority.

Along with a diversity of weapons which will be enhanced by the coming of ballistic missiles into the inventory of the operating forces, there is a dispersal of their bases. Dispersal has several advantages. It requires that the attacker increase his attacking force size which greatly increases the probability of our detecting the raid. It also poses great, if not insurmountable, problems to the attacker in planning and supporting a massive attack against the dispersed force. Furthermore, dispersal of manned aircraft increases the alert capability by providing additional runways for fast takeoff.

Testimony shows that squadron dispersal for the heavy bombers and wing dispersal for the major part of the medium bombers is completely provided for in the budgets and construction is well underway in most cases.

The concept of dispersal applies not only to the manned aircraft of the Strategic Air Command, but equally well to the other elements of our strength for now and for the years to come. The missile bases are being spread geographically. The aircraft carriers, with their jet attack aircraft, are scattered over the oceans. The same principle applies to the Polaris submarines as well as to the Regulus missile launching submarines.

Let's take a look for a moment Mr. President at the position of a Soviet planner in the years of the so-called missile gap. B-52's poised on our continental bases prepared to strike in a matter of minutes against specific targets if retaliatory action is required. The picture is further complicated by Snarks and medium bombers supported by tankers. On overseas bases ringing the Soviets will be IRBM's, medium bombers of the B-47 and the supersonic B-58 types, and the air-breathing missiles. Further complicating the picture are the aircraft flying from aircraft carriers. Also coming from carriers, cruisers, and submarines strategically will be the supersonic Regulus missiles. Polaris submarines travelling thousands of miles under water move undetected into appropriate strategic locations to launch from under the water the Polaris missile at targets up to 1,500 miles away.

Weapons, warning and dispersal need another essential element to comprise a successful retaliatory force. I speak now of alertness, of that quality which contributes so much to readiness. We have extensive communications networks ever ready to relay the command words in time of crisis. We have the 15-minute alert schedules which place on our fields ready for takeoff a substantial number of SAC planes, armed, ready to go. As a necessary adjunct to these,

we have the skill and competence of our military personnel, their training and their morale.

After a visit to Offutt Field, near Omaha, I was mighty proud of the great accomplishments of General LeMay and now General Powers, in welding SAC into the world's most powerful fighting force. Every American can well be proud of that great and powerful force.

As the Senate well knows, we have recently demonstrated the alertness of our forces. The normal alert forces were maintained and I understand that during the period we placed an extraordinary additional proportion of our retaliatory forces on alerts of from 15 minutes to 2 hours.

In addition to the great premium placed on retaliatory forces that can be airborne on their missions to demolish an enemy in the warning time before an aggressor can reach us, the great importance of an effective air defense has been recognized.

Just as in the case of the retaliatory weapons, the air defense weapons have undergone continuous modernization, taking advantage of the results of technological developments. Within the next few years the interceptor forces will be completely equipped with the Century series aircraft. Furthermore, and this is of great importance, all fighter interceptors will be equipped to fire air-to-air guided missiles and rockets and a substantial number of squadrons will employ the nuclear armed rocket, Genie.

These modern interceptors constitute a very potent force. The Air Force will also have many Bomarc pilotless interceptors. Funds for several hundred of these have been appropriated by the Congress and construction has already begun on a number of bases for Bomarc in phase with the availability of the production models. I am told that the performance of Bomarc in its development test provides convincing evidence that it will be a most effective addition to our air defense forces. I have learned that in a recent test a Bomarc missile secured a direct hit on a target aircraft at a range in excess of 75 miles from the missile launching point and 1,500 miles from the electronic control point.

We know that the Army already has many Nike-Ajax ground-to-air missile installations in this country. These are being reequipped with Nike-Hercules, a nuclear armed weapon with greater range, altitude, and higher kill probability. The Army will also bring into operation during the next few years the Hawk, a ground-to-air missile system for use against low altitude targets.

All these weapons systems taken together with the constantly improving control and warning systems and the high priority programs for their extension against missiles, provide a truly formidable air defense for the United States.

I have listened with great interest to the remarks of the distinguished junior Senators from Massachusetts and from Missouri. Their work and their words attest to sincere interest in national defense which they share with all other patriotic Americans. Let me say, here and now, that I think the distinguished majority leader is entitled to great credit for the manner in which he conducted the preparedness hearings. I was privileged to participate in those hearings.

I have also noted the magnificent accomplishments of our Defense Establishment and their current programs. I have listened to the testimony of responsible military and civilian leaders. I have great confidence in our military leadership. Let no one sell America short.

Mr. BARRETT. Mr. President, I desire to read into the RECORD at this time a statement which impressed me very much, made by General Twining at the preparedness hearings last January.

It would be an unnecessary tragedy if our national policy, or the will of our allies—to say nothing of the confidence of our people in their civilian and military leaders—were weakened because of the mistaken impression that the Soviet had achieved military ascendancy over the Free World. Such a misapprehension could lead to fatal compromises in connection with disarmament negotiations and could lead to other retreats in the foreign policy field—worldwide—which would eventually destroy our security. Further, such mistaken conclusions could actually increase the probability of total war because they might result in bolder courses of Soviet action and greater opportunity for fatal miscalculation.

Mr. CASE of South Dakota and Mr. SYMINGTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield; and, if so, to whom?

Mr. SALTONSTALL. Mr. President, I am surrounded by Senators from Pennsylvania. I yield first to the Senator from South Dakota for protection.

Mr. CASE of South Dakota. Mr. President, I was interested in the exchange of comment with respect to the point in the 1958 report of the Subcommittee on Military Preparedness relating to ballistic missiles. I recall the executive meeting of the Committee on Armed Services when we were phrasing the report. I think, without violating any confidence of the committee, I can point out that the ultimate statement simply used the term "ballistic missiles."

Some of us—and I certainly speak for myself in that respect—had the feeling, which I still have, that while at that time the Russians might have had an advantage in the intermediate missile, they did not have a demonstrated or known advantage in the intercontinental ballistic missile. The suggestion which I made at that time was that we not cover both fields, but simply use the general term.

I am afraid that in the comments which have been made, in the reference to the report of the subcommittee, that the committee reported unanimously that the Soviet Union leads in ballistic missiles. I would not have conceded in January that Russia led in the entire field of ballistic missiles, but only in the intermediate range missiles.

At that point, I will go a step further and say that if I had only $3 to spend on intercontinental and intermediate range missiles, I would spend $2 on the Polaris, as the term or type of intermediate range missile, and I would spend the other dollar on the intercontinental ballistic missile.

If funds were limited, I would not favor spending too much on the Thor and the Jupiter, which are dependent upon bases within sufficient range. I think it is only natural that the Soviets concentrate on the intermediate range ballistic missiles, because the bases we have overseas are within the range of such missiles.

But for ourselves, I favor concentrating on the intercontinental ballistic missiles and the Polaris, which is the seagoing version of the intermediate range ballistic missile.

Mr. SYMINGTON. Mr. President, will the Senator from Massachusetts yield so I may reply to a statement made by the Senator from South Dakota?

Mr. SALTONSTALL. I yield.

Mr. SYMINGTON. It is seldom I am not in agreement with my friend, the Senator from South Dakota [Mr. CASE], one of the most able persons on detail either in or out of Congress that I know.

But I would not want to have left on the floor of the Senate the impression that our Nation is ahead of the Soviets in the field of the intercontinental ballistic missile. If the Senator from South Dakota wishes me to justify that statement, I shall do so, although it will have to be off the floor of the Senate. But it is my belief the Soviets are years ahead of us in the field of the intercontinental ballistic missile.

Mr. SALTONSTALL. The Senator from Missouri may be correct, except I disagree in the case of his use of the words "years ahead."

Mr. SYMINGTON. At least, both of us agree that the Senator from South Dakota was——

Mr. SALTONSTALL. I do not wish to leave the impression that I believe he was inaccurate.

Mr. SYMINGTON. I believe that the Senator from South Dakota was speaking of the situation as of January 1958, whereas I believe that the Senator from Massachusetts and I were speaking of more recent information. Does the Senator from Massachusetts agree?

Mr. SALTONSTALL. I believe the Senator from South Dakota was merely clarifying the intent of the committee in defining ballistic missiles.

Mr. CASE of South Dakota. Let me say that I simply mean that we should not be concentrating on the intermediate range missile, which depends upon bases at a certain distance from a potential enemy, inasmuch as our ability to maintain such bases depends upon many uncertain factors.

Mr. SALTONSTALL. I agree.

Mr. SYMINGTON. I agree, but our plans for bases for intercontinental ballistic missiles are pitifully small.

Mr. SALTONSTALL. I think it will be well for the Senator from Missouri to bring up this point at the hearings next year.

Mr. SYMINGTON. After studying the matter to the best of my ability, I am convinced our present and planned relative strength is far from adequate.

Mr. SALTONSTALL. I thank the Senator from Missouri.

Mr. CLARK. Mr. President——

Mr. SALTONSTALL. I yield to the Senator from Pennsylvania.

Mr. CLARK. I thank the Senator from Massachusetts.

Earlier today, when my friend was not on the floor, I made a few comments on this subject, and based them on an article by Walter Lippmann, as published in the newspapers today.

Mr. SALTONSTALL. I have read the article, although I did not hear the remarks the Senator from Pennsylvania made.

Mr. CLARK. I wonder whether the Senator from Massachusetts agrees with

the following part of the article by Mr. Lippmann:

The real problem—the relatively greater speed of Soviet technological development—cannot be overcome by a spending program alone. It would be quite easy to push Congress into new and bigger expenditures. But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest. We are in competition with a new society which is in deadly earnest, and there is no use pretending that amidst our comforts and our pleasures we are serious enough.

That is why, when the alarms are sounded, we turn over and go to sleep again.

Mr. SALTONSTALL. I agree with a certain part of it. I agree that we cannot be complacent. I agree that the evidence we have heard is that the Russians are producing scientists faster than our country is. I certainly hope we do not "turn over and go back to sleep." I believe we cannot be complacent. I believe we must work hard, educate our younger people, and keep all our programs developing.

Mr. CLARK. I am very happy to hear the Senator from Massachusetts make that statement, because I am sure he believes, as I do, that it is urgent that the American people be kept aware of the deadly peril they face.

Mr. SALTONSTALL. I agree with the Senator from Pennsylvania; and we must face that situation with efficiency, lack of waste, and intelligent education.

Mr. CLARK. I thank the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, at this time I yield to the senior Senator from Pennsylvania [Mr. MARTIN].

Mr. MARTIN of Pennsylvania. I thank the Senator from Massachusetts for yielding to me.

Let me say that I have been very glad to hear the statements which have been made this afternoon by my colleagues.

I appreciate very much what the Senator from Massachusetts has said. In that connection, I should like to ask a question.

In my 50 years of military experience, I have heard a great deal about various developments. First, I heard that the Gatling gun would win wars. Next, I heard that the machinegun would win wars. Next, I heard that chemicals would win wars. Next, I heard that airplanes would win wars.

Let me ask the distinguished senior Senator from Massachusetts whether he is giving consideration to the worth of the ground forces of the Nation?

Mr. SALTONSTALL. I hope we are. Both branches of Congress this year set the manpower strength of the Army at 900,000, whereas it was recommended for appropriation purposes at 870,000. I think this year the Congress has provided more funds for research, development, and production of weapons than has been provided for some years past. In the opinion of the Army, not all the funds for modernization of weapons and new weapons is available; I know that is true. But the funds available now for that purpose are greater than those available in the past. The question is one of degree. The funds now available for research in missiles and airplanes are greater than the funds available for research in regard to ground weapons. However, some funds have been provided for the latter purpose, although not enough yet to satisfy the Chief of Staff.

Mr. MARTIN of Pennsylvania. As all of us know, both the defensive and the offensive efficiency of our forces depends on the morale of the troops. I wonder whether the Armed Services Committee is taking into consideration the effect on the people of the United States of these enormous expenditures—$40 billion for defense—which make it necessary for us, if we are ever to have a balanced budget, to curtail domestic expenditures. I wonder what consideration is being given to the ground force divisions in the Regular Army, the old, historic units of the National Guard, and the Reserves. The latter are, of course, at the home stations, and are teaching the people of the country what real defense means.

As an illustration, let me point out that I believe that the war which probably was the best fought, but with poorer discipline and organization than any other war in history, was the War Between the States. The discipline was so poor that at times one-fourth of the northern army and one-fourth of the southern army returned to their homes, without leave. Nevertheless, when fighting was to be done, there has never been as intelligent and as courageous fighting in all history as that done during those years by the armies of the North and the South.

I wonder whether the Armed Services Committee is giving thought to the word spreading over the Nation that we, the people of the Republic, fight the wars.

The people of the Nation will not fight the wars, by using complicated instruments of various kinds, unless—and I wish to stress this point to the members of the Armed Services Committee—the Nation has men who know how to operate those instruments and implements. Are we doing what must be done in order to spread word over the Nation that it is patriotic to serve in these various capacities, and that our men will do so because they love their Nation, and that that is the only way we shall ever have a successful defense?

We cannot buy either defense or offense. They depend on the spirit of the people. If we spend money in large quantities, with the result of inflation and erosion of the value of the dollar, the people become discouraged.

So I wish to inquire whether the Armed Services Committee is taking such matters into consideration.

Mr. SALTONSTALL. I believe it is. The Armed Services Committee and the Appropriations Committee voted to have the strength of the National Guard increased over the strength recommended by the administration; and both of those committees took a similar position in regard to the strength of the Reserves. Furthermore, we hope we are allowing more for armories than was recommended originally.

I agree with the Senator from Pennsylvania that we wish to keep up the spirit and the morale of the divisions, such as the Yankee Division, in Massachusetts; and the 28th Division, in Pennsylvania. I recall when the 28th Division left, to go overseas. It sailed from Boston; and I was there, to see it off.

I hope we are maintaining that spirit.

Mr. MARTIN of Pennsylvania. I thank the Senator from Massachusetts.

Mr. ALLOTT. Mr. President, will the Senator from Massachusetts yield to me?

Mr. SALTONSTALL. I yield.

Mr. ALLOTT. Mr. President, I appreciate very much the Senator yielding to me. I think the unfortunate thing about this discussion, in some ways, is the injection of partisanship into it, which I believe has no place in it. I am sorry the discussion of last week injected a strong portion of partisanship into the debate. We are all loyal, patriotic Americans. We realize that there is no place here for such partisanship. But I think it should be interesting to point out that up to and including the fiscal year 1953 we had spent only $3½ billion in the development of all missiles, and that just a few million dollars of that amount had gone for the development of ballistic missiles.

I cannot help feeling that the discussion which took place last week, and part of the discussion at this time, is one of the greatest deterrents we shall have to real development. We discourage scientists. We discourage all those who are literally pouring out their life's blood in great scientific and ballistic efforts. They read in the papers that those who are speaking about it in the Senate are in effect condemning their efforts and saying their efforts are falling far behind the achievements of the Russians day by day. To me such criticism is one of the greatest deterrents to morale and real progress.

If the Senator will indulge me for just a moment, I should like to comment upon one of the real fields involved. I am not on the Armed Services Committee, but I have been a member of the Committee on Labor and Public Welfare for the last 4 years. During the last 6 or 8 months we have taken many hundreds of pages of testimony about the educational program.

I am happy to note that the conference committee has agreed upon an educational bill, which will be reported to us. In Walter Lippmann's column this morning, he said some things which have not been quoted. He said:

There does not exist an agreed program of what the disagreeable remedies are. Mr. KENNEDY made a few suggestions but he offered no program, and although the Democratic opposition is very critical of President Eisenhower, there is no alternative Democratic program before the country.

Why is it like that? I think it is because the real problem—the relatively greater speed of Soviet technological development—cannot be overcome by a spending program alone. It would be quite easy to push Congress into new and bigger expenditures. But what the experts call the missile lag is essentially a weakness in American education and a lack of seriousness in American national purposes, when there is choice between private pleasures and the public interest.

I do not think the problem has been stated more clearly anywhere in the United States. We are not doing for our

schoolchildren, in an educational way, what we should. The curricula are not as tough as they should be. Our teachers are not paid well enough. As a consequence we do not get competent teachers.

I hope the education bill will move somewhat in the direction of alleviating that problem, but the real help can only come from the thousands and thousands of individual school boards all over this country, as well as the parents, in an effort to improve the curricula for our schoolchildren, and see that our children study the subjects they should. When we do that we shall overcome the great lag which has been discussed.

I apologize to my friend for taking this time, but I feel very strongly about the matter.

Mr. SALTONSTALL. What the Senator from Colorado has said is very true.

Mr. ALLOTT. Mr. President, I ask unanimous consent that a statement I have prepared on this matter be printed in the RECORD.

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

STATEMENT BY SENATOR ALLOTT

My illustrious colleague has brought to the attention of my distinguished colleagues what purports to be a weakness in our military strength during the years 1960-64. It has been asserted that this alleged weakness is caused by lagging efforts in the pursuit of our missile program. We hear much criticism of our missile program, but let's look at the facts.

Up to and including fiscal year 1953, about $3.5 billion had been provided for support of all our missile programs, with only a pitiful amount devoted to the ballistic missiles. In fact the total long-range ballistic missile effort for the 8-year period from 1945 to 1953 was on the order of a few million dollars. In the period from 1953 to 1959, this administration has devoted over $19 billion in support of the overall missile program, of which more than $5.5 billion has been devoted to the direct support of our critical ballistic missiles. These programs, their importance recognized, were placed on a crash basis. The Atlas program, which was barely started, had its development time scale cut to a third of the prior schedule from 1965 availability to availability in 1959. Additional missiles, the Titan ICBM and the IRBM's—Jupiter, Thor, Polaris—were all added to the program on a crash basis.

Many of my illustrious colleagues have shared with me the opportunity of keeping up to date through our committees on the progress of the missile programs. You have heard, for example, that the very important Polaris submarine program has been accelerated twice since its inception. I am confident that the Secretary of Defense will utilize the additional funds voted by Congress for a third acceleration of this program as soon as this can usefully be done.

Less than 3 years ago this country embarked on the development of IRBM's. Here again the operational availability dates have been advanced over those predicted at the start of the programs. Today we have demonstrated operational systems and deployment is imminent. This feat is being accomplished in less than half the time normally associated with the development of complicated weapon systems. I regret that I cannot mention our production rates for the IRBM's but they are rising rapidly.

Turning to ICBM's, we all heard just the other day of the successful Atlas test, a major milestone in this important program. Here, too, our production rate is rising. To say that the missile program is lagging at the present time is indeed an unworthy reflection on the splendid efforts of the thousands who are working long hours and struggling against time to meet our tight schedules. Let us give credit where credit is due—to the brilliant achievements of this corps of scientists, engineers, and workmen—and debit where debit is due—to those who were responsible for our late start.

According to these purported estimates the Russians will have hundreds of missiles from their production line while we will have only a relative few. The best estimates I have been able to obtain give them only a few months' lead time in the ICBM field, even with our late start, and I am not aware of any positive information which indicates that the Soviets are increasing this apparent edge. Let us ask ourselves then whether this purported estimate of their ICBM capability during the years 1960-64 is just another like the much publicized estimates of their Bison strength a few years ago. You may recall that we were told 2 years ago that they would have by now several times as many Bisons as we would have B-52's. Today, gentlemen, I am told we have several times as many B-52's as they have Bisons.

Let us not be stampeded by estimates based upon so much uncertainty, particularly as they obviously represent speculation in the absence of definite information. Such action is inappropriate to the great people we are. Rather, let us continue to trust and support our American scientists, engineers, and industry who are providing a Free World ballistic missile capability in less than half the time required by the Soviets and who are assuring the maintenance of a strong United States retaliatory capability.

THE McCLELLAN SUBSTITUTE FOR S. 654

Mr. ROBERTSON. Mr. President, it is surprising to me that there should be so much opposition to a proposal as simple and as obviously needed as that contained in the pending McClellan amendment which is, of course, of the same substance as H. R. 3 and of S. 337, of both of which I am a sponsor.

The purpose of this proposal, as has been amply explained in the recent debate, is to restore some potency to the 10th amendment to the Constitution and to give Congressional endorsement to a rule of interpretation which until recently had been generally accepted by the courts. We propose to say merely that Federal laws are supreme where they are in direct conflict with State laws or where Congress specifically has said its intention was to preempt the field, but that in the absence of these conditions the court has no right to assume that a Federal law on a subject automatically nullifies State laws on the same subject.

The need for this declaration has been made manifest by a recent series of Supreme Court decisions which have been listed in the CONGRESSIONAL RECORD. Organizations like the American Bar Association, the Organization of Chief Justices of State Courts, the National Association of State Attorneys General, and the Conference of Governors of the Forty-Eight States have endorsed H. R. 3, which is the McClellan substitute for S. 654.

The language of the proposal, as was brought out in yesterday's debate by the senior Senator from North Carolina, is based on language of a Supreme Court decision handed down in 1897 and affirmed many times since that date. It is not new or radical and there is no reason to anticipate that passage of this resolution would have an upsetting effect on any existing legislation except in areas where the courts, in pursuing certain allegedly social objectives have read into the laws of Congress an authority which was not intended and which is contrary to the spirit of the 10th amendment.

Therefore, Mr. President, I believe that businessmen need not be concerned over a possible unsettling of their established practices if the McClellan substitute or H. R. 3 becomes law. They will be in the same situation they have been in at least since 1897. But the States, which have laws of their own dealing with subversive activities, regulation of their own employees, operation of their schools, or protection of business enterprises, will be able to continue to enforce those laws as they always did until recently when the Supreme Court became a usurper of legislative power.

The Court itself, in my opinion, will profit by the mandate of Congress which this resolution would provide and will be encouraged to return to practices which will restore it to the prestige and the position in our Government which was intended by the authors of our Constitution.

Therefore, Mr. President, I hope that the pending bill as altered by the McClellan amendment will be approved.

DEATH OF SEABORN L. DIGBY, FORMER MEMBER, FEDERAL POWER COMMISSION

Mr. LONG. Mr. President, it was with deep personal regret that I learned of the passing Tuesday night of Judge Seaborn L. Digby. Judge Digby was a distinguished citizen of Louisiana. It was only last month that Judge Digby had declined an offer of reappointment as a member of the Federal Power Commission, choosing instead to return to his native State of Louisiana. His term expired on June 22 and he left Washington soon thereafter. A week ago he suffered a heart attack, and remained critically ill until stricken by a further attack which proved fatal yesterday.

Judge Digby was born on February 6, 1892, in Union Parish, La. He was educated in the public schools of Louisiana and attended Louisiana Institute of Technology briefly. Subsequently he graduated from Louisiana State University with a degree of bachelor of laws. He was admitted to the bar in 1916, and began the practice of law at Farmerville before being called into military service in 1918. Upon release from military service, he was appointed district attorney for the fourth judicial district of Louisiana to fill an unexpired term. In the same year he was elected and served a full term in this position.

In 1922 he was elected judge of this judicial district to fill an unexpired term. In 1924 he resumed the practice of law at Farmerville until 1929, at which time

he moved to Monroe. He served as city attorney from 1938 to 1948, at which time he was named commissioner of conservation. He served a 4-year term in that position, leaving the office in December 1952.

Judge Digby married Maude McLees, of Ruston, La., on May 27, 1920. He is now survived by his devoted wife and one son, James Foster.

Judge Digby was one of the most beloved of Louisianians who have served the Federal Government in Washington. He had the respect and admiration of all those who knew him well. He also had the respect of those with whom he came in contact in his official capacity as a member of the Federal Power Commission. During his entire term of office here I heard no single word of criticism, either of his performance of duties or of his personal life.

Judge and Mrs. Digby decided when they came to Washington in 1953 that they would return at the end of his term of office. I saw him on several occasions just before his return to Louisiana. He was truly resistant to "Potomac fever," and he returned to Louisiana without doubts as regards his course of action. It is for this reason that it seems especially cruel that he did not have the full opportunity of renewing his acquaintances and again taking up his life in his home State.

The State and the Nation have lost a fine public servant and citizen. At the same time, all of us can take pride in his accomplishments and contributions during his lifetime. Those of us who knew him well will feel his loss for a long time to come.

I am sure that all my colleagues share my regrets at his passing, and join me in extending condolences to his family.

ORDER THAT SENATOR FULBRIGHT BE RECOGNIZED FOLLOWING THE REMARKS OF SENATOR MARTIN OF PENNSYLVANIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Pennsylvania [Mr. MARTIN] the Senator from Arkansas [Mr. FULBRIGHT] may be recognized.

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

RETIREMENT OF SENATOR MARTIN OF PENNSYLVANIA

Mr. MARTIN of Pennsylvania. Mr. President, I cannot speak of leaving the United States Senate without deep emotion.

It reminds me of being mustered out of the United States Army or being separated from the service. I first had that experience in San Francisco in 1899, when I returned from Spanish-American War duty in the Philippines. The second time was at El Paso, Tex., after the Mexican Border campaign under that great soldier, General Pershing. The third was at Camp Dix, N. J., on my return from France at the end of World War I. And the fourth when I was stationed at Camp Hayes, Columbus, Ohio, during World War II.

At such times one feels glad to get out of the service. Men who had served together promise each other they will have frequent reunions. Unfortunately, in this uncertain life, it has never again been possible for the whole group to assemble. More than half of the fine men who were my army buddies have answered the last roll call. Taps have sounded over their honored graves.

In the 80th Congress, when I first had the honor of taking a seat in this Chamber, 16 other Republicans entered the Senate as freshman Members. That was the largest number in the history of this body.

They were Lodge, Massachusetts; Flanders, Vermont; Baldwin, Connecticut; Williams, Delaware; Ives, New York; Bricker, Ohio; Jenner, Indiana; Cooper, Kentucky; McCarthy, Wisconsin; Thye, Minnesota; Kem, Missouri; Ecton, Montana; Dworshak, Idaho; Watkins, Utah; Malone, Nevada; and Cain, of Washington.

I was the senior in point of years, and I am happy to have this opportunity to praise my colleagues of that freshman class as magnificient Americans who were sincere and patriotic in their dedication to the ideals of our country.

There were times when they differed in their approach to legislative problems, but all had the same objective—to advance the welfare of the United States and all its people.

One of this number, Joe McCarthy, has been called by his Creator to everlasting rest. In leaving the Senate, along with five others, I am wondering if we will ever again assemble on this earth. That, my friends, is in the hands of God.

I count myself most fortunate to have been close, in association and friendship, with all of our distinguished colleagues who are leaving this body.

RALPH FLANDERS is a stalwart New Englander who has high ideals and the courage to stand up for the principles to which he gives undeviating allegiance. As a fellow member of the Finance Committee, I have had the opportunity of noting his many splendid qualities. There is no doubt in my mind that he will continue to use his great talents in the future, as he has in the past, for the benefit of our country.

Long before I came to the Senate I knew ALEX SMITH and valued his friendship. We were State chairmen at the same time. We were both members of the Glenn Frank Commission. ALEX has come back into Pennsylvania to speak in my behalf when I was a candidate for public office and I have spoken for him in New Jersey. We have been brought closer together here in Washington by the affection which Mrs. Smith and Mrs. Martin have for each other. I know that he will continue to serve our country in his private life and that he will always be guided by the same patriotic motives which have shaped his distinguished career.

IRVING IVES came to the Senate with long legislative experience as one of the outstanding leaders in the New York State Assembly. Through his comprehensive knowledge of government and his deep concern for the good of all Americans he has made a great contribution to the American way of life. I am sure that he, too, will exert all the influence at his command for a better, happier America.

BILL JENNER, of Indiana, belongs to that fine group of Americans who are proud to be known as politicians. No man in this Senate has a more loyal following in his home State than Senator JENNER. He is a young man, and I sincerely hope that he will continue his public work because men of his type are so badly needed during these trying times.

BILL KNOWLAND comes from the great Pacific Coast. His people are firmly grounded in the soil of the Golden State. He has been a great leader and a hard worker. His word is his bond. His type of American statesmanship has made the United States Senate the outstanding legislative body of the world. California and the United States need BILL KNOWLAND.

I desire to thank the able and hard-working majority leader, the distinguished Senator from Texas, LYNDON JOHNSON, and the great minority leader, BILL KNOWLAND, whom I have already mentioned, for the many courtesies so generously extended to me on so many occasions.

I offer my special thanks and appreciation to one of the most distinguished Americans of our time, the chairman of the Finance Committee of the Senate, HARRY BYRD.

I am proud that HARRY BYRD has been one of my fine friends in the Senate. He has a more profound knowledge of the intricacies of the Federal financial situation than any other American. I feel safe in saying that the solvency of our Nation and its economic security depend upon the ability, patriotism, and courage of men like HARRY BYRD who regard inflation and an unsound currency as a greater threat than atomic attack.

I want to pay tribute, also, to the great Senator from New Mexico, DENNIS CHAVEZ, who serves so ably and with such high regard for the national welfare as chairman of the Committee on Public Works. Under his fair and impartial leadership great things have been accomplished—great constructive public works projects that will be beneficial to all sections of our country far into the future.

I have in mind also the debt of gratitude which I owe to my colleagues of the Finance Committee and the Committee on Public Works for their patience, their helpfulness and their kindness to me at all times. It has been a real pleasure to work with such outstanding Americans.

In leaving the Senate, I do so in full appreciation of its great traditions. Here we are guided by carefully worked out rules of procedure. We are bound by certain unwritten laws and customs which really make the United States Senate the last free forum of debate in the world.

Here the right of a Member to express himself fully, without limitation on debate, is protected. Unlimited debate has frequently been criticized by Members of the Senate, and by many outside of this body. While unlimited debate has sometimes compelled me to be on duty the entire night, I feel that unlimited debate in the Senate has more arguments in favor of its rentention than against it.

I regret that sometimes there is a tendency in Congress, using the army expression, "to pass the buck." The Founding Fathers placed the legislative body first in our Constitution. For the greater good of our country it must remain first. I hope the Congress will never evade that great responsibility.

Mr. President, in conclusion and by way of farewell, I should like to read a prayer for our country, written by Gen. George Washington. I quote:

Almighty God, who has given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will.

Bless our land with honorable industry, sound learning, and pure manners.

Save us from violence, discord and confusion; from pride and arrogance, and from every evil way.

Defend our liberties, and fashion into one united people the multitudes brought out of many kindreds and tongues.

Endow with the spirit of wisdom those to whom, in Thy name, we entrust the authority of government, that there may be peace and justice at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

In the time of prosperity fill our hearts with thankfullness, and in the day of trouble, suffer not our trust in Thee to fail; all of which we ask through Jesus Christ our Lord. Amen.

Mr. CASE of South Dakota and Mr. BUSH addressed the Chair.

Mr. MARTIN of Pennsylvania. I am glad to yield first to the Senator from South Dakota.

Mr. CASE of South Dakota. It was my privilege some days ago to recite at some length some events in the life of the distinguished Senator from Pennsylvania, who is leaving us at the conclusion of this term of office. I have worked with the Senator in the Committee on Public Works, and it has been a very great privilege.

I knew something of the Senator's devotion to the problems of the committee, and I knew something of the character of intelligence which the Senator is able to apply, but until I did some research as to his life in the years before he came to the Senate, I did not have a full appreciation of the very rich life of service which he has led through all the years—starting in the late 1890's, when, as a young man, he was a volunteer and served in the war against Spain, serving in the Philippines; and continuing with his career as a public official in the counties and the State of Pennsylvania, until he became Governor of that State, with a record unsurpassed by any. His military career, in which he started as a private, was signalized by the stars of a lieutenant general given to him some months ago. He was a major general when I met him in Louisiana many years ago.

The Senator's career has been remarkable. We shall miss ED MARTIN in the Senate. I really did not intend to speak at any such length as I have now, because I said so many things the other day, but I wanted to make one point.

Senator MARTIN, I say to you, it will be as impossible for you in the days ahead, after you have left the Senate of the United States, to fail to respond to the opportunities for service in your community, in your State, and in your Nation, as it has been in the past. You may no longer be serving as a Senator of the United States, but until the day you draw your last breath you will be serving the welfare of the people of the United States in whatever community and whatever capacity God, in His infinite wisdom, may place upon you.

Mr. MARTIN of Pennsylvania. I thank the distinguished Senator. I should like publicly to thank the distinguished Senator from South Dakota for the manner in which he has aided me in the Committee on Public Works. As Senators know, I am the senior Republican on both the Committee on Public Works and the Finance Committee. It has been necessary for me to turn over an enormous amount of work to the distinguished Senator from South Dakota in connection with my service on the Public Works Committee, and to the distinguished Senator from Delaware [Mr. WILLIAMS] in connection with the work of the Committee on Finance. Both of them have given of their time unstintingly to aid me, and I am most appreciative.

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

Mr. MARTIN of Pennsylvania. I am glad to yield.

Mr. BUSH. I have listened intently and with great interest to the comments of the distinguished Senator from Pennsylvania. He is a modest man. It is characteristic of him that at the time he is about to retire from the Senate he acclaims others for their great service to the Senate, with little regard for himself.

Those of us who have had the pleasure and privilege of serving with him, and to know him as a United States Senator and as a great American citizen, realize that this year the Senate will lose one of the finest, ablest, and greatest men ever to serve in this body.

The Senator from Pennsylvania has referred to his service on the Committee on Finance. In that capacity the Senator has repeatedly called the attention of the country and of the Senate, particularly, to the grave dangers which this country faces from an unsound dollar, or, to put it another way, from inflation.

It will be impossible for the Republican side of the Senate to replace him on the Committee on Finance with anyone who believes so sincerely in the dangers of inflation, or who knows more about what we should do to combat that evil. We are losing a bulwark of great strength when the Senator from Pennsylvania retires from the Committee on Finance.

Likewise, as the senior Republican on the Committee on Public Works, his service has been outstanding, and at times brilliant. I say that as one who has had the privilege for 4 years of serving on that committee with him, from the time when we first took up the new interstate and defense system of highways.

The Senator was one of those whose foresight—gained partly from his military experience and partly from his experience as Governor of Pennsylvania, as well as United States Senator—enabled him fully to understand the necessity for the establishment of that great new system of interstate highways.

It is a pleasure for me to congratulate the Senator today on his numerous accomplishments in so many fields, and to say to him that we hope we shall see him often back here when he comes to visit us in the years ahead.

Mr. MARTIN of Pennsylvania. I greatly appreciate the very kind words of the distinguished and able Senator from Connecticut.

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

Mr. MARTIN of Pennsylvania. I am glad to yield.

Mr. ERVIN. The able and distinguished senior Senator from Pennsylvania occupies a very warm spot in my heart. He was the first Member of the Senate to welcome me when I came to this body, and I shall always treasure the recollection of that great courtesy.

The senior Senator from Pennsylvania will carry with him from this body the admiration and affection of all his colleagues on both sides of the aisle. He will leave behind him—as he has left behind him in all his previous public service—a magnificent record which exemplifies in the highest degree the great courage which he showed on the battlefield as a soldier in several wars.

In my judgment it is a great loss to the United States for the senior Senator from Pennsylvania to retire. His service has always been characterized by high intelligence, by the greatest degree of fairness, and by the greatest degree of both moral and spiritual courage.

It is with much regret that I see the Senator retire. I wish him Godspeed during many years ahead.

Mr. MARTIN of Pennsylvania. I thank the distinguished Senator very much for his very kind and generous remarks.

In closing, I wish to thank all Senators who have spoken so kindly of me. Also I wish to thank all the Members of this body, on both sides of the aisle, for their universal courtesy, kindness, and helpfulness.

Mr. WILEY. Mr. President, I have listened to the fine encomiums about the distinguished Senator from Pennsylvania, and I agree with all of them. I said on a previous occasion that I had heard of the General but never knew him until he came to the Senate. I expected to see a man who was scarred and hardened by his military experience through the years. Instead, I find him, as has been stated, a modest and very convincing speaker, one to whom the Senate listens when he speaks. He and his dear wife I found to be very friendly souls. Life has given them many trials, but they have not taken

the thorns; they have picked the roses. Furthermore, they have reflected to others what they have learned on life's highways—friendliness, affection, love of country, fidelity, duty, and friendship. We are not saying goodbye to the Senator from Pennsylvania. We shall see him often. And as the Germans in Pennsylvania say, it is "auf wiedersehen."

Mr. MARTIN of Pennsylvania. Mr. President, I thank the distinguished Senator very much for his very kind remarks.

Mr. DWORSHAK. I wish to join with my colleagues in paying tribute to the senior Senator from Pennsylvania. During the years I have been privileged to serve in the Senate with him, his sterling Americanism and his dedication to the service of his country and his fellow men have been a real inspiration. I know he has well earned the leisure he has earned, which I sincerely hope he and Mrs. Martin will enjoy to the fullest extent. I am sure also that he will continue to take a profound interest in preserving this Republic of ours and in promoting the security and the welfare of our country.

Mr. MARTIN of Pennsylvania. Mr. President, I thank very sincerely my distinguished colleague from Idaho. We came to the Senate at the same time, and I am sure our friendship and admiration for each other have increased through the years.

Mr. LONG. Mr. President, I wish to congratulate the Senator on the very fine statement he has made. I assure him that the sentiments of his colleagues on the Republican side of the aisle are equally shared by his colleagues on this side of the aisle. He has been extremely courteous, helpful, and polite to all of us on our committees and on the floor of the Senate. While sometimes we have disagreed, the Senator has always been fair and frank and has always held the interests of this Nation first and foremost. We have all respected him and admired him for that, and our good wishes on this side of the aisle are every bit as strong as those of his Republican colleagues.

Mr. MARTIN of Pennsylvania. Mr. President, I appreciate very much the pleasant remarks of the Senator from Louisiana. Our work on the Finance Committee has been very helpful to me, and I sincerely trust I made just a small contribution in the difficult work of that committee.

THE CHARACTER OF PRESENT-DAY AMERICAN LIFE, ITS ORDER OF VALUES, AND ITS SENSE OF PURPOSE AND DIRECTION

Mr. FULBRIGHT. Mr. President, I beg the indulgence of the Senate if I do not speak loud enough to be heard throughout the Chamber; my voice has not fully recovered.

We are in the last hours of the 85th Congress. Much has been done here since we met in January of this year. Much remains to be done before we clear our desks—and perhaps our consciences—and go our several ways. For the constructive work that has been done and will still be done, all praise is due to the distinguished leader of this Chamber. Praise is also due to those who have had a part in winnowing the wheat from the chaff, so that things alien to the public interest were not allowed to pass through the legislative mill.

But if I now ask for a brief portion of the Senate's time when I know that time is running out, my apology is the subject to which I wish to address myself. It does not lie in any specific field of legislation, but rather the other way around. Rather it forms the field from which any legislation, good or bad, or any executive act, good or bad, ultimately draws its own form and substance. For my subject is the character of present-day American life—its order of values, and its sense of purpose and direction—if any.

The focal point of our present-day concern is quite naturally the foreign policy of the Nation. On August 6, last, I had read for me in the Senate some remarks I had prepared on that general subject. My points of emphasis were two. First, I suggested that we were inviting disaster if after every failure of our foreign policy, we laid the blame solely at the door of the Soviet Union. Second, I suggested that only by looking at and correcting our own shortcomings in our relationship with the rest of the world, could we hope to avoid a twin evil. One evil was that we might blunder into a catastrophic war. The other evil was, that America would find itself isolated against its own will from the rest of the world, because the rest of the world no longer trusted us.

With respect to all this, I said that the President and the Congress share the responsibility for what went wrong in past matters of foreign policy; and that they have an equal responsibility to set matters right for the future. Still, the President and the Congress—any President and any Congress—are not instruments which live and work in a closed circuit, in a political and social vacuum. Rather they rise from the people, get their title of office from the people, are responsible to the people, are constantly advised by the people, and are subject to periodic review by the people.

This, in turn, in the final analysis, means one thing; it means that except within the limits of certain discretionary powers allowed the President and the Congress, what is done or not done by them is directly related to what the people want them to do or will not allow them to do.

It is part of our litany in public life to say that the people speak with the voice of God. I do not question that. Much less do I question the institutions and practices of democracy that draw their vitality from that principle. But I would feel myself a toadying sycophant if I did not speak one plain truth. It is that the people, for some years now, have spoken with the voice of a false god—and it is a voice which has impressed itself on what government itself has been doing during this period. If things have gone wrong, the people are not without blame in the matter.

The last thing that can be said about our foreign policy in the last few years is, that it was not what the people wanted. Of course they wanted it. And what they got was exactly what they wanted—a foreign policy on the cheap, featuring a pact here, a doctrine there, and a shipment of a few guns everywhere.

The people wanted to believe that after years of cold-war strain, they were at liberty to stop thinking any more. They wanted to believe that after years of cold war sacrifice, they could bask in the artificial sunlight of a government which did not bother them with serious things. They wanted to believe that in a world full of menace, the way to get out of the line of danger was to have a government which used such energy as it had to the end that everything should stand still. And if things somehow refused to stand still, then the thing to do was to lasso what was in motion by tossing out another attitude, or another platitude.

Can anyone in this Chamber deny this? Can anyone here deny that the distinguishing feature of American society during much of the decade of the 1950's was its weakness for the easy way? Can anyone deny that in this period, we were the opposite to what our Founding Fathers had in mind for the new America?

The Founding Fathers said—and here I quote the first paragraph of the Federalist Papers:

> It seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable of establishing good government from reflection and choice, or whether they are forever destined to depend for their constitutions on accident and force.

But I ask now: What show of reflection and choice was there in much of the decade of the 1950's when the word "egghead" became a word of abuse; when education was neglected; when intellectual excellence became a cause for suspicion; when the man in public life, or the writer, or the teacher, who dared articulate an original thought risked being accused of subversion. What show of reflection and choice was there in this period when the man of distinction was the man who had a station wagon, a second car plated with chrome, a swimming pool, a tax-free expense account, and a 21-inch color television set with the 36-inch star on its screen?

It was precisely because there was so little reflection and choice in this period, that what we got in our Government was a Government which entrusted the highest interests of state to the play of accident and force. For whenever we brought ourselves to do anything at all about a crisis that exploded before our astonished eyes, we almost automatically reached for bigger bombs and bigger bombers.

Mr. President, I am not opposed to bombers. But neither do I want SAC to become a nuclear version of the Maginot line. Yet that is what it is likely to become if the only thing we can think to do after each crisis, is to order some more arms—and then go to sleep

on the arms. And that is what SAC is tending to become when after every crisis, our highest officers of state, without regard to their own responsibilities to speak plain truths, tell the people that the crisis was really just the passing shadow of a mirage—knowing that that is what the people want to think.

A frightening historical parallel has occurred to me with increasing frequency in recent weeks. Fifteen or sixteen centuries ago, the Roman Empire was all-powerful, rich, successful—and also complacent. Neither the Roman emperors nor the Roman senate could bring themselves to be overly concerned with the crude and boorish people to the north. Emperors were judged by the public entertainment they arranged, and the wealth and substance of the empire were dissipated in lavish consumption. When anyone was so inconsiderate as to call attention to the gathering clouds on the horizon, he was denounced as a prophet of gloom and doom and purged for un-Roman activity. In 1958, the critic is charged with selling America short.

This picture is admittedly oversimplified. But in broad outline it is pertinent and valid. The fall of great civilizations runs a well-defined course. On the outside, the civilization has a hard, shining surface, full of glitter and superficial accomplishment. But inside the outer shell, invisible decay does its work. And the hard shell collapses on the empty center when that civilization collides with a challenge it no longer has the power to meet, because it was indifferent to the challenge too long.

I do not believe that we Americans are incapable of meeting the challenge of the Soviet Union and of the nationalistic revolution going on in Asia and Africa. But I say in all seriousness that we do not have much time left in which to shed our indifference and do something about it.

There is some slight ground for encouragement in the initiative which the President took in his speech before the United Nations General Assembly on August 13. I hope this will not be another flash in the pan. I hope it does not run the familiar course of the big build-up, followed by the big letdown. I hope the President's words—which are not self-executing—will be followed up relentlessly and imaginatively by action.

But in any event, much more sweeping changes need to be made, not alone in our foreign policy; but more difficult still, in our scale of social and cultural values. I say "more difficult" because social and cultural values are not reducible to sticks and stones which can be milled to one shape or another. Social and cultural values arise from habits of the heart and mind; and if there is to be a revision in them, the revision must go on in the privacy of every American's thoughts. If that kind of revision does not occur, I doubt if the necessary revision in our foreign policy, if and when it is made, can be long sustained.

Until we do revise our sense of values, we will never think we can afford to do the things which, in my judgment, we must do if we are to survive as a free nation.

Is it not ridiculous, Mr. President, that we place a higher economic value on driving a truck than on teaching school?

Is it not out of all proportion that we accord greater social prestige to a rock and roll singer than to a philosopher?

We are constantly told we cannot afford a good public school system, but we could have a very good one if we diverted to education even a fraction of what we spend on all manner of amusement and luxury. The only logical inference to be drawn from this fact is that we, as a people, would rather have the luxuries than the schools. Now, surely, Mr. President, this is getting things upside down. We are treating luxuries as necessities, and necessities as luxuries. And the irony of it is that we are not really confronted with this kind of choice. We are rich enough to have our cake and eat it too. But we have become so greedy, we want it alamode.

So, Mr. President, I say we have got to revise our scale of values. We have got to return to a reasonable sense of what is really important, as distinguished from what is merely desirable. Fundamental to this process is a change in public attitudes toward public figures. We hear a great deal in the Senate, Mr. President, about our heavy responsibilities as Senators and about the grave importance of the decisions which we make. This is all true. But I daresay there is not a Member of this body who has not heard the word "politician" used as an epithet. I daresay that there are few Members of this body who do not envy the happier standing that Mickey Mantle or Bob Hope enjoys in the Nation.

I am not being critical of Mr. Mantle, who is an estimable young man and who performs valuable services for his employers. I am simply saying that something has got to be done to bring things back into proper perspective. Some way must be found to increase public understanding of public affairs, and to develop a sense of values appropriate to the problems and decisions which confront our people.

I am frank to admit that I have no quick or easy solution to offer. There may be no solution at all. But if there is, it lies, I think, in long-term efforts in the field of education and not in superficial public relations campaigns masterminded from Madison Avenue.

Yet one of the most discouraging events of this session of Congress has been its action in regard to education. When sputnik made it dazzlingly clear that we were falling behind the Russians in at least some fields of technology, our reaction was to pass an education bill designed to take a few feeble steps toward producing more scientists and improving the teaching of languages. Now, Heaven knows this needs to be done. I voted for it. But I suggest this is another instance in which our priorities are somewhat askew.

As badly as we need scientists and linguists, we even more badly need people who are capable of evaluating the work of the scientists and of making the enormously complicated decisions—which are essentially political decisions—that are called for if we are to adjust our policies and our life to our scientific progress. The age of the amateur is over. We can no longer look to our household experiences, or to commonsense knowledge if we are to pass good judgments on the new kind of life-and-death political-scientific questions which have become the leading questions of modern government. In addition to commonsense, we need exact knowledge, which we can come by only through hard study shared in by everyone. In short, we need to become a nation of statesmen-scientists—just as much as we need atomic scientists. Unless we become a nation of statesmen-scientists, we can kiss goodby our whole traditional constitutional system for responsible power. It will be done for because only a handful of experts will make decisions for the rest of us, and we will have no exact basis for knowing whether they decided well.

It is as plain as can be that we, all of us, must either become far more knowledgeable about the world on the one hand, or revise our constitutional system on the other hand, if we are to meet successfully the kind of challenge we are now being subjected to by the Russians.

Now, Mr. President, I suppose I will be criticized for having said all this. There are those who react almost instinctively to any suggestion that we are not living in the best of all possible worlds. There will doubtless be those who think it is politically unwise to extend criticism of this kind to American society itself.

I must respectfully disagree. I think the American people can take it. Further, I think increasing numbers of them are beginning to realize they deserve it.

We have lately heard a great deal about the nuclear gap between the United States and the Soviet Union. I suggest that an equally serious gap is that which exists between the profession and the practice of the tenets of freedom in this country. We have covered over this gap with the smug complacency of the ever-easier life, with a desperate pursuit of material success, and with a moratorium on creative thinking. We have bridged this gap with an unspoken demand for rigid conformity, with an excess of self-righteous moralizing. We have covered it over with boisterous but, at heart, terrified, clinging to what is left of our technological superiority, as though it will, by some supernatural power, save us from the forces of darkness which are closing in on the world.

I remind the Senate that the influence of this country was never greater in the hearts of men throughout the world, nor the power of the words of its leaders to move men more potent, that when it had no machines or technological capacities to speak of. It was never greater than when its leaders for the most part, were deeply religious men, when life was not easy but very hard, when men were judged more by what they were than by what they had, by what they contributed of their thoughts and heart and labor to the community rather than by what they were able to get from the community, when new ideas were as welcome as new peoples to these shores.

What I am suggesting, Mr. President, is that the problem is larger than what

has gone wrong with our policies. Even more fundamental, it is what has gone wrong with our society.

We shall get policies which are attuned to the sweep of history and the ever-changing world in which we live, if Americans are reawakened, as they must be reawakened, to the larger meaning of the United States and its role in the destiny of mankind. We shall get political leaders and officials to administer these policies if Americans cease, as they must cease, to put a premium on the petty, the boisterous, the insensitive, and the fearful.

One may well ask, Mr. President, why Americans have been so long in asserting these demands for change. I do not know why, but I do know these demands will not be much longer in coming. Those of us who presume to lead, not only in Government but in education, in public information, and in all the institutions of American life must bear a major responsibility for the delay. For too long, we went along with the prevailing tides of know-nothingism. For too long, we accepted these tides, either willingly or with a sullen sense of inevitability, for fear of rocking ourselves, if not of rocking the boat.

We have gone through periods like this before in our national history, Mr. President. The decades of the 1920's and of the 1870's come readily to mind. In each case, we eventually came to our senses, went to work, and corrected a good deal of what had been wrong. Our situation is now more serious because the threat is more dangerous. Although we can take some comfort from history, we make a tragic—perhaps a fatal—mistake if we assume the inevitability of American national survival.

It is time, Mr. President, to cease going along as usual. It is time to test the slogans and the shibboleths by which we have lived this past decade, both in our relations with others and with ourselves. It is time to test them in the fires of free and open and honest discussion. Perhaps then, Mr. President, we shall get an answer to what is wrong in our foreign policy. Even more important, perhaps, we shall get an answer to what is wrong in our own national house.

I am not entirely without hope that this can be done. There are some signs that the American people are rousing themselves from the luxurious torpor which has afflicted them in recent years. All I can say is that it is high time. We have already turned off the alarm several times, and reset it for a later hour. We dare not do that again.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I do not intend to ask the Senator from Arkansas any questions, in the light of the usual brilliant address he has made to the Senate on the subject of foreign policy.

However, I fully agree with his comparison of the present-day United States with the last days of the old Roman Empire. We all recall, for example, that when the legions went up to the Rhine, in the beginning they went up alone, with only their battle equipment. But as the Roman Empire became rich and accustomed to more luxurious living, soon the legions brought with them the attributes of civilization, including their wives and children. The result was that, when the showdown came, the legions were vanquished, and the Germans and their allies took over.

A similar situation exists so far as American forces stationed in various parts of the world are concerned. They have the accouterments to which they are accustomed while at home. I hope the similarity will not be carried to the extreme.

The Senator has spoken about speeches being made, but nothing being done to carry through what was advocated in the speeches. I think he has raised a good point. For example, all of us are aware of the magnificent speech made by the President of the United States at the United Nations last week. He spoke about the unstable condition in the Middle East. It was an excellent speech. But the question now is, What will the follow through be?

As the Senator from Arkansas has asked, Are we to rest on that speech? Or will we do the things which must follow the procedures outlined with respect to a certain proposition or policy in that operation?

The Senator has also said that if anyone—and I am sure he was talking about the Senate—says something about defining a sense of values, he is immediately accused of selling America short. It is easy to use a phrase of that kind, but it takes brainpower, hard work, and courage to face up to the realities of our weaknesses.

I commend the Senator from Arkansas and all other Senators who have taken the floor in recent weeks to try to point out the weaknesses of our country, and to try, as best they knew how, as persons not charged with the responsibility of conducting our foreign policy, to make suggestions which will help to rectify the terrible, the difficult, the weakened position in which we find ourselves.

I again commend the distinguished Senator from Arkansas.

Mr. FULBRIGHT. I thank the Senator from Montana for his comments. I particularly appreciate his reference to those who have criticized. They certainly have not criticized merely in a quarrelsome or partisan spirit. Their whole purpose has been to try to find some means of improving the deficiencies which I believe all of us realize exist.

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

Mr. FULBRIGHT. I yield.

Mr. BUSH. I congratulate the Senator from Arkansas on the address he has made this afternoon. I followed it closely as he presented it.

I think he has called attention to one of the most serious dangers we face, namely, public attitudes. I associate myself, positively, with the Senator in his statement that we must revise our scale of values, that a way must be found to increase public understanding of public affairs, and that there must be a development of a sense of values appropriate to the problems and decisions which confront our people.

The Senator has pointed that up by saying that we place a higher economic value on the driving of a truck than we do on teaching school. While the Senator confesses that he does not know for certain what the answer to the question is—and it is a very reasonable, modest, and appropriate suggestion—he does offer the thought, in which I concur, that in the field of education perhaps we need more enlightenment, more public understanding, then we do in any other field. In the field of education, the distinguished Senator from Arkansas has been outstanding in his life, particularly as a Senator. I think the programs which he has sponsored in the Senate in the field of education have done much to improve the relations of the United States with other countries, particularly those countries who are our friends, and some who are perhaps not so friendly.

Again, I congratulate my good friend from Arkansas upon his splendid address. I hope it will be read by all Senators and will be widely read throughout the United States.

Mr. FULBRIGHT. I thank the Senator for his kind remarks. With regard to education, I have always remembered—although most persons tend to forget it—that the Senate on 2 occasions specifically, and perhaps on others, but on 2 noteworthy occasions, has passed very good bills in the field of domestic education. However, it has never been possible to have them passed in the other body.

So while I am critical of what we have not done, I certainly do not mean the criticism to apply directly to this body, although I think we might have made some further efforts. But the failure has not been primarily our fault. The other body has certainly contributed to the neglect by Congress of education. The Senator from Connecticut, with his background at Yale and his other activities, is fully conscious of that. He has certainly done his part to improve education.

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

Mr. FULBRIGHT. I yield to the Senator from Indiana.

Mr. CAPEHART. I did not hear the speech of the able Senator from Arkansas. I did hear a little of what the Senator from Montana said. Being the author of the slogan that we should not sell the United States short, I presume the Senator from Montana had reference to what I have said in the past on that subject.

Although I did not hear the speech of the Senator from Arkansas, I certainly agree with that portion to which the able Senator from Connecticut just referred.

Inasmuch as the Senator from Montana has identified me as being the author of the slogan that we should not sell the United States short, I again reiterate my belief, my sincere, conscientious, honest belief, that I think we ought to criticize the United States. In fact, when we in the Senate criticize the United States, we are really criticizing ourselves, because both branches of Congress make policy. We appropriate money. If there are any weaknesses, we

ought to accept the responsibility for them. I have no objection to our doing that.

My objection is simply to the statements which are made in the Senate that we have lost face throughout the world; that the people of the world have lost confidence in us.

Is there any reason why they should not lose confidence in us, when very seldom a speech is made or comments are made pointing out our strength, our goodness, and the many fine things which we do? My observation has been that too often the opposite is the case.

We constantly talk about the things which are wrong with the United States. I listened this afternoon to the colloquy between the Senator from Missouri [Mr. SYMINGTON], and the Senator from Massachusetts [Mr. SALTONSTALL]. The Senator from Missouri raised six points as to which he questioned the Senator from Massachusetts very sharply, especially as to whether Russia was not superior to or ahead of the United States in the different fields he mentioned. He was attempting to prove statements which other persons had made over the years.

That is the sort of thing to which I object. I should like to hear Senators, who are capable of doing it, say good things about our defense and good things about the United States, and praise the Nation, because there is much to be said in praise of our defenses.

I believe our Nation is stronger than Russia. I base that belief upon study and observation. I was in Russia last year. I do not believe the world will permit us to be its leader or will have the respect it should have for us if we never have any kind things to say about the United States, if we never have anything good to say about the strength of the United States, but if, instead, our officials constantly state that the United States is always wrong and that the other nations are always right.

That is why I used the phrase "sell the United States short." I say to Senators, in all fairness, that I do not believe they wish to leave that impression in the world. But certainly the leaders of the Soviet Union are the world's greatest propagandists; and they repeat to the people of Russia what Senators and other high officials of our Government say.

It is one thing for a man on the street, so to speak, to make a statement; it is one thing for an editor to make a statement in an editorial published in his newspaper; but it is quite another thing for a Senator or a Member of the House of Representatives or a governor to make a critical statement. If a high official of our Government makes such a statement, the people have a right to believe that the statement is based on fact. Furthermore, the Russians use such statements by high officials of our Government to propagandize the Russian people and the peoples of the other countries of the world. That is the basis of the complaint I am making.

Certainly we should improve; there is no question of that.

On the other hand, Mr. President, when able Senators criticize—as many of them have been doing—they really are criticizing themselves, as Members of the Congress. Both political parties have had responsibility for the running of the Government during the last 26 years, since our Nation has been involved in the leadership of world affairs. So I believe the time has come when we shall have to lead from the positive, instead of from the negative or from weakness.

I hope no Senator will take personally what I have said, any more than I take personally what other Senators say.

But if Senators are to be effective, certainly they must "get hard," so to speak, and must be frank. I do not question the honesty or integrity of those who make critical statements, which I believe are proper to be made if they are coupled with praise and with saying good things about the United States. That is my position. I make no apologies for taking it. I sincerely feel that I am correct. I am not trying to limit criticism or debate. I simply say that, in my best judgment, Senators should begin to praise the United States and to point out its areas of strength, as well as its areas of weakness.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. JORDAN in the chair). Does the Senator from Arkansas yield to the Senator from Montana?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. In response to what the Senator from Indiana has stated, I wish to say that no one questions either the sincerity or the patriotism of the Senator from Indiana. But when some of us criticize and at the same time try to be constructive—although whether we succeed in doing so can be told only with the passage of time—we do not like to be accused, either directly or indirectly, of "selling the country short."

I am sure the Senator from Indiana stands for the constructive approach, and I am sure he knows that no Member of Congress would do anything to "sell America short."

But someone has to do something—as the Senator from Arkansas [Mr. FULBRIGHT] has been doing this afternoon, and as other Senators have done before he spoke—to try to point out the existing facts of life, to try to take the sugar coating off the cake, to try to expose the picture for what it is.

We learn from holy writ that "the truth will make you free." I believe that is a correct statement as applied to our Nation; because if we wake up in time to do the things which need to be done in the fields of education, and so forth I believe we shall take effective steps, as good citizens, to promote the welfare of the Nation.

Mr. CAPEHART. I agree that we should point out both our strengths and our weaknesses.

But my complaint is that some Senators do not couple critical statements with statements about the strength of the Nation and the good things it does. However, I believe that the people of other countries should be able to read, in the statements Senators make on the floor of the Senate, about the good things our Nation does and about its strength.

Mr. MANSFIELD. I certainly agree with the Senator from Indiana—and this point was brought out clearly in the speech made by the Senator from Arkansas [Mr. FULBRIGHT]—that if there is any blame, it must be shared here on both sides of the aisle.

Mr. FULBRIGHT. Mr. President, let me say just a word in response to the comment which has been made by the Senator from Indiana.

I believe what has been accomplished in our country speaks for itself. I do not believe it would be proper or appropriate for us to prate, from time to time, here on the floor of the Senate, about the accomplishments of our country. To do so would serve no good purpose that I can think of.

The purpose of the speeches we make is to find ways to improve the Nation's policies and procedures, including its educational system.

Certainly, I do not think the educational system of our country is the worst in the world. There are many good things which I can say about it. But I do not believe our educational system is as good as it should be, or is as good as the demands upon us require.

The conditions now existing in the world require a far greater knowledge and understanding of scientific matters, international relations, and political matters, than was the case in the old days. At the time of Thomas Jefferson, education was restricted to a very few persons, who ran the country; and the people of that day had no idea of the type of mass education that is being undertaken today in the United States.

But I am convinced that the quality of our education has suffered as a result of the effort to educate everyone, and also because we have not devoted to education the resources required by it. So I say our educational system is deficient.

I say that simply because I know of no other way to arouse sufficient interest—although I may say that the interest aroused thus far has not been very successful, as far as the desired result is concerned. Certainly it would not promote the attainment of that objective to say, each day, "our educational system is fine, and needs no improvement, and nothing needs to be done about it."

I believe the Senator from Indiana misinterpreted the comments I made about existing conditions. I have never intended to convey the impression that we are not as strong as Russia or that we are less strong. It seems to me that such considerations are irrelevant. I do not know whether we have as many ICBM's as the Russians have now, or as many as the Russians will have next year or the following year. My feeling is that if we have enough to do what we are told we need to be able to do—that is to seriously, if not fatally, destroy the Russian community—then that is enough. I do not know whether we have more than enough. However, that is not the comparison I was trying to make; and I do not believe that the relative strengths—certainly, not the relative physical strengths—of the United States

and Russia are the primary consideration.

I happen to believe that the probability of a military showdown with Russia is rather remote. I do not think either country—our leaders or the Russian leaders—wish to indulge in an all-out war. I think it is in the other field that there is an all-out war—a cold war which is getting hotter every day—and it is that war which I have particularly in mind. Diplomatic relations, trade, understanding of trade, how we treat other countries, how we keep them in sympathy with the purposes of the West, our relations with our own western allies are all matters which make for strength in the nonmilitary area. It is in an area particularly to which I have tried to direct my remarks. My remarks relate to the cold war, if one wishes to call it that—the nonmilitary struggle with the Russians. I am convinced we are not doing all we ought to do in that field; that not only are we failing to gain ground, but that we are not even holding our own relative position.

I do not wish to make this a partisan matter. I would certainly be willing at the proper time, or at any time, to admit weaknesses on the part of the preceding administration. Neither administration has done this job properly. I may say I often critized the preceding administration, if the Senator will remember. I do not think the matter has anything to do with partisanship. It is merely a question of trying to develop policies on the part of this country which will improve the conduct of our foreign relations. I mean not only political relations, but economic, social, and cultural—all the activities which would strengthen this country, and strengthen it not merely in the way of making it a little stronger than Russia, but strengthen it absolutely.

Mr. President, I am ready to yield the floor——

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

Mr. FULBRIGHT. I yield to the Senator from Wisconsin.

Mr. WILEY. I may say to the Senator I was privileged to listen to his speech. I also had read it. I think it contains some thought-provoking material. I wish to comment briefly about it, and then ask a few questions.

I agree fully, on the subject of complacency, that it is our obligation not only to see to it that we in the Senate are not complacent, that is, ignorant of the changed world in which we live, and the world changing from day to day, but it should be our intention to make sure our people do not fall into a complacent notion. I think in that respect the speech of the Senator from Arkansas is a very challenging one.

The Senator referred to the matter of education. The Senator stated, with respect to that matter, the President and the Congress share the responsibility for what went wrong in past matters of foreign policy, and that they have an equal responsibility. The Senator said that the people are also to blame.

I should like to try to get a little light on the statement, because I think our foreign policy is to a large extent made by what foreigners do. In other words, without becoming particular, let us assume country X should, in the interest of America, do certain things, but as a result of certain events, action on our part is precipitated. In that respect I think possibly something the Senator from Indiana has said has some merit.

During the Roosevelt administration I felt, and during this administration I have felt, that when certain events in foreign countries occur over which we have no control, all at once action on our part is required. In view of the light that we have, the Executive, which spearheads our foreign relations, then and there, takes certain action. It is not the Executive; it is not the Congress; it is the foreigners who have created the situation which requires action on our part.

We may differ on what the action should be. If that is what the Senator has in mind, he should be more specific and say what he would have done if he had been President, or what the Congress should have done that it did not do. However, I think that, by and large, the people are a little wiser than we are. That is why they are backing the President. They sense what the situation is.

Let us consider the situation in the United Nations right now. I think the Senator from Arkansas has made some remarks about it. Who created that situation in the United Nations? Did we create it, or did the Kremlin, or the Arab countries, create it? Events took place which required action on our part. The question is, What action should we take? What should the President do? If the action he takes does not work out well, is he to blame? No; it is the same as handling a crazy mule that will not listen to reason. Certain nations will not listen to our reasoning. Are we to blame if a group which wants to assassinate will not listen to our philosophy and will not listen to what we want? Are we to blame, or are they to blame?

In that respect, I think it is fair to say that neither the President nor the Congress is to blame. It is the kicking mule that is to blame. If we cannot control the mule—referring to a certain nation as a mule—are we to blame? I would say no.

Ever since the end of the last World War we have kept the world from getting into another world war. In that respect, over and above every other consideration, it seems to me our foreign policy has been successful.

I should like to have a comment from the Senator from Arkansas in relation to the statement about scientific education. He made a very fine speech.

Mr. FULBRIGHT. Mr. President, in reply to the Senator from Wisconsin, may I say that one of the points I was seeking to make about education, with regard to science, is that while I favored the bill we passed, I think we should not restrict the program to scientific training and to languages. That would be a mistake. Ways must be found to accomplish a broader purpose. I like the way the Senate acted in 1947 and 1948 when it passed bills to assist basic education—elementary and secondary education in general.

On the other point, when the Senator talked about the responsibility of the people, I must say I cannot go along with his idea that all of the trouble in the Middle East or anyplace else comes about because of some other nation acting like a mule. I think there are very important forces in the Middle East—nationalism, if we want to call it that, or pan-Arabism—which exist, have existed, and which will be in existence for a long time. These forces result in substantial changes, as a result of which this country must take action. We have been tempted to either ignore or misinterpret or misunderstand the situation, up until recently. There is some sign, within the last month or two, that our leaders are beginning to realize the real facts in the Middle East.

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

Mr. FULBRIGHT. I yield.

Mr. WILEY. What I had in mind in making the analogy with respect to the mule is that we know that in the Middle East there is a difference in religion, which creates very deep schisms. We also know there is a difference in nationalities, which contributes to schismatic conditions. We also know that Arab nationalism has come into being, which is a schismatic condition. We know that the Kremlin is seeking to stir up trouble, to take over the oil of the Mideast, and to gain a pathway to Africa. We have had little or nothing to do with those things. The problem is presented. When the problem is presented by others I do not think we can say, as it has often been said, that we are to blame. That is my position.

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

Mr. FULBRIGHT. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, it it always a pleasure to listen to the distinguished junior Senator from Arkansas talk about problems with respect to other nations, which is a subject on which the Senator is at least as well versed as any other Member of the Senate.

Mr. President, most of my presentations on this matter have to do with the military aspect, because I am not a member of the Senate Committee on Foreign Relations and am a member of Armed Services.

As my able friend from Arkansas so well stated, there are many deficiencies in categories other than the military field, as we consider the relationships of our country with other countries.

Our psychological warfare, for instance, is inadequate for the job to be done.

On the economic side, the talk made by the Director of the Central Intelligence Agency before the United States Chamber of Commerce last April 28 was one of the most interesting presentations of the problem made to date. Fifteen years ago the Nazi armies were 1,000 miles inside Russia. Nevertheless, that country has recovered to the point where according to Mr. Dulles in that talk, the

combined steel production of the Sino-Soviet alliance in the first quarter of 1958 exceeded the total steel production of the United States.

Think of that. We all know that steel production is the base of any industrial complex in a modern economy.

The distinguished Senator from Arkansas pointed out the grave problems incident to education and our planning in that field. I could not agree more with his position on that vital subject. After the present Chairman of the Joint Chiefs of Staff and many other experts in the military field came back from a trip to Russia 2 years ago last June, I made a point of asking each member of that group what impressed them most in Russia. Some of these men were engineers; many of them were fliers. But all were military men whose prime interest was not education.

I made a point of asking all those men what impressed them most in Russia. Without exception every member of the military group stated that what impressed them most in the Soviet Union was the degree of effort being made to educate the youth especially as compared with what we were doing in this country.

Mr. President, once again the very able and articulate Senator from Arkansas has pointed out that, in addition to our military defense, there is a great deal more we must do if we are going to successfully wage the peace. I commend and congratulate him.

Mr. FULBRIGHT. I thank the Senator from Missouri.

Mr. LAUSCHE. Mr. President, will the Senator yield for a brief statement?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I commend the Senator from Arkansas for his very objective and timely analysis of the problem which confronts our country.

Mr. FULBRIGHT. I thank the Senator.

Mr. LAUSCHE. The Senator has struck upon points which might bring adverse comment to him, but he has done so without fear.

I also subscribe to the thought that our country, over and above everything else, must be strong from a defensive standpoint to cope with whatever problem might be foisted upon us. I think secondly, however, that when we speak of education we should have primarily in mind the development of a character in our American youth which will make them fit to exercise those great prerogatives which exist for a free people in a democracy.

On the bottom of page 3 of the Senator's statement these words appear:

> Fifteen or sixteen centuries ago, the Roman Empire was all-powerful, rich, successful—and also complacent. Neither the Roman emperors nor the Roman senate could bring themselves to be overly concerned with the crude and * * * entertainment they arranged, and the wealth and substance——

Mr. FULBRIGHT. There is a line missing from the mimeographed copy of the speech, I will say to the Senator.

Mr. LAUSCHE. There is a line missing?

Mr. FULBRIGHT. Yes.

Mr. LAUSCHE. The thought is contained in the statement.

Mr. FULBRIGHT. The missing line is in my remarks.

Mr. LAUSCHE. It continues:

> The wealth and substance of the empire were dissipated in lavish consumption.

Let us apply that thought to our country. In Rome, the story was "Circuses and cake." Debauchery, dissipation, dancing, song, and wine were the prime thoughts of the people of Rome.

There lived beyond the Rhine a barbaric race, the Germans. They were described as being without education, barbarians who were not at all familiar with the things that meant civilization in the fourth and fifth centuries. But someone came from beyond the Rhine and said, "The people whom we describe as barbarians respect their women. They work. Their word is as good as their bond."

Those were the barbarians across the Rhine. Suddenly it came to pass that those barbarians met the Romans in battle; and the quality of work, the quality of integrity, devotion to womanhood and family reflected itself in the vigor of the defense which they made in battle.

In my judgment, education means the development of character. Let us take a look at what Congress is doing with respect to the development of character. We urge appropriations for defense and for foreign aid. I subscribe to them, because I believe that over and above anything else we must make certain that our country will not become a captive of the Soviet Union.

At the same time, out of this Congress, week after week legislation is emerging telling the people of the United States, "Luxury is your assignment in this world. Dance and song shall be your lot." I ask, Are we, by our conduct, giving an education to our children and developing the character of the American people?

I commend the Senator from Arkansas for his fearlessness in dealing with this problem. Several weeks ago I saw, either in Life or Time magazine, a quotation from a statement made by some Communist leader in the Far East. He was a rebel. He said, "We will win because we work."

What is the situation in our country? The education consists in telling our youth, "You will live even if you do not work. We will give you encouragement in the form of featherbedding practices. You will be paid more, even though you do not produce more."

I put the question to myself, "Where are we heading? What is eventually to happen to us if this program continues?"

My outline would be as follows: Let us be militarily strong. Let us help those nations which are legitimately and honestly friendly toward us. Let us return to the principles of the vigorous pioneer characters who moved from the Atlantic coast out West, to the banks of the Ohio and across the Mississippi, across the mountains of the West, over to the shores of the Pacific Ocean.

They believed in character. They believed in work, and they believed in education. Their primary thought when they met on those waters in the West was, "We have brought with us our institutions, our government, our churches and our schools."

In the stockade, there were guns on the wall and holes in the stockade wall through which the guns were fired. In one corner there was a church; in another corner was a school. Outside there was a room in which the courthouse and the government offices were housed.

From such schools came great Americans, primarily because of the character that was instilled in them.

Of course, I am concerned with the subject of education. I know of the deep interest of the Senator from Arkansas in that subject. But we tell our youth, "Study that in which you have an interest." The only interest I had when I was a boy was in playing baseball. We tell our youth "Study that which will be economically useful to you." That is fine, but there is something beyond that, as the Senator from Arkansas has said.

We can build schools with golden roofs and embellishments beyond imagination, but they will not necessarily produce an educated child. It requires more than that. It depends upon the substance within him, and the willingness to do things that are important. It is in that field that I believe we in Congress can do much to achieve that which the Senator from Arkansas suggests in his speech.

I say to the Senator from Arkansas that under no circumstances can his statement be construed as any type of political attack. It is constructive, and intended to bring to the attention of Members of Congress and the people of our country a most serious problem.

Mr. FULBRIGHT. I thank the Senator for his remarks. He is very complimentary.

SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. FULBRIGHT. Mr. President, I am gratified to hear that the President has today signed S. 3651, the Small Business Investment Act of 1958.

This is the culmination of efforts of many people over a period of almost 10 years to provide additional sources of equity-type capital and long-term loans for small business.

Because of the widespread public interest in this legislation, I had the staff of the Committee on Banking and Currency prepare a simplified statement in explanation of the act, which I ask unanimous consent to have printed in the RECORD at this point.

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

THE SMALL BUSINESS INVESTMENT ACT OF 1958

BASIC INFORMATION

The Small Business Investment Act of 1958 is designed to aid the growth and development of small-business concerns by providing (1) long-term loans and equity-type capital to small businesses, credit which is not available through commercial banks, (2) long-term loans to State and local development companies, and (3) grants for

research and counseling in the management, financing, and operations of small businesses.

The program will be administered by the Small Business Administration, which will receive an initial appropriation of $50 million for loans and will have access to approximately $27.5 million for grants. Legislation (S. 3651) enabling the new program originated in the Senate Committee on Banking and Currency, and was passed by the Congress on August 7, 1958.

SMALL-BUSINESS INVESTMENT COMPANIES

Formation: The principal feature of the act contemplates the formation of new private financial institutions to functions as small-business investment companies. These companies must be organized under State laws unless such laws in a particular State are incompatible with the purpose of the act, in which event a small-business investment company can be chartered by the Small Business Administration. In all cases, the new companies must receive SBA approval in order to operate under the act. Approval will depend upon the need for small-business financing in the proposed area of operation, the character and ability of the proposed management, and the existing number of such companies.

Initial capital required: Each company must have an initial paid-in capital and surplus of at least $300,000. The SBA is authorized to lend up to $150,000, which amount can be considered as part of the required initial capital. Stock in small-business investment companies may be purchased by any persons or organizations eligible to do so under other laws governing the activities of such prospective stockholders. A national bank, or a member bank of the Federal Reserve System, or a bank insured by the Federal Deposit Insurance Corporation may hold stock in a small-business investment company in an amount up to 1 percent of such bank's capital and surplus.

Borrowing power: Small-business investment companies may borrow funds to the extent permitted by SBA regulation. The SBA can lend an amount up to 50 percent of the capital and surplus of an investment company. For this purpose, any funds loaned by the SBA to become a part of capital and surplus will be treated as capital of the investment company and will not be counted as borrowings for compliance with the 50-percent limitation. Thus, a new company could be formed with a minimum of $150,000 in private funds matched by $150,000 of capital-type funds borrowed from the SBA, and the company would be eligible to borrow an additional $150,000 from the SBA.

Providing funds to small businesses: Small-business investment companies may supply funds to small businesses (as defined by the SBA) in two basic ways: (1) By purchase of debenture bonds convertible into stock of the borrowers at the option of the investment company, and (2) by loans in the conventional use of that term. All lending terms and conditions will be subject to compliance with SBA regulation. There is no statutory maximum maturity for convertible debentures, but the act limits the maturity of conventional loans to 20 years with provision for extension up to 10 years. Without approval of the SBA, no single enterprise may receive financial assistance which exceeds an amount equal to 20 percent of the combined capital and surplus of the investment company.

Tax features: By separate statute (1) investors in the small-business investment companies can treat losses in such companies as an ordinary deduction rather than an offset against capital gain, (2) the investment companies receive the same privilege on any losses on the convertible debentures or stock of small-business concerns, and (3) the investment companies are entitled to a 100-percent-dividends-received deduction.

Miscellaneous provisions: Small business investment companies are exempt from borrowing limits contained in the Investment Company Act of 1940. The Securities and Exchange Commission is given power to exempt such companies from compliance with provisions of the Securities Act of 1933 and the Trust Indenture Act of 1939.

LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

Unsecured loans: State development companies may receive unsecured loans from the SBA up to a total amount which does not exceed the total amount borrowed by the company from all other sources. Such SBA funds shall be treated on an equal basis with funds of the highest priority borrowed by the company from any other source after the date of enactment. This latter requirement can be waived by the SBA.

Secured loans: In addition to, and separate from, the lending power described above, the SBA can make secured loans to State and local development companies. These loans must be identifiable with an ultimate small-business borrower, may not exceed $250,000, and must mature within 10 years with provision for extension up to an additional 10 years.

General requirements: All funds advanced to State and local development companies by the SBA must be used to assist small business concerns, and none of the SBA funds can be used in a way which would result in a substantial increase of unemployment in any area of the country.

GRANTS FOR RESEARCH AND COUNSELING

The act makes available approximately $27.5 million for SBA grants to a State government, State agency, State development company, or to colleges and universities. These grant funds are to be used for studies, research, and counseling concerning the managing, financing, and operation of small business enterprises. Only one grant can be made within any one State in any one year, and no grant may exceed $40,000.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to 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. 607) to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes.

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. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and for other beneficial consumptive uses.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9521. An act to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended; and

H. R. 12281. An act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 12281) to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, Calif., on lands adjacent to the park, and for other purposes, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

LIVING IT UP IN LAOS

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, a reprint from the Reader's Digest of an article which originally was published in the Wall Street Journal entitled "Living It Up in Laos."

This article is a revealing account of the weakness of some of our foreign-aid spending.

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

LIVING IT UP IN LAOS—TINY ASIAN KINGDOM USES UNITED STATES AID TO SPLURGE ON LUXURIES

(By Igor Oganesoff)

VIENTIANE, LAOS.—The circumstances of American aid to this Southeast Asian kingdom add up to a story of flagrant misuse of United States aid funds—and of profiteering that may give Communist propagandists a weapon offsetting the anti-Communist influence the aid program was designed to have in Laos.

Laos has been ecstatically drowning in American aid ever since 1955, not long after it was carved out of what used to be Indochina. Roughly $135 million is the amount the United States has poured into the local economy.[1]

Most of the United States dollars have been turned over to the Laotian Government either for various United States-sponsored economic projects or to support the 25,000-man Royal Laotian Army. But there are peculiarities surrounding this United States aid program. Local traders buy America's aid dollars from the Laotian Government, purchase goods abroad and sell them for kip (the native currency) in Laos. Instead of raising the Laotian standard of living and providing for industrial expansion, the principal effect of United States largess has been a rather weird boom, based on nothing more solid than cash on hand and an assumption that there is more to come.

FORDS AND FEATHER DUSTERS

Sleek Cadillacs, Buicks, and Fords have been imported by the dozen, although the principal highways still are hardly more than jungle trails. Other items on last year's import list make delightfully wacky reading: 4½ tons of feather dusters, 73 tons of sporting goods, fishing tackle and thermos jugs, 180 tons of automobile covers, $13,400 worth of festival decorations, $11,500 worth of musical instruments, and thousands of dollars worth of costume jewelry.

Retail shops are stocked to their bamboo ceilings with items that the Lao have hardly ever seen before; American toothpaste, roller skates, Japanese dolls, French perfume.

A lot of the United States money went to buy products from Red China: cherries in

[1] The Laotian Government's own income is barely $13,500,000 a year.

sirup from Shantung, Five Goats beer from Canton. Much of this stuff is unsalable, but it doesn't matter; the importers have already made their profits from foreign-exchange manipulations.

THE MAGIC KIP

To understand this, one must acquaint himself with the magic kip, the highly overvalued Lao currency unit. The official exchange rate, set by the Lao Government, is 35 kip to the American dollar. But in the hard-headed money markets of Hong Kong, Bangkok, or even in Vientiane, a Lao trader can buy up to 100 kip for a dollar. This sets the stage for fantastic profits.

A Lao trader may buy 100,000 kip in the free money market for $1,000. He then applies for an import license for, say, $1,000 worth of building cement, but puts up only 35,000 kip to get the $1,000 from the Government at the official rate. This leaves him 65,000 kip before he has even moved the goods. Then he can simply sell his import license for more cash, if he wants.

If an importer decides to use his license, he still stands to profit heavily. Suppose he imports inexpensive men's shirts at $1 each. Since he buys his dollars from the Laotian Government at the official rate, each shirt costs him 35 kip. But then the free-market money values come into play. When the shirt goes on the market in Laos, it is priced at about 100 kip. So the importer has nearly tripled his money. Repeating this process under Laos' free-and-easy import rules, a businessman quickly can amass a considerable fortune.

In neighboring Bangkok, reports of collusion between foreign exporters, particularly in Hong Kong, and Laotian traders are commonplace. One source estimates that only about 20 percent of the contracts from Hong Kong are free of kickbacks to importers for underweight, underfilled or overpriced shipments, which allow the importer to further build up his foreign exchange hoard.

Many shipments, it is said, are diverted in Thailand (95 percent of Laos' imports pass through Bangkok and then are transported to Laos overland), where there is a lively demand for a wide range of goods. Other items arrive in Vientiane only to be shipped out again for greater profits. Thus, industryless Laos has become an exporter of automobiles and outboard motors.

It is estimated that well over half of the goods paid for never reach the Laotian market. "The country is now straining to absorb $12 million worth of goods, yet $35 million worth is supposed to be coming in. If all this stuff actually arrived, it would be lying all over the streets," claims Ralph A. Epstein, a management consultant with the American firm of Howell & Co. of Washington, D. C., which has sent a three-man mission here as part of a $2,576,000 United States aid project in civil administration.

Privately, local United States officials doubt that they can ever achieve a complete reform in the aid program, even after currency exchange reform. "There is still no assurance that Laos will import the things it really needs to improve the economy, rather than luxury goods," one International Cooperation Administration man admits.

A MAJOR HANDICAP

ICA officials, uneasy at the flood of unessential imports financed by the United States, did win one concession this year. They were allowed to place a representative on Laos' National Export-Import Council, with power to veto any import. The current ICA man suffers from a major handicap, however, in his job as watchdog. All the council's deliberations, and the import applications as well, are in French—a tongue for which the ICA man requires an interpreter.

Because funds have been released in lump sums by ICA, United States control has been made difficult. As a result, Lao officials, besides granting import licenses for luxury goods, often have siphoned off the funds for their own uses. There is a lush building boom going on. Leading traders and government officials (often the same people) are huddling with architects and contractors for lavish new residences or flashy additions to formerly modest homes.

CERTAIN FAVORS

It is generally agreed that some 200 or 300 leading families in Laos (population: 2 million) are getting most of the benefit from the massive import program. One ICA official admits that certain favors are granted Lao political and government leaders to keep them friendly.

Meanwhile, back in the countryside, the rank and file of the Laotians live much as they have always lived, oblivious of United States help. Their flimsy shacks are built on stilts to protect them from snakes and flooding during the rainy season. They farm rice and a few vegetables and raise chickens. ICA officials will admit that, except for a few projects, their whole program to date hasn't gone far in raising the standard of living of the general population.

CROSSING THE MEKONG

The strictly economic projects are equally beset with problems. One of the few visible results of the ICA's efforts is a $600,000 ferry system, crossing the Mekong River separating Laos and Thailand. The United States bore all the cost, including a 15-month training course and natty uniforms for the 37-man staff.

Operating costs are $4,000 a month, and revenues in the past have been only $700 to $300. United States aid funds make up the difference. The reason for the deficit is not hard to find. Only a few yards from the ferry, Chinese junks are loaded to the gunwales with crates, oil drums, and passengers. The junks are owned by a Chinese businessman who was foresighted enough to obtain a transport contract with the Thai rail monopoly, Express Transport Organization, which carries nearly all the freight to and from the Laotian border and the big market city of Bangkok.

REHABILITATING ROADS

Transport improvement is the largest single current aid project, with $5,600,000 provided by the United States. Besides the new ferry, there's a $3,700,000 plan to rehabilitate roads. Most of this has been spent for heavy earth-moving equipment, tractors, bulldozers, and shovels.

Actual roadwork is largely in the hands of an American firm which operates on contract with the Laotian Government and has a force of Okinawans on the job. The principal project is maintaining the dirt road between Vientiane and the royal capital of Luang Prabang, 150 miles north. No new roads are contemplated.

Just under $600,000 has been provided for industrial development. A small part of this has gone into mining, mineral, and power surveys, but the bulk has been paid for three diesel electric generators to be installed in Vientiane. The generators have been here, unused, since June of last year; there's no equipment around for transmission line. Continuous operation of the generators would cost the Laotian Government a sizable chunk of its normal income—another indication of the long-lasting nature of Laos' dependence on United States aid.

The Communists, of course, exploit corruption in government and riches flowing to a favored few. And Americans here are beginning to wonder how long the United States, in doling out assistance, can afford to ignore this unfortunate part of its program.

REACTION IN CONGRESS

All of the above statements were borne out in recent testimony before the House Committee on Foreign Affairs. And from representatives of the United States General Accounting Office, State Department and even ICA itself, the committee brought out further serious evidence about the Laotian situation that has been hidden from the public since 1955.

Laos has insisted on an unrealistically high exchange; then, instead of getting ICA approval for all import licenses that our dollars pay for, high Laotian officials have gone into the import business themselves, quietly issued these licenses on the side, and refused to let the United States investigate what happened to the money.

Last July the General Accounting Office sent ICA a report indicating trouble in Laos and asked for comment. ICA kept the report 6 months before bothering to reply.

This spring GAO sent an investigating team to Laos. It reported there was still no adequate check on the import licenses. "The program is being badly administered," said George Staples, associate director of GAO's Civil Accounting and Auditing Division.

One of ICA's excuses is that whatever its faults, the program is holding back communism. However, a year ago the Laotian Government came to terms with the Communist Pathet Lao, with which it had been fighting, took in its leader as Minister of Planning and Procurement, and allowed the Reds to handpick two units of their own troops and integrate them into the army we support. Recently at least nine Communists were elected to the national legislature.

Through June 30, 1957, the ICA obligated $135 million for Laos, and is still disbursing aid at the same rate, as far as can be guessed—around $50 million a year—although taxpayers are not supposed to ask. The State Department has stamped such information Classified to the public.

This year Congress balked at the State Department policy of secrecy when publication of the foregoing article made it impossible to conceal the facts any longer. The Congressional consensus: only publicity can force eradication of evils such as are set forth here. "If you say there is no effective way to control diversion," Foreign Affairs Subcommittee Chairman CLEMENT J. ZABLOCKI, of Wisconsin, told an ICA witness, "there are Members of Congress who will certainly give a sound, foolproof method. That is to discontinue aid."

(From a report to the Reader's Digest by Charles Stevenson.)

EXERCISE BY SUPREME COURT OF POLICYMAKING POWERS—RESOLUTION BY STATE CHIEF JUSTICES

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article in today's issue of the New York Times entitled "High Court Urged To Limit Actions."

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

HIGH COURT URGED TO LIMIT ACTIONS—CHIEF JUSTICES OF THE STATES BID FEDERAL BENCH CURB POLICYMAKING ROLE

(By Lawrence E. Davies)

PASADENA, CALIF., August 20.—The United States Supreme Court was urged today to put on the badge of judicial self-restraint.

A committee of State chief justices took the Court members to task with an expression of hope that they would stick to their tremendous strictly judicial powers and avoid exercising essentially legislative powers in questions involving State actions.

Headed by Chief Judge Frederick W. Brune, of Maryland, the committee declared that no more important obligation rested upon the Supreme Court than that of careful moderation in the exercise of its policymaking role. It expressed grave concern over the asserted exercise by the Court of almost unlimited policymaking powers.

"It has long been an American boast," said the committee report read to the 10th annual meeting of the conference of chief justices, "that we have a government of laws and not of men. We believe that any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast."

The chief justices or their associates from 47 States, Hawaii, and Puerto Rico, will be in session the rest of the week at the Huntington-Sheraton Hotel here. Arkansas, a spokesman said, was not represented because of an illness.

Chief Justice John R. Dethmers, of Michigan, the conference chairman, recalled that the committee on Federal-State relationships as affected by judicial decisions was authorized at last year's meeting in New York after some barbs had been aimed at the Supreme Court.

The study was to deal with the subject, he said, "temperately but directly and forthrightly." The 31-page resultant report read by Judge Brune was, indeed, couched in noninflammatory language but time and again it carried a sting.

The report was the subject of discussions by four conference groups during the afternoon. It is scheduled for formal action by the meeting at the closing business session Saturday.

The Brune committee itself has drawn up a resolution respectfully urging the Supreme Court to exercise "one of the greatest of all judicial powers—the power of judicial self-restraint." This will be turned over to the resolutions committee headed by Chief Justice Levi S. Udall, of Arizona, with what Justice Dethmers described as the enthusiastic support of all the Brune committee members.

Nowhere in the report was there mention of the question of racial segregation.

It was explained that committee members felt to inject this into the study would stir sectional feelings and defeat the overall purpose of the study.

Early in the report, the chief justices noted it was part of their obligation "to seek to uphold respect for law." But they went on to assert:

"We do not believe that this goes so far as to impose upon us an obligation of silence when we find ourselves unable to agree with pronouncements of the Supreme Court (even though we are bound by them), or when we see trends in decisions of that Court which we think will lead to unfortunate results."

Signing the report with Judge Brune were Chief Judge Albert Conway, of New York; Chief Justice Dethmers, Chief Justice William H. Duckworth, of Georgia; Chief Justice John E. Hickman, of Texas; Chief Justice John E. Martin, of Wisconsin; Associate Justice Martin A. Nelson, of Minnesota; Chief Justice William C. Perry, of Oregon; Chief Justice Taylor H. Stukes, of South Carolina; and Chief Justice Raymond S. Wilkins, of Massachusetts.

As consultants they had five members of the University of Chicago Law School.

Mr. WILLIAMS. I invite special attention to the one significant statement in the resolution adopted at a recent convention of chief judges, at Pasadena:

It has long been an American boast that we have a government of laws and not of men. We believe that any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast.

This is a timely warning of the great danger to our American system under some of the recent Supreme Court rulings and coming from the Association of Chief Justices of our States this warning cannot be ignored. Unquestionably the Supreme Court has gone far afield in some of their recent decisions.

The Association of Chief Justices continued in this resolution to express grave concern over the asserted exercise by the Court of almost unlimited policymaking powers. And they urged the Court to put on the badge of "judicial self-restraint."

This committee of judges urged our Supreme Court to exercise "one of the greatest of all judicial powers—the power of judicial self-restraint."

The members of our Supreme Court would do well to read the recommendations of this group in its entirety and, I hope they will heed the advice given.

Signing this report, in addition to Judge Brune, of Maryland, were Chief Judge Albert Conway, of New York; Chief Justice Dethmers; Chief Justice William H. Duckworth, of Georgia; Chief Justice John E. Hickman, of Texas; Chief Justice John E. Martin, of Wisconsin; Associate Justice Martin A. Nelson, of Minnesota; Chief Justice William C. Perry, of Oregon; Chief Justice Taylor H. Stukes, of South Carolina; and Chief Justice Raymond S. Wilkins, of Massachusetts.

Mr. ERVIN. Mr. President, I wish to make an observation relevant to the matter to which the attention of the Senate is being directed by the able and distinguished Senatcr from Delaware. This is not the first time the chief justices of the 48 States have spoken on this problem. In 1952 the chief justices of the 48 States unanimously adopted a resolution asking Congress to pass legislation which would put an end to the practice whereby the lowest Federal courts can nullify the decisions of the highest courts of the States.

Again, on a second occasion, the chief justices of the 48 States adopted a second resolution on this subject, and the very strong proposals made by the committee of the chief justices of the 48 States in Pasadena, Calif., yesterday is the third time the chief justices of the 48 States of the Union have called the attention of the Nation to this serious problem in our Federal-State relationships.

Mr. COTTON. Mr. President, in view of the very pertinent remarks and insertions made by the distinguished Senator from Delaware [Mr. WILLIAMS] and the able Senator from North Carolina [Mr. ERVIN], I should like to call to the attention of the Senate a quotation which I chanced to see within the last half hour. These words were said by a great Democratic war President of the United States, Woodrow Wilson:

The history of liberty is the history of the limitation of governmental power, not the increase of it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the motion to recommit.

The yeas and nays were ordered.

Mr. HENNINGS. Mr. President, again, at this hour of the debate on the amendment of the Senator from Arkansas, which, as we know, contains the provisions of two bills, S. 337 and S. 654, the latter of which is commonly known as the Bridges bill, I am constrained to say, with all the earnestness at my command, that I believe in these late days of the session of Congress, the Senate may conceivably be doing something, should it reject the motion to recommit, which will plague not only the Senate, but also the people of the country, other Senates, and other Congresses for years to come.

Should this amendment be enacted, I believe there will be chaos, there will be litigation, indeed, there will be a great compounding of litigation. We will find ourselves in an endless labyrinth of uncertainty and indecision. Conceivably, it may have a very serious effect not only upon our political institutions, but also upon the economy of the Nation itself.

I had intended speaking at considerable length upon the subject. However, after taking counsel with others who are interested in the same objectives which move others of us, I shall be brief at this time.

I should say that the lack of hearings, the failure adequately to call and hear witnesses upon both sides of this question should alone suffice to justify its being recommitted to the Committee on the Judiciary for further study and consideration.

I have been asked to explain the nature of the preemption provision in this bill and other bills now before the Senate.

This is, as we know, what lawyers might call a "shotgun" approach. We know that Congress may, when Congress is so moved and desires to do so, preempt legislation in a certain field of activity. But here we are asked to invoke what is known as the doctrine of preemption, in a field so broad that it embraces virtually the entire spectrum of our legal and judicial system. That in itself would be a perilous and, indeed, a very dangerous thing to do.

I solemnly urge the Senate to do nothing which may reproach and plague us in the years to come. We do not know what effect the proposed legislation would have.

Several witnesses appeared before the House committee, where hearings were held. The House committee heard an Assistant Attorney General, the president of the Association of American Railroads, representatives of the Interstate Commerce Commission and the AFL–CIO.

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

Mr. HENNINGS. I am glad to yield.

Mr. THURMOND. Did the Senator say that the Association of American Railroads is opposed?

Mr. HENNINGS. No; I said a representative of the Association of American Railroads appeared before the House committee. If I misspoke, I correct myself.

Mr. THURMOND. I misunderstood the Senator.

Mr. HENNINGS. The Senate committee has held no hearings whatsoever, I remind my friend from South Carolina, upon this exceedingly vital and all-embracing attempt to legislate in many areas, some of which we know not.

To me, as a member of the Committee on the Judiciary, it is appalling and a source of dismay that in this 11th hour, in the dying, closing days of this session of Congress, when minds and bodies are fatigued, we should be discussing this subject. We have had a long and, I think, productive session. I believe that is generally admitted. To come in on almost the last day with a proposal such as this, I believe, reflects to every thoughtful lawyer an effort to act hastily.

I have received many communications from responsible members of the legal profession, from bar associations, and from some members of the judiciary, who urge that we not act irresponsibly on what is now proposed.

For instance, a telegram came to me a few minutes ago from the dean of the Law School of the University of Notre Dame, a great institution of standing in this country, as we all know. It reads:

> I urge you to oppose Senate consideration of bills reported out without the benefit of hearings. Specifically I urge you to oppose H. R. 3.
>
> JOSEPH O'MEARA, *Dean.*

I have received many other such telegrams.

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

Mr. HENNINGS. I yield.

Mr. CLARK. I emphasize what the Senator from Missouri has just said about how foolish it is to legislate on so important a matter without hearings having been held by a Senate committee. I do not think there is a Member of the Senate who has any idea of what the bill at hand will do to the law of regulating labor standards; to the law having to do with labor-management relations; to the law affecting conservation of natural resources; to the law relating to public works; to the immigration and nationality laws; to the law with regard to public health and welfare; to the laws with respect to agriculture; to the law governing air commerce; to the law in the general field of interstate commerce; to the civil-rights law.

Many Senators have asked to have an amendment drafted to exempt each of a number of specific fields from this proposed shotgun give-and-take legislation, so that the field in which they are particularly interested may be exempted, because no one knows what the bill, if passed, will do in those fields.

Mr. HENNINGS. I thank the Senator from Pennsylvania for his valuable contribution to the discussion. He is indeed eminently correct. In addition to the fields enumerated by the Senator, there are many others of which we know not and cannot at this time foresee.

Indeed, we have found that the proposed legislation is not only retrospective but prospective. It would require that Congress make a survey of State laws. Before we passed upon a given piece of proposed legislation, it would be necessary to survey all the State enactments to see whether a field existed for preemption and whether there was conflict.

Mr. JAVITS. Mr. President——

Mr. HENNINGS. I may say to the Senator from New York—I believe it has been said before—that we are asked to pass proposed legislation for the purpose of finding out what it means. Certainly that is not the sort of legislation for a responsible body, such as we think the Senate is, to pass.

Mr. JAVITS. Mr. President, at this time, will the Senator from Missouri yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Missouri yield to the Senator from New York?

Mr. HENNINGS. I shall be glad to yield to the Senator from New York, formerly the attorney general of the State of New York. I shall yield first to the Senator from Ohio [Mr. LAUSCHE], who previously asked that I yield; and then I shall be glad to yield to the Senator from New York.

Mr. JAVITS. Mr. President, inasmuch as the Senator from Ohio has resumed his seat, I gather that he does not wish to be yielded to at the moment.

Mr. HENNINGS. Very well; then I yield now to the Senator from New York.

Mr. JAVITS. I thank the Senator from Missouri for yielding to me.

Let me say that I have heard many questions asked about the difference between the pending bill and the so-called Butler-Jenner bill, which the Senate laid on the table on yesterday. One of the questions asked was whether the pending bill is worse or is better than the Butler-Jenner bill, and so forth, and so on.

Senators who favored the Butler-Jenner bill knew exactly what they favored and what it provided. That bill had specific application to certain Supreme Court decisions.

The difficulty with House bill 3 is that we do not know what it would amount to if it were enacted into law. Notwithstanding the elucidations which have been made so eloquently by the Senator from Missouri [Mr. HENNINGS], the Senator from Colorado [Mr. CARROLL], and other Senators, if the pending bill were to be enacted, I am confident that next year or the year after that it would be found that the bill had 50 or 150 other applications which no one ever thought of before, but which we suddenly would find were creating confusion.

In other words, this bill is generic; it applies to everything; it is as deep as vice.

Mr. HENNINGS. Perhaps the Senator from New York will wish to say that the bill is similar to an iceberg—much of which is beneath the surface, so it is impossible to tell the extent of the underwater portion.

Mr. JAVITS. Exactly.

I believe that in the opinion of those of us who opposed the Butler-Jenner bill, the pending bill—H. R. 3—is, for that reason, even worse.

Mr. HENNINGS. I thank the Senator from New York for his observations and his contributions.

Mr. President, I think some disenchantment and disillusionment is in store for the proponents of this measure. Apart from the breadth of its purpose, I do not believe it will achieve the purpose intended, namely, to remove from the courts the determination of whether a specific act of Congress preempts the field.

At this time, let me inquire whether the distinguished Senator from Ohio [Mr. LAUSCHE] desires that I yield to him. I intended to yield to him before now.

Mr. LAUSCHE. I thank the Senator from Missouri.

I wish he would describe in greater detail the extent of the hearings which were held on the bill.

Mr. HENNINGS. I shall be glad to do so.

In the first place, as I have stated, I do not know whether the Senator from Ohio was then in the Chamber—no hearings whatever were held during the 85th Congress on this bill, by either the Senate Judiciary Committee or any subcommittee of the Senate Judiciary Committee. It is true that some hearings were held during the 84th Congress. I would have to say that, in my own judgment, although some Senators may disagree, and may take issue with me on this point—only scanty hearings were held in the 84th Congress, some 3 years ago, at a time when some of the present Members of the Senate were not Members of this body, and, indeed, when some of the present members of the Judiciary Committee were not then serving on that committee.

Mr. LAUSCHE. I should like to inquire about the provisions of the bill which would make it retroactive. Were they discussed in the committee; or has the discussion of that phase of the matter been confined to the debate on the floor of the Senate?

Mr. HENNINGS. I do not wish to rely entirely on my memory, in connection with the question of whether the matter of retroactivity was discussed in the committee. But if it was, then I do not believe the discussion of it in the committee was very thorough or very protracted.

Perhaps the Senator from Tennessee [Mr. KEFAUVER] has a better recollection on that score than I do. Therefore, I yield now to him, for the purpose of having him answer the question.

Mr. KEFAUVER. Mr. President, the McClellan bill, a similar bill, was before

the committee, but was not the subject of hearings at this session of Congress.

When the McClellan bill received final consideration by the committee, the provision for retroactivity was eliminated from the bill. So the bill, as reported to the Senate, and as now on the calendar, does not contain a retroactive application provision. The words "Acts heretofore passed" were stricken from the bill by the committee. So the bill as reported to the Senate, and as now on the calendar, applies only to future acts.

Mr. HENNINGS. The Senator from Tennessee now is referring to S. 337 not to H. R. 3. Is not that correct?

Mr. KEFAUVER. Yes. At this session of Congress, no committee hearings have been held on House bill 3. In the last Congress, hearings were held on a similar bill, which had been introduced by the Senator from Arkansas [Mr. McCLELLAN]. But the two bills are not identical.

Mr. LAUSCHE. Were hearings held on the matter of making the proposed law retroactive?

Mr. KEFAUVER. There were no hearings.

Mr. LAUSCHE. There were no hearings of any nature whatsoever?

Mr. KEFAUVER. None on the pending bill.

Mr. LAUSCHE. Is there available a transcript of the testimony taken in regard to House bill 3, as reported to the Senate; or is there available a transcript of the testimony taken on the substitute bill?

Mr. KEFAUVER. There were no hearings in this Congress. There were some hearings in the previous Congress.

Mr. HENNINGS. Very well; I now understand that no hearings whatever were held on it during this session.

Mr. KEFAUVER. I am sure the distinguished Senator from Ohio has read the statement of the Attorney General, which was filed during the hearings held by the House committee. For the Senator's information, let me state that it was printed in the CONGRESSIONAL RECORD of July 15, where it appears at page 13860.

Mr. LAUSCHE. Let me point out that in the Committee on Interstate and Foreign Commerce, I tried to procure a decision which would prevent the committee from reporting to the Senate a lot of cats and dogs, so to speak.

Eventually, this session of Congress will adjourn. I favor having the Senate devote as much time as possible to the consideration of various measures which are being sent to us during the last minutes of the session, if by so doing it will be possible to keep many bad bills from being considered by the Senate.

Mr. HENNINGS. I thank the Senator from Ohio for his statement. I may say that many of us have consistently opposed the reporting of this proposed legislation.

Mr. LAUSCHE. It would have been better if we had adjourned 3 weeks ago. If we continue the session for another 2 weeks, it will cost the taxpayers of the Nation another $3 billion.

Mr. HENNINGS. I shall be glad to yield now to any other Senators who may wish to have me yield to them, in order to permit them to make observations.

Mr. EASTLAND. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. Yes, I am glad to yield to the distinguished chairman of the Judiciary Committee.

Mr. EASTLAND. Mr. President, the distinguished Senator from Missouri knows that no hearings were held on House bill 3 at this session of Congress. But the identical question was gone into during the committee hearings on the Jenner-Butler bill; the subject matter covered in the hearings on the Jenner-Butler bill is the same as that in issue in connection with House bill 3 or the McClellan bill.

Mr. HENNINGS. I may say to the chairman of our committee, who knows this better than anyone else, the Judiciary Committee in its discussions of matters of constitutional law, practice, and proceeding, ranges as far and wide as a hunting dog. We go all over the lot, as the Senator knows. We touch upon all manner of things in our discussion at one time or another. We spent something like 6 or 7 weeks on S. 2646 alone, and took all of the time of the Committee on the Judiciary in so doing.

Mr. EASTLAND. But the Senator, of course, realizes that the same problem was gone into very thoroughly by the Judiciary Committee in hearings on the Jenner-Butler bill, and everyone who desired to testify, pro and con, on this question was given the opportunity.

Mr. HENNINGS. I should say that the question of whether the problem was fairly gone into or not would be a conclusion to be derived from the point of view of the one who might be hearing the testimony.

Mr. EASTLAND. That is right; but there were committee hearings on this question.

Mr. HENNINGS. The committee does go into many, many facets and many, many aspects of all of these questions, some not germane, some not directly in point, when it considers various amendments to many bills which the committee handles.

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

Mr. HENNINGS. I yield to the Senator from Colorado.

Mr. CARROLL. Is it not true that at no time in the full committee hearings of the Senate Judiciary Committee did we ever discuss the full import of a bill which cuts across economic and political patterns going back 150 years, as was brought out in the debate? As a matter of fact, did we ever have a single hearing of the Senate Judiciary Committee based on the consideration of this important pending legislation?

Mr. HENNINGS. It is demonstrably true and certainly a fact that we did not have any hearings on this proposed legislation, or similar legislation dealing with preemption across the board.

Mr. CARROLL. As a matter of fact, we spent most of our time on S. 2646, the Jenner bill, which was designed primarily to curb the appellate jurisdiction of the Supreme Court.

Mr. HENNINGS. In five areas originally; four of which were stricken in committee.

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

Mr. HENNINGS. I yield.

Mr. EASTLAND. But we went into this whole question. One facet of the proposed legislation was to curb the appellate jurisdiction of the Supreme Court. We went into the whole picture. This bill has had thorough committee hearings and thorough committee considerations.

Mr. HENNINGS. I do not reflect upon the chairman when I say that, in my judgment, we did not have perhaps as thorough a discussion of it as we should have had.

Mr. EASTLAND. I am sure we could not do anything to convince the distinguished Senator from Missouri. He has his point of view. The Senator from Mississippi has his point of view. The record speaks for itself, and I think the record is a full answer to the objection that there have been inadequate hearings.

Mr. HENNINGS. I think it might be observed, too, that the Committee on the Judiciary handles something like 54 percent of the legislation which comes to the floor of the Senate. I alone happen to serve on 9 subcommittees of that committee, and I am chairman of 3 of them. Other Senators may have more subcommittees than I have. It is a very busy, very hard-working committee. Whether there is adequate or sufficient discussion on one matter or not oftentimes depends on the time element. We do not have an opportunity at times to do all the things we would like to do. But this fact does remain, and I should like to emphasize this point again, there is no doubt whatever in the minds of any Member of this body that there were no hearings held upon the proposed legislation as it is before us for consideration today. Any lawyer may have read widely upon any aspect of his professional interest, and he may have discussed the subject and attended hearings and taken part in hearings; but as to the question of adequate hearings, again I say, in my judgment—and again I respectfully differ with the chairman of the committee—hearings were not held on the proposed legislation before the Senate today.

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

Mr. HENNINGS. I yield.

Mr. CARROLL. Is it not true that the Senate Judiciary Committee did not consider H. R. 3, but reported S. 337? The best evidence of the treatment we gave S. 337 is a report comprising about 300 pages, which does not in any wise go into the serious and involved economic problems which the Senator from Missouri is discussing.

As a matter of fact, even in that bill, which has now been abandoned in favor of H. R. 3, the Senator from Wyoming inserted the words "hereafter enacted," in order to strike out the retroactivity of S. 337.

So I think the record is clear that there has been only a cursory examination and consideration given to this important pending legislation.

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

Mr. HENNINGS. If the Senator will excuse me to make one observation in connection with this matter, then I shall be glad to yield.

It is not the function of the Congress to legislate only where there is a need for legislation. It seems to me that in the field of preemption we have not established a real demand or need for this legislation. I think able lawyers who are proponents of it, on reflection may even agree we know not where we are going in the future should the bill be enacted in its broad sense, as embodied in the McClellan amendment.

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

Mr. HENNINGS. I yield now.

Mr. EASTLAND. The distinguished Senator knows that frequently, after committee hearings, an entirely new bill develops and comes out of committee from the one which was introduced.

Mr. HENNINGS. Many, many times that is true.

Mr. EASTLAND. In this case the entire question was gone into very, very carefully in hearings on the Jenner-Butler bill. In fact, as I recall—I do not want to be held to the accuracy of this statement, but as I recall—the hearings on the Jenner-Butler bill and the Bridges bill were combined.

Mr. HENNINGS. May I inquire in what respect the Senator suggests that the so-called Jenner-Butler bill dealt with preemption?

Mr. EASTLAND. I say, as I recall——

Mr. HENNINGS. The gravamen of this proposed legislation is preemption.

Mr. EASTLAND. I understand. As I recall, the hearings on the Bridges bill and the Jenner-Butler bill were combined. I can be mistaken about that, but that is the way I recall.

Mr. HENNINGS. I do not wish to be invidious in this statement, but the RECORD certainly should reflect that when the so-called Jenner bill first came before the Committee on the Judiciary it developed upon the senior Senator from Missouri to ask what sort of hearings had been held and what the nature of those hearings had been. It developed if I mistake not, that one witness, a member of the committee, the author of the bill, and a member of the staff of the Committee on the Judiciary were the ones who testified at the hearing.

Mr. EASTLAND. What the distinguished Senator says is absolutely correct; and on motion of the distinguished senior Senator from Missouri, the bill was recommitted to the subcommittee, and extensive hearings were held on that bill, and on the very principals involved here.

Mr. HENNINGS. May I again inquire of my friend, the learned and able chairman of the Committee on the Judiciary, whether any hearings were held with respect to preemption or the preemption doctrine in connection with the Jenner-Butler bill.

Mr. EASTLAND. There were some witnesses, as I recall, who testified on the Bridges bill, which, of course, deals with the doctrine of preemption. That is what I recall.

Mr. HENNINGS. I understood the Senator from Mississippi to say that in connection with the Jenner-Butler bill there had been some discussion and some hearings relating to the doctrine of preemption, or the theory of preemption.

Mr. EASTLAND. Yes.

Mr. HENNINGS. The bill itself has nothing to do with preemption.

Mr. EASTLAND. The committee made the Bridges bill one section of the Jenner-Butler bill.

Mr. CLARK. Mr. President, will the Senator yield for one question?

Mr. HENNINGS. Has the distinguished Senator from Mississippi concluded?

Mr. EASTLAND. Surely.

Mr. HENNINGS. I yield to the Senator from Pennsylvania.

Mr. CLARK. I would be grateful if my good friend from Mississippi would listen to the question. I ask this purely for the purpose of obtaining information.

Am I correct in my understanding that the only hearings held before the committee with respect to the doctrine of preemption were confined to the Steve Nelson case and preemption in the field of security legislation of the States?

Mr. HENNINGS. I am satisfied that is the case. I stand to be corrected if it is not true. Of course, we know that the celebrated Steven Nelson case in all likelihood generated H. R. 3, or was one very important factor in the generation of the bill.

If I recall that case correctly—and I believe I do, because I have read it and studied it—it was a decision of the Supreme Court of the State of Pennsylvania. The Supreme Court or the highest tribunal of the Commonwealth of Pennsylvania held that the State laws did not apply in the Nelson case. The Supreme Court of the United States affirmed the finding of the Supreme Court of Pennsylvania.

If we are going to talk about the United States Supreme Court undertaking to seek aggrandizement by occupying this field, we must remember that the Supreme Court of the State of Pennsylvania was the court which laid down the principle in the Steve Nelson case. Upon appeal to the Supreme Court of the United States, the Supreme Court of the United States affirmed the decision of the Supreme Court of Pennsylvania.

The distinguished former mayor of the city of Philadelphia, the junior Senator from Pennsylvania, probably knows something about that case and knew something about it at the time it was tried. No doubt the Senator has studied the case I ask for his confirmation as to whether the facts as I have cited them are substantially true.

Mr. CLARK. That is of course my understanding. Steve Nelson was a resident of Pittsburgh and not of Philadelphia.

Mr. HENNINGS. Since the Senator is a Pennsylvanian, he knows about the case in detail.

Mr. CLARK. Yes. We discussed the case at length on the floor yesterday.

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

Mr. HENNINGS. I yield to my friend from Mississippi.

Mr. EASTLAND. The distinguished Senator knows that after hearings in which we went into the preemption doctrine, as I recall, the committee wrote preemption provisions into the bill. Not one time before the Judiciary Committee did the Senator from Missouri or any member of the Judiciary Committee who opposed the bill raise the question that there had been inadequate hearings. Not one time was that question raised in the committee.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield?

Mr. HENNINGS. I will say to the Senator from Mississippi that, as the Senator knows, I have objected rather consistently to many bills because of lack of hearings. Only last week I raised objection to a deportation bill.

I cannot recall specifically and I would not want to misinform the Senate, but as I recall, the question of preemption which came before the Judiciary Committee—and I stand to be corrected, if wrong—related only to the field of subversion or sedition, and did not cover the broad spectrum and scope which the proposed legislation now before us seeks to embrace.

Am I correct in that understanding?

Mr. EASTLAND. I did not hear the entire statement of the Senator; I am sorry.

Mr. HENNINGS. I suggested that the hearings which were held related only to the question of sedition and not the broad field attempted to be covered under the mantle laid down in the pending amendment, which is in all respects H. R. 3.

As to the objections, I have no independent recollection. I recall that we have considered many measures in the committee, and I have objected to perhaps more than my share of them because of inadequate hearings, because of what I thought to be insufficient consideration of the matters, and also because I think the Committee on the Judiciary is charged with a high and solemn responsibility to come to the Senate and act responsibly after full and complete hearings and after thorough deliberation.

I think the Senate of the United States has a right to look to the Judiciary Committee for legal guidance; and it has a right to know, to believe, and to have confidence that the committee—whether the Senate agrees with the committee or not—has at least given thorough consideration to things which affect the very future of this country, its economic life and its political institutions, to an extent which we cannot at this time predict or foresee.

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

Mr. HENNINGS. I yield to the Senator from Tennessee.

Mr. KEFAUVER. My position in respect to the proposed legislation is that if it were confined to statutes hereafter enacted, and also restricted to the fields

of crime and sedition, I would be in favor of its passage.

Mr. HENNINGS. If I may interrupt for a moment, I take it the Senator is not in favor of a broadside approach into realms where angels would fear to tread. We do not know where we may end if we adopt this amendment. Is that not substantially true, under all the circumstances?

Mr. KEFAUVER. The Senator is correct. I am particularly fearful of the application of the bill in so far as transportation is concerned, and the effect upon railroads, airlines, trucking companies, and the many fields in which there may be operations under two sets of statutes. The people have to know under what law they are supposed to operate.

In this connection I note a very pertinent statement by Mr. Walsh, the Deputy Attorney General, who testified before the House committee:

> Mr. WALSH. That is not an assault on a constitutional provision but when a bill attempts to encompass 150 years of jurisprudence in two sentences, then I think brevity might be an assault on a statute.

The committee members and Mr. Walsh were discussing how long it would take to examine all the State statutes to see which ones would be preempted by the new interpretation.

Mr. HENNINGS. How long did they conclude it would take?

Mr. KEFAUVER. I will read what Mr. Walsh said.

Mr. HENNINGS. I would say it would be an incalculable time.

Mr. KEFAUVER. Mr. Walsh said:

> I would say that this job you are suggesting for the Department of Justice is not one for a week, a month, or a year. There will be many years involved in such a job.
>
> During that period, this bill would be in effect and private persons would be sued and would be suing each other in trying to reassert their rights which they viewed as changed under this bill.
>
> Let each change of the law come after a period of study. The preservation of State activities is worth enough to consume all of that time. If we can relieve the Federal agencies of the strain of petty, internal regulation so that they can concentrate on truly national problems, it is worth all of the hours that we put into it. Do not change the law before we do that. Let us do that and then change the law piece by piece as we go along.

If there ever was a piece of legislation which should have some real hearings and consideration, it is this. No one knows what confusion might be caused in the field of property rights.

Mr. HENNINGS. What would the Senator suggest in the way of legislation to regulate railroads if the States were to enact their own regulations? A train going across the continent passes through several States. The regulations would have to be somehow adjusted to fit each State as the train crossed the line.

Mr. KEFAUVER. That is set forth by Mr. Gregory S. Prince, vice president and general counsel of the Association of American Railroads, in a letter which was printed in the House proceedings. He says that this bill, H. R. 3, might lead to the establishment of different rates on a single commodity, depending upon the action of State courts and juries as to a reasonable rate; second, in connection with penalties, many antiquated State laws are in existence which would have application to interstate rail transportation service.

He discusses safety appliances, locomotive inspection, and hours of service. People would never know under which law they were supposed to operate. The State would have one set of regulations and the Federal Government would have another. Such regulation would affect locomotives, trains, airplanes, and trucks. So until a detailed study had been made of all the retroactive factors, people could be sued and penalized without any fault on their part.

Mr. HENNINGS. The Senator is eminently correct.

Mr. President, I think the debate has been most adequate. For that reason I shall not continue, in the interest of saving time. I believe the Senator from Colorado [Mr. CARROLL] is about to renew his motion to recommit the bill. Before that is done, I promised to yield to the distinguished Senator from New Mexico [Mr. ANDERSON] for the presentation of a conference report.

CONSTRUCTION BY DEPARTMENT OF INTERIOR OF DEMONSTRATION PLANTS—CONFERENCE REPORT

Mr. ANDERSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, p. 18945, 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. ANDERSON. Mr. President, the conference report was unanimously agreed to by all the conferees.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ANDERSON. Mr. President, I ask unanimous consent that a statement dealing with the saline water demonstration program be printed in the RECORD at this point as a part of my remarks.

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

STATEMENT ON CONFERENCE REPORT—S. J. RES. 135 SALINE WATER DEMONSTRATION PROGRAM

In connection with the adoption of the conference report on Senate Joint Resolution 135, to authorize a saline water demonstration program, I desire to make a few comments as part of the legislative history on the measure.

First, President Eisenhower commented that new horizons were opening in the desalting of water in his address on Mideast problems before the United Nations General Assembly in New York on August 14. I attach an extract from his address at the conclusion of this satement.

Next, I reiterate the view expressed on the floor of the Senate repeatedly that the saline water conversion demonstration program provided for by Senate Joint Resolution 135 is the most important step in the national water program since the enactment of the Reclamation Law in 1902. The seawater desalting program and the treatment of brackish water at economical cost has national significance as well as international potentials that run the gauntlet from domestic and industrial rises in this country to a place as an instrument for peace and rehabilitation overseas. We must bear in mind that by 1975, the United States with a population of upward of 200 million persons will be faced with fresh water shortages for domestic, industrial, agricultural, and national defense purposes in many vital population centers and agricultural areas.

Senate Joint Resolution 135 sets the stage for tackling the problem of achieving economical means of desalting seawater in the coastal areas and treating brackish water in the interior.

The modest sum of $10 million is authorized for the construction of not less than 3 seawater desalting plants and 2 brackish water treatment plants. Each plant is to demonstrate a different process.

Responsibility is placed squarely on the shoulders of the Secretary of the Interior to implement the demonstration program promptly and effectively. Use of funds already appropriated is authorized for the employment of consultants and experts to pave the way for a decision by the Secretary as to the first plant within 6 months after the resolution is approved. A decision as to each of the other plants is to be made by the Secretary at 3-month intervals. Construction of the first demonstration plant should be under way within a year. All of us have confidence that the present Secretary of the Interior (Fred A. Seaton) a former distinguished Member of the Senate, will perfect an organization directly under him to expedite this program. We look to him for prompt and effective action.

The conferees agreed that the Congress should maintain surveillance of the program by requiring the Secretary to report promptly on each decision with respect to the type of process selected.

The principal change made in the resolution in conference is the omission of a demonstration plant in the Virgin Islands as a feature of the program. A salt water distillation plant is authorized for St. Thomas under H. R. 12226, which is now in conference.

I desire to pay tribute to the cooperation of the cosponsors of Senate Joint Resolution 135, the Senator from South Dakota [Mr. CASE], the Senator from California [Mr. KUCHEL], and the Senator from Wisconsin [Mr. WILEY].

In the House of Representatives the leadership of House Interior Committee: chairman, Representative CLAIR ENGLE, of California, Representative WAYNE ASPINALL, of Colorado, and their colleagues, contributed to the initiation of the program.

In addition to the excerpt from the President's United Nations address, I attach hereto the following news story by James Reston from the New York Times of August 14, entitled "President Hints at Gains in Sea Water Conversion," and an editorial from

the New York Daily News of August 11, entitled "Fresh Water From the Sea."

(The material referred to is as follows:)

[From the New York Times of August 14, 1958]

PRESIDENT EMPHASIZES IMPORTANCE OF SALINE WATER CONVERSION—EXTRACT FROM PRESIDENT EISENHOWER'S ADDRESS TO THE UNITED NATIONS GENERAL ASSEMBLY ON MIDDLE EAST PROBLEMS IN NEW YORK, WEDNESDAY, AUGUST 13

I would hope that high on the agenda of this institution would be an action to meet one of the major challenges of the Near East, the great common shortage—water.

Much scientific and engineering work is already under way in the field of water development. For instance, atomic isotopes now permit us to chart the courses of great underground rivers. The new horizons are opening in the desalting of water. The ancient problem of water is on the threshold of solution. Energy, determination, and science will carry it over that threshold.

[From the New York Times of August 14, 1958]

PRESIDENT HINTS AT GAINS IN SEA WATER CONVERSION

(By James Reston)

WASHINGTON, August 13.—The United States Government is making genuine and even exciting progress in reducing the cost of desalting sea water and purifying brackish inland water.

This explains President Eisenhower's brief but fascinating statement to the United Nations today that the ancient problem of ending the world's water shortage is on the threshold of solution.

The experts here on the subject wish the President had used a different metaphor. They say it will be a long time before the waters of the sea can be harnessed to turn the deserts of the Middle East into the fertile lands of Biblical times. But atomic energy and new processes and machinery are now carrying the water conversion experiments from the laboratory into the realm of practical industrial and agricultural uses.

PROBLEM ONE OF EXPENSE

At the present, land-based units convert about 15 million gallons a day of sea water or brackish water into fresh water. Two of these units, capable of converting 5 million gallons a day, are situated in the oil-rich sheikdom of Kuwait on the Persian Gulf. But these units, like the sea-conversion plants on ocean liners, are immensely expensive.

The problem has been to reduce the cost of conversion from about $1.75 per thousand gallons to 50 or 75 cents, and Washington officials think this may be achieved within 5 years.

Atomic science is improving the prospect in three ways. President Eisenhower referred to one of them today. He noted that atomic isotopes were being used to chart the course of great underground rivers so they can be tapped more effectively.

Dr. R. B. Mesrobian, of the center of research and engineering of the Continental Can Co. of Chicago, has demonstrated that a small amount of radioactive material injected into underground streams can be followed by instruments above ground as it courses in the water below the earth. He will explain the results of his experiments in the forthcoming atomic-energy conference in Geneva.

Recently, too, the Office of Saline Water of the Department of the Interior, and the California division of water resources signed a contract with the Flour Corp., of Whittier, Calif., for a study of a combination nuclear-reactor saline water conversion plant. It is hoped that this reactor will provide cheaper energy for the evaporation of sea water in what is called the electrodialysis process.

This process is the one totally new concept developed in recent years for the conversion of saline water. The Netherlands has been particularly successful in developing this system.

A 2,800,000-gallon-a-day plant of this type is under construction in South Africa. The United States Government has purchased similar experimental equipment from the Netherlands for use in the laboratories of the Bureau of Reclamation in Denver.

DETAILS OF PROCESS

The Department of the Interior explains the process as follows:

When most salts are dissolved in water, the solution contains submicroscopic electrically charged particles, called ions, in suspension. If an electric current is passed through such a solution, the ions having a positive charge will move by the electrical force of attraction to the negative source of current. Conversely, the negatively charged ions will move to the positive source of current.

This process makes the separation of the two types of ions more effective by using plastic ion exchange membranes. These membranes are made of a combination of plastic materials, some of which are particles carrying a positive charge.

This plastic sheet, or membrane, is impervious to water, but if it is placed in a salt solution, the positive ions can pass through the positive membrane under the driving force of electricity, but the negative ions of the solution cannot.

Conversely, a membrane made of negatively charged particles will permit the negatively charged ions from the solution to pass through but not the positive ions.

Thus a pair of these ion exchange membranes, one negative and the other positive, can form a cell. If salt water is placed between them and an electric current is applied across them, the positive and negative salt ions will move through the respectively charged membranes, leaving a less salty water in the middle and saltier water on the outside of the membranes.

By stacking these cells and repeatedly passing the water through the membranes, the salt, or brackish, water can be purified. Also, it is understood that if the membranes are so constructed as to include certain radioactive materials, the electrical current necessary will be reduced to about one-third.

Some officials here have been saying for years that exploitation of these new processes would not only help the United States solve its growing water shortage in the West, but would also dramatize Washington's effort to put its scientific knowledge to peaceful uses in the underdeveloped areas of the world.

Unfortunately, Congress has not always shown such enthusiasm for the project. Since 1952, when the experiments started in the Department of the Interior, the appropriation requests have been cut on an average of 20 percent.

Only in the last few days, however, Congress has voted $10 million to the Department of the Interior for the construction of 5 demonstration-production plants, 3 for conversion of sea water, and 2 for the conversion of brackish water.

This is more than tenfold the annual appropriations of the past and thus the program is beginning to make real progress. Even so, much more can be done. For example, while the Federal Government is to get $10 million for development of these new plants, California alone has planned an $11 billion investment in developing its water resources.

[From the New York Daily News of August 11, 1958]

FRESH WATER FROM THE SEA

Twice in the last 15 months, House committees have complained that the Department of the Interior (Fred A. Seaton, Secretary) is dragging its feet as regards studying cheap methods of turning sea water into fresh water.

Congress in 1952 set up the Office of Saline Water in the Interior Department, and since then has given it $2,850,000 for its researches.

We imagine the fact that House committees these days are controlled by Democrats, while the Interior Department is run by Republicans, has something to do with the bitterness of the committees' attacks on Mr. Seaton and his colleagues.

Be that as it may, the fresh-water problem in the United States is getting more serious all the time.

In one way or another, we use between 20 and 25 gallons of water per person per day. Industry uses enormous quantities (to make 1 ton of steel, you need 65,000 gallons of water), and agriculture soaks up almost as much as industry.

Altogether, Americans use about 250 billion gallons of water a day; and it is estimated that the figure will be 600 billion a day by 1980.

There are, of course, ways to take the salt and other impurities out of sea water and make it drinkable.

You can do the trick by simply boiling the sea water and condensing the steam that comes off it. Or you can freeze it, and the resulting ice will be salt-free—as icebergs are.

THE COST PROBLEM

Then, there is the so-called electrodialysis process, whereby impurities are eased out of salt water by electrical methods too complicated to describe here.

Up to now, all these devices are pretty expensive. But progress at cutting costs is being made.

The Maxim Silencer Co., of Hartford, Conn., claims to have developed a distillation system which can supply fresh water from the sea at around 20 cents per 1,000 gallons—fairly expensive, but not prohibitive.

A couple of research outfits at Harbor Island, N. C., think they are in sight of a 25 to 50 cents per 1,000-gallon price.

Other scientists are at work on the problem—notably Dr. LeRoy A. Bromley, of the University of California, who believes a new distillation process which he has dreamed up will eventually produce fresh water from the sea in large quantities at 25 cents to 50 cents a 1,000 gallons.

So it looks as if the cost problem will be solved sooner or later. The sooner the better, considering the large number of communities which have had to ration water from time to time, particularly during last summer's bad northeastern drought.

If Congress wants to be helpful in the matter, it can speed action on a bill which has already passed the Senate.

This measure authorizes the above-mentioned Interior Department to spend $10 million on 5 new water-conversion plants—4 in this country and 1 in some possession of ours; perhaps the Virgin Islands.

We imagine that with that kind of money and encouragement, the Interior Department would really get cracking. How about giving it the chance to do so?

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. JOHNSON of Texas. I wish to commend the Senator for his activity in this field, and the very excellent work

he has done. I am hopeful that the legislation will be promptly enacted.

I ask unanimous consent to have printed in the RECORD at this point a very brief statement which I have prepared on the subject.

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

STATEMENT BY SENATOR JOHNSON OF TEXAS

Construction of saline water conversion plants and brackish water conversion plants will contribute greatly toward a solution of the Nation's water problems.

Texans can particularly appreciate the significance of successful water conversion. We are long on floods and short on water in my home State. We have 370 miles of coastal area, but the cities along the coastal plain are hard pressed to provide water for municipal and industrial needs. We have an inland water area of 3,826 square miles, but runoff from these streams is 85 percent, and what remains is frequently brackish.

Conversion plants designed to demonstrate the reliability and the engineering, operating and economic potentials of the processes are essential to the orderly development of our resources. Successful and economical conversion of sea and brackish waters would mark a tremendous advance for us in the work we have been doing to fulfill our industrial, municipal, and agricultural water obligations.

Mr. ANDERSON. Mr. President, in passing the joint resolution the House inadvertently changed one of the numerals from "1952" to "1956." The Parliamentarian tells me that the easiest way to handle the situation is by way of a Senate concurrent resolution, which I now submit, after conferring with the majority and minority leaders. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be read.

The concurrent resolution (S. Con. Res. 121) submitted by Mr. ANDERSON was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, to strike out, in the language agreed to by the conferees on House amendment numbered 15, in the second sentence beginning with the word "Unobligated", the numeral "1956" and in lieu thereof insert "1952."

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

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

Mr. ANDERSON. Mr. President, I thank the Senator from Missouri [Mr. HENNINGS] for yielding to me.

Mr. HENNINGS. In turn, I compliment and commend the distinguished junior Senator from New Mexico for the indefatigable effort which he has shown in this field, which characterizes all his activities in this body. It is a pleasure to yield to him for the important business which he has brought before the Senate.

ENFORCEMENT OF STATE STATUTES PRESCRIBING CRIMINAL PENALTIES FOR SUBVERSIVE ACTIVITIES

The Senate resumed the consideration of the bill (S. 654) to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. The Senator from Colorado has asked me to yield to him. I have nothing further to say. I am preparing to yield the floor in order that the motion to recommit the bill may be renewed. Are there any other Senators who desire recognition before I yield?

Mr. CARROLL. Mr. President, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARROLL. What is the pending business before the Senate?

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado [Mr. CARROLL] to recommit the bill to the Committee on the Judiciary.

Mr. CARROLL. Mr. President, I understand there are to be comments on this subject. I shall withhold my comments, and I thank the Senator from Missouri.

Mr. HENNINGS. Mr. President, if there is to be extensive debate on the question, I have considerable more material that I desire to submit in addition to what I have already presented. May I have the attention of the majority leader, please? In conformity with what I understood to be a general understanding between the opponents and the proponents of the amendment, I expected no further debate, but if there is to be further debate, I myself have considerable in the way of additional comments to make, which would require at least an hour and a half.

Mr. JOHNSON of Texas. Mr. President, I can speak for no other Senator, but I can speak for myself. I should like to reach a vote as early as possible. The Senator from North Carolina [Mr. ERVIN] indicated that he had a brief statement of 4 or 5 minutes to make. I assume the Senator from Arkansas [Mr. MCCLELLAN] has a statement to make.

Mr. HENNINGS. It is not my desire to foreclose any Senator who desires to present his views. I may say to the distinguished majority leader, as I said last night before moving to table the McClellan amendment.

As the Senator from Texas will recall, I asked if any Senators desired that I yield before the motion to table was made. Again I say it is not my intention to undertake to foreclose or estop or in any way prevent any statement being made upon this motion.

Mr. JOHNSON of Texas. Will the Senator agree to yield the floor so that the Senator from North Carolina may make a brief statement and the Senator from Arkansas may do likewise? The Senator can always obtain the floor.

Mr. HENNINGS. I am aware that I can. But I, too, have much more to say on this subject. Much has already been said. I am not sure the Senate needs further enlightenment on it, but I feel that although I have been living with this subject a half year or more, I can stand considerably more enlightenment on many aspects of it.

I find it a very difficult subject. The more I deal with it, and the more I study it, the more difficult it becomes. It may be a very simple matter to those not as obtuse as some of us, those who are more learned in the law, those who have had greater experience and who can read into this legislation a degree of safety and assurance, not only that it will do what its proponents claim for it, but that it will not do what some of us are well satisfied it inevitably will do; namely, seriously infringe upon and have, if not a disastrous effect, a most serious adverse impact upon the economy of this country, upon the industrial organizations of this country, upon the transportation and water interests of this country, upon agriculture, and upon fields the domain of which we know not completely at this time.

I shall content myself for the time being with what I have said on this and related subjects during the past 3 days. The debate has indeed been illuminating. The more we debate it the more we learn about the subject. To me it hoists a danger signal to the Senate, a warning and an admonition not to act irresponsibly in the closing days of this session to mar and tarnish the good record which has been made in most respects up to this point.

I now yield the floor and abide the judgment of the Chair with respect to recognizing another Senator.

Mr. ERVIN. Mr. President, I have never in my life heard so much fine oratory used to complicate simplicity. Insofar as the bill embodies the provisions of what has become popularly known as H. R. 3, it contains just two simple provisions. The bill relates only to fields in which the Constitution of the United States permits both Congress and the States to legislate. It does not relate in any way to fields in which the Federal Government, under the Constitution, has exclusive power. It does not relate in any way to fields in which the States are forbidden to act by the Constitution. I repeat that it relates only to those fields in which the Constitution of the United States permits both Congress and the States to legislate, and it recognizes the constitutional doctrine of the supremacy of conflicting Federal statutes over State statutes in fields in which both Congress and the States are permitted by the Constitution to legislate.

It lays down two tests which are rules of construction, not rules of law. One of the rules of construction applies to a case in which there is an apparent conflict between the Federal and State laws on the same subject. It says in that case the rule of construction which arose with the establishment of this Republic, and which has been observed by all judges of the Supreme Court of the

United States until recent days, shall continue to be the rule for the construction of statutes in determining, when the statutes disagree, whether State statutes shall fall under the Federal supremacy doctrine. It provides in that case that the Federal act shall not be construed to invalidate the State act unless the two are so repugnant and inconsistent with each other that both laws cannot stand. That is a sound doctrine. It is the only sensible doctrine of construction for instances where there is a supposed conflict between Federal and State laws on the same subject in a field in which both have constitutional power to legislate.

The other rule is a rule which is to be applied as a rule of construction, not as a rule of law, in instances where Congress and the State legislate upon the same subject, and there is no conflict or apparent conflict between the act of Congress and the legislation of the States. It merely says in that case Congress can make clear that it intends that the Federal Government shall preempt or occupy the entire field of legislation in that area by a simple declaration to that effect.

Instead of stirring up litigation, or engendering uncertainty, it provides a rule of law which is crystal clear and so plain that he who runs may read and not err in so doing.

The hue and cry about the supposed retroactive effects of the bill are, wasted upon a nonexistent legal ghost.

The bill, if enacted into law, would be only a rule of construction. It would in no case prevail if it appeared from the act which Congress had passed that Congress intended to preempt the entire field, even though no declaration to that effect was made in the act. It would apply only in case of ambiguity on that point, and it would operate only prospectively, that is, in the future. While it would apply in the construction of a statute enacted in the past, as well as in respect to a statute enacted in the future, it would not impose any liability of any kind on any person for any event which had occurred prior to the time the bill became law. It would impose liability only for events which would occur in the future.

Instead of being a complicated statute, the bill, if enacted into law, would avoid innumerable conflicts in the realm where Congress and the States are authorized to legislate.

The necessity for a law of this kind is well pointed out by the action taken by a committee of the chief justices of the 48 States meeting in Pasadena, Calif., yesterday. The committee, representing the chief justices of the 48 States, has approved and submitted to the chief justices, for adoption, a resolution asking the Supreme Court of the United States to exercise judicial restraint in the field of Federal and State relations. The pending bill, insofar as it incorporates within it the provisions of H. R. 3, would be the best and simplest and most direct means of promoting peace and harmony in the field of Federal and State relations, because it would provide a rule of construction under which even a layman could determine whether the Federal Government had preempted a field in which both Federal and State Governments, in the absence of Federal preemption, would have a constitutional right to act.

Therefore, instead of being likely to cause any injury and litigation, the bill, if enacted, would have exactly the opposite effect, and would be a very salutary measure to carry out the resolution proposed by the committee of the chief justices of the 48 States, and it would have a very salutary effect in perpetuating our dual system of government under which this country has grown great.

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

Mr. ERVIN. I yield.

Mr. RUSSELL. Is the Senator referring to some action taken by the chief justices of the supreme courts of the several States at a previous time or is he referring to the action which was reported in the press today by a committee of chief justices?

Mr. ERVIN. Before I answer that specific question, I may say that, according to my study of the subject, the chief justices of the 48 States of the Union on two previous occasions have gone so far as to ask Congress to enact statutes which would clarify the law in the field of Federal-State relations.

Yesterday, according to a dispatch offered for the RECORD, a committee appointed by the chief justices of the 48 States, proposed for adoption a resolution which, in plain English, calls upon the Justices of the Supreme Court of the United States to do something salutary in this field, namely, to exercise judicial restraint in matters arising in the fields where this problem occurs.

Mr. RUSSELL. Mr. President, is the Senator from North Carolina certain that the article was printed in the RECORD heretofore?

Mr. ERVIN. It was placed in the RECORD at the instance of the distinguished Senator from Delaware [Mr. WILLIAMS].

Mr. RUSSELL. I am glad to know that it is in the RECORD.

I noted that the meeting was held in Pasadena, Calif. Even in the atmosphere of Pasadena, the chief justices of the State courts—and I doubt not that any two of them had had more judicial experience in their lives than the present members of the Supreme Court of the United States combined had at the time they took office—filed the report and resolution respectfully imploring the Supreme Court of the United States to exercise some restraint; in other words, that they should adjudicate instead of legislate and invade the fields of the States.

Among the chief justices who approved the resolution were the chief justice of Maryland, the chief justice of New York, the chief justice of Michigan, the chief justice of Wisconsin, the chief justice of Oregon, the chief justice of Massachusetts, the chief justice of Minnesota. In addition, there were three chief justices from States that are in the South. I realize that when anyone from a southern State mentions the Supreme Court of the United States he is considered suspect. So I shall not mention the States of the chief justices from those three States. But the chief justices from the great States of New York, Michigan, Massachusetts, Oregon, Minnesota, and Wisconsin, at the annual meeting of the chief justices of the States, endorsed the resolution to which the Senator from North Carolina referred.

Because the article has already been included in the RECORD, I shall not ask to have it incorporated again, but I hope it will receive wide circulation. Some of us who have spent our lives at the law sometimes feel rather like a mother would feel to see a child suffering, when we see the Constitution and the laws tortured by interpretation of the Supreme Court of the United States. When we cry out against such decisions, we are told that the decisions of the Supreme Court are sacrosanct; that no one should question the decisions of that body in any way.

But a group of chief justices from the State supreme courts, from every area of the Nation, and who have had years of experience at the bar and on the bench, have adopted resolutions protesting the deviations of the Supreme Court of the United States.

It always struck me as being a little strange to have one characterize himself as a liberal and to take the position that any institution of Government was above criticism. That viewpoint goes back to the philosophy of the divine right of kings, a theory which we thought went out with the Bourbon dynasty in France, which held that the king could do no wrong. But self-styled liberals now adopt that philosophy and contend the Court is beyond criticism.

The Supreme Court is composed of men who hold their offices for life. Even if they had very little experience in the law or on the bench, and obtained their appointments because they were a personal friend of the President, or the President felt called on to pay a political debt, or because they happened to be a crony of the President, and are selected to serve on the Supreme Court, these liberals contend that they are from that time forward endowed with supernatural qualities and can make no mistakes, and no one should criticize them.

Thomas Jefferson was really a liberal. He would turn over in his grave to hear any such contentions by one who called himself a liberal.

Mr. ERVIN. And also Abraham Lincoln.

Mr. President, this is the third time the chief justices of the States have appealed for aid to preserve the powers of the States.

So far as I am concerned, I think every American has the right to think and to express his honest thoughts concerning anything under the sun, including decisions of Supreme Court majorities. Whenever any Member of the Senate thinks there is an encroachment upon the jurisdiction of Congress or the jurisdiction of the States or upon the jurisdiction of the judicial, or executive branch of the Federal Government he owes his country a duty to make known his view, because only in that way can

he uphold his oath to defend the Constitution.

Now, I yield to the Senator from California.

Mr. KUCHEL. Mr. President, I believe I recollect correctly that the senior Senator from Arkansas [Mr. McCLELLAN] and some other Senators introduced a bill to provide that, prospectively only, it was the intent of Congress that the Federal Government would not preempt a field, unless it was specifically asseverated in the particular Federal law. Did the Senate Committee on the Judiciary report that bill to the Senate?

Mr. ERVIN. The Senator from Arkansas introduced a bill which undertakes to provide a rule of construction in that respect, both in regard to the laws heretofore passed and the laws to be hereafter enacted. The Committee on the Judiciary reported the bill with an amendment that restricted its provisions to the laws hereafter enacted by Congress, if my recollection is correct.

Mr. HENNINGS. But that is not the bill before us.

Mr. KUCHEL. That bill, then, was reported by the Committee on the Judiciary and is now on the calendar.

Mr. ERVIN. Yes. The Committee on the Judiciary also reported the bill which is popularly known as the Bridges bill, and which was restricted, in this respect, to the field of sedition and subversion.

The Senator from Arkansas has offered an amendment in the nature of a substitute to the Bridges bill.

Mr. KUCHEL. Mr. President, I shall make a few comments later. I shall not make them now. I desired to elicit this information first.

Mr. ERVIN. I now yield to the Senator from Missouri.

Mr. HENNINGS. I thank my friend from North Carolina. It is always a pleasure and a delight to discuss matters with the distinguished Senator from North Carolina, who is a most valuable member of the Committee on the Judiciary. Although my views do not always agree with his, or his with mine, I believe that we can better perform our functions when there is some division of opinion, in order that truth may be separated from error.

Mr. ERVIN. I desire to thank the Senator from Missouri for his kind statement, and to return to him the compliment he has paid me.

Mr. HENNINGS. I have long cherished my friendship with the Senator from North Carolina, and I have warm regard for him. Although we have not very often found ourselves on the same side of the question in this Congress, I hope we shall have better fortune in the next Congress.

I desire to lay at rest one statement which the Senator from Georgia seemed to dwell upon when he adverted to the suggestion that there are some so-called liberals—and in some places that is not a very complimentary word—who think the Supreme Court should not be criticized. I do not consider myself a liberal or a progressive. I consider myself a Democrat. I have been a Democrat all my life. There has never been a Republican in my family. But I do not think I have to apologize for being a Democrat in what I think is the best traditional fashion of democracy. I try to live up to it. I do not always succeed. But I try to do what I think a good Democrat would do in the Jeffersonian sense, in the Jacksonian sense, in the Wilsonian sense, in the Rooseveltian sense, and in the Truman sense.

That has been one of my articles of faith all my life. So when some would apply the adjectives liberal and progressive, I say that I believe the Democratic Party is the party of change, the party of progress, the party that ventures forth, the party of new ideas, the party of venturesome, imaginative, constructive progress for the people of the Nation; and, of course, we derive our sovereignty from the people we undertake to represent.

I have repeatedly stated that I do not think the Supreme Court is infallible. In fact, member of that august body themselves do not consider it infallible, for we know there have been times when members of that body have stopped speaking to one another, and sometimes have reviled one another privately, because of differences among the members of the Court. We know that 5-to-4, 6-to-3, and other split decisions of the Court have sometimes resulted in such feelings, sometimes to such an extent that certain members of that body have said that other members of it were, in certain instances, dead wrong—just as members of other institutions can be dead wrong, and just as I have, at times, been dead wrong; and I fear that if I live long enough I shall have been dead wrong in a great many cases.

Therefore, I do not subscribe to the doctrine of infallibility as regards either the Supreme Court or any other human institution. I have criticized many of the decisions of the Supreme Court. I have been disappointed by many of its decisions. But, by the same token, even though I may be disappointed by, or in disagreement with, some decision the Court has handed down, I do not believe in the enactment of legislation which would remove from the Court some of its jurisdiction.

Mr. ERVIN. I thank the Senator from Missouri. But certainly the pending bill will not remove any jurisdiction from the Court. Instead, the bill will permit the Court to solve certain problems without difficulty.

If the bill had been law at the time of the enactment of the Smith Act, and its provisions had been complied with in that act, Pennsylvania would never have gone to the expense of prosecuting Steve Nelson. This is true because the matter would have been so clear that there would have been no controversy as to whether the Federal Government had preempted the field of sedition.

Mr. President, since my legislative duties prevent me from engaging any more in the practice of law, I am not now nearly as anxious as I used to be to see litigation stirred up. Therefore, I favor adoption of the amendment of the Senator from Arkansas [Mr. McCLELLAN] even though it might constitute a negation of the prayer of the young attorney, "Stir up much strife among Thy people, O Lord, lest Thy servant perish." [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado [Mr. CARROLL] to recommit the bill to the Committee on the Judiciary.

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

Mr. KUCHEL. Mr. President, will the Senator from Nebraska be so kind as to withhold the suggestion of the absence of a quorum?

Mr. CURTIS. Very well.

Mr. KUCHEL. Mr. President, as a matter of good, sound, American public policy, I believe that the States of the American Union, as well as the Government of the United States, should—indeed, must—have the right to legislate in the field of antisedition and antisubversion legislation. As a Member of the United States Senate, I am prepared—indeed, I am quite anxious—to be given an opportunity to vote in favor of the pending bill, unfettered by amendments, and which, in making specific reference to Federal antisubversion legislation already enacted, states specifically and unequivocally that the Congress does not intend to preempt the field of protecting American Government, State and Federal, but, to the contrary, welcomes the partnership of State laws in ferreting out and punishing those who conspire to overthrow any segment of American Government by force or violence.

No Member of this body whether lawyer or not, has, thus far, risen to condemn the proposed bill as being illogical, untenable, unconstitutional or susceptible of the imperfect construction.

I must say that it is exceedingly distressing to me that the Senate now has before it an amendment—submitted by the distinguished Senator from Arkansas [Mr. McCLELLAN]—which would add to the pending bill a vastly different, and vigorously contested, policy decision, for consideration by the Senate.

Earlier, I had my memory refreshed by my friend, the Senator from North Carolina [Mr. ERVIN] who confirmed that there is available for consideration by the Senate a bill, now on our calendar, authored by the Senator from Arkansas, which, in simple terms, provides that, on a prospective basis only, Congress declares that it does not desire to preempt any particular field of legislation, unless it specifically says so.

It is now, unhappily, the responsibility of the Senate to deal with an amendment which would do more than merely make that legislative policy prospective, but, to the contrary, would apply that policy retroactively, as well. Thus, to a simple, understandable, logically desirable bill authorizing joint State and Federal action against subversives, we are now confronted with a complex and controversial amendment which could, whether you like it or not, result in the defeat of a needed piece of legislation.

The Department of Justice raises the questions of a highly technical, and certainly a preeminently important, nature, as a result of which the Department opposes the proposed retroactive application of such a Congressional statement of policy.

Let me quote a few paragraphs, once again, from the written comments of the Attorney General of the United States, arguing, as the top Government lawyer, against the proposed Senate amendment, which is the same thing as H. R. 3:

H. R. 3 is designed to revive certain State laws previously held unconstitutional because of their conflict with Federal statutes. It proposes to change the effect of these Federal statutes, not by openly amending them, but by passing a retroactive rule of interpretation to change the meaning the courts have given to the words now contained in these statutes without changing the words themselves. The bill is so broadly drawn that its effect cannot be foretold and if it is effective, it must change the meaning of statutes conclusively interpreted many years ago, basic statutes under which millions of dollars have been invested and under which important human relationships have become fixed.

Section 1 reads as follows:

"No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and a State law so that the two cannot be reconciled or consistently stand together."

This section would attempt to apply a new rule for determining the intent of not only the present Congress or of a future Congress, but also previous Congresses whose intent is a long concluded fact not subject to change by legislative fiat. It would provide that there was no intent to occupy a field to the exclusion of State laws unless the Federal statute contains an express provision to that effect or unless there is a direct and positive conflict so that they cannot consistently stand together.

There are relatively few Federal statutes containing express provisions preempting the field. Major laws relating to interstate enterprises, and others in fields of heretofore undoubted Federal preeminence, such as bankruptcy and immigration, contain no such provisions. In these fields there is serious question as to the effect of section 1 upon heretofore existing court rules of interpretation. Whether there is any difference between the direct and positive conflict test contained in the bill, and that which the courts have heretofore applied.

There were declarations by Congressmen favoring the bill in committee and on the floor of the House that the first section of H. R. 3 is merely declaratory of existing law. Ordinarily, Congress should not be called upon to perform a useless act, especially when it would give rise to great uncertainty in so many vital areas of Federal-State relations. Some proponents of this measure believe that it will change existing law. Indeed, Congressman HOWARD W. SMITH, who introduced the bill, testified before the House Judiciary Committee that he had no interest in the bill unless it was made retroactive.

If it would change the law, then innumerable questions arise as to how far and in what fields changes in the law are intended to be wrought. These changes in a multitude of Federal-State relationships will be uncertain in extent and meaning until the courts have passed on the numerous questions raised.

The principal area in which Federal legislation comes into conflict with State legislation covering the same field is that in which the commerce power is exercised. There are, of course, many other fields in which problems of concurrent jurisdiction arise: control of aliens by requirement of registration, *Hines* v. *Davidowitz*, 312 U. S. 52; authority over immigration, *Takahashi* v. *Fish & Game Commission*, 334 U. S. 410; labor-management relations, *Garner* v. *Teamsters, Chauffeurs, etc., Union*, 346 U. S. 485.

For the farmer and the businessman in interstate commerce H. R. 3 creates the serious possibility of multiple and different regulations by 49 jurisdictions. A striking but typical example is given by the vice president and general counsel of the Association of American Railroads:

"Enactment of H. R. 3 without language excepting its application to carriers subject to part 1 of the Interstate Commerce Act such as railroads would create chaos in the field of Federal regulation of the railroads. For example, in areas now preempted by Federal legislation such as: (1) rates, H. R. 3 might lead to establishment of multitudinous rates on a single commodity depending upon the action of State courts and juries as to a reasonable rate; (2) penalties, many antiquated State laws are in existence and would have application to interstate rail transportation service if H. R. 3 were enacted, including nullifying car service orders of the Interstate Commerce Commission; (3) safety appliances and free interchange of rolling stock along railroads in this country, H. R. 3 would permit the substitution for Federal law of innumerable and conflicting State statutes requiring particular safety devices on railroad rolling stock; (4) locomotive inspections, conflicting State laws might be given full application with resulting intolerable operation conditions; (5) hours of service, the diversity of State employment laws is a matter of common knowledge and enactment of H. R. 3 would lead to untold complications and additional expense in complying therewith as compared to existing Federal law. Cannot overemphasize the undesirable nature of and chaotic condition that would be created in the field of interstate railroad transportation by enactment of H. R. 3 without language excepting its application in instances of railroads subject to the Interstate Commerce Act."

Similarly, farmers and marketers of agricultural produce complying with the Federal Food, Drug, and Cosmetic Act might be subject to prosecution under numerous State laws which set up different and varying standards for compliance. (See *Savage* v. *Jones*, 225 U. S. 501.)

I suggest that it would be far better from the standpoint of the Nation to give the Members of the Senate an opportunity to sit in judgment on the intricate question of prospective versus retroactive application of antipreempting legislation in dealing with the bill on the calendar and available for consideration by the Senate, which the Senator from Arkansas has introduced, which is prospective in nature, which could be amended if a majority of the Senate determined to be retroactive as well, and which in its present form has been sent to us with the approval of the Senate Committee on the Judiciary.

Pending now is an unfortunate motion to recommit the subversion legislation to committee.

Mr. President, I oppose the motion to recommit, and I shall vote against adoption of the motion. If approved, that motion would kill the bill, and States would continue to be powerless to enact general antisubversion laws or to enforce antisedition laws which they have already adopted. That, as I see it, would be bad for our country.

Therefore, I am quite prepared to exercise my judgment in this way. I oppose the amendment submitted by the very able and fine Senator from Arkansas [Mr. MCCLELLAN]—although I wish that the entire question of retroactivity might be omitted from our consideration of this important piece of proposed legislation, and that retroactivity be considered as a possible amendment to his own bill, prospective only in character, which is now on our calendar.

The bill authored by the Senator from New Hampshire [Mr. BRIDGES] is endorsed by the Government of the United States. The Attorney General has recommended enactment of the bill. The attorneys general of the States of the Nation have requested its enactment. I unhesitatingly endorse it as good, sound American policy, and as the best means of making unmistakingly clear what the imperfect words of the present Federal laws failed properly to disclose as the intent of Congress.

So, certainly, here is a clear opportunity—if we do not muddle or meddle with amendments which, if not actually designed to put the bill "down the drain," at least will have that undesirable result—to deal with the pending bill, which, in my judgment, is in the public interest, which helps protect America against subversion and which should be enacted into law. The pending bill provides the Congress with an opportunity to determine, on an honorable policy basis, whether it wishes the States as well as the Federal Government to deal with matters of antisubversion.

Mr. President, because I desire to have an opportunity to vote in favor of that bill without amendments, I hope the motion to recommit will be rejected.

Mr. GORE. Mr. President, will the Senator from California yield to me?

Mr. KUCHEL. I yield.

Mr. GORE. The able junior Senator from California served capably and honorably as controller of the great State of California. Therefore, it is some comfort to me to hear the Senator express sentiments akin to those I hold.

Is there anything basically wrong or erroneous with the legislative branch of the Government proceeding to protect its legislative prerogatives from judicial encroachment by providing rules of construction for legislation hereafter enacted?

Mr. KUCHEL. First of all, I thank my friend for his comment. I was in the government of California after the conclusion of World War II. I was controller of California for almost 7 years. Prior to the war I practiced law in my home community, and was in the State legislature.

I would answer my friend from Tennessee, "No." I think it is the duty of the Congress, when a law is passed, if the intention or the purpose of that act is not clear, to enact amendatory legislation of that law so the intent and purpose of the act will be crystal clear. That reminds me of something, if my able friend will let me say it.

Mr. President, some of the responsibility for the difficulty of interpreting the

purpose of legislation devolves upon those of us who are Members of the Congress and who sometimes, because of the speed with which we are required to operate and legislate, fail, with all the skill that ought to be present, to use the precise verbiage to describe the intention which we on this side of the Capitol and those on the other side of the Capitol have with respect to legislation which we enact.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. KUCHEL. I yield.

Mr. GORE. If the Congress wishes to protect its legislative prerogatives from encroachment by the judiciary through its interpretation of legislative intent, or otherwise, it can proceed to do so, and I am willing to do so in legislation hereafter enacted with a general rule of construction. But the Senator has said the Congress can wisely do so by amending such legislation as may exist regarding which there may be doubt as to intent. Would not that kind of procedure lend itself to specific correction, rather than an attempt to apply a 1- or 2-sentence bill to all legislation heretofore enacted throughout the history of this country?

Mr. KUCHEL. The Senator is eminently correct, and I think his point is a powerful one. It ought to appeal to all in this Chamber.

Mr. GORE. Where is there a Member of Congress who can envision the extent of the effect of H. R. 3 retroactively? Present Members and their successors in the Congress will be masters of legislation enacted in the future, but who is there who could foresee the extent of this rule of construction if it were applied to all existing law?

Mr. KUCHEL. God alone knows how it would or could or might be applied in a retroactive fashion.

Mr. GORE. What would be its effect in the field of interstate commerce?

Mr. KUCHEL. The Senator touches on perhaps one of the most important fields of law, where, if retroactively applied, the amendment would, in my judgment, and in the opinion and judgment of the Senator from Tennessee, create a maelstrom of problems as to whether or not an article in interstate commerce in each instance were susceptible to regulation by State or local laws, as against laws which the Congress had enacted.

Mr. GORE. Is it correct to assume, then, that the able junior Senator from California is willing to join the junior Senator from Tennessee in enacting a reasonable rule of construction for legislation hereafter enacted, and that he is willing to deal specifically with encroachment by judicial decision with respect to legislation already in existence?

Mr. KUCHEL. I agree with what the Senator has just said. Let me say that misfortune of misjudging legislative intent has resulted on many occasions from the failure of Congress using precise and unmistakable language in the wording of legislation. Congress works at high speed. We have able staff assistance. But in the hurly-burly of a legislative session, we enact legislation whose verbiage is many times honestly susceptible to two meanings, and sometimes more. If anyone begins to assess fault for wrongful interpretation of Congressional intent of statutes, I suggest that Congress itself must assume its share of the blame.

Mr. GORE. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield? I should like to put a question to him.

Mr. KUCHEL. I yield to my good friend the able junior Senator from Ohio.

Mr. LAUSCHE. Let us assume that this proposed law is enacted and, through it, the declaration is made that "no act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates, to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is a direct and positive conflict between such act and a State law so that the two cannot be reconciled or consistently stand together."

Now let us assume that there comes before the Court a case involving the question as to whether the Federal act has preempted a particular field of governmental operation. The Court, in examining the circumstances, and reading in the CONGRESSIONAL RECORD the debate on the bill, finds that the act, which was enacted in the past, did contemplate a preemption of the field. Then the Court looks at the newly adopted statute and finds, after an examination of the newly adopted statute, that it cannot carry out the true intent and the true purpose Congress had when the law was enacted.

Let me state my interpretation of the situation. By this provision, making it mandatory for the Court to say there is no preemption, we affix the stamp of falsehood upon the pronouncement of the Court complying with the provisions of the act, because that pronouncement is in direct conflict with the truth as it existed when the act originally became law.

Mr. KUCHEL. I think the Senator makes a very able argument.

Mr. ERVIN. Mr. President, will the Senator yield for a comment on that particular point?

Mr. KUCHEL. I yield to the Senator from North Carolina.

Mr. ERVIN. I disagree with my able friend from Ohio. That is why I said that this bill, if enacted into law, would establish a rule of construction, not a rule of law. A rule of construction is merely a rule which enables the Court to interpret a statute in case of ambiguity.

Referring to the case which the Senator from Ohio put to the Senator from California, this bill if enacted into law would not govern such a case, because it would clearly appear from the suppositious case that Congress has preempted the field and had intended to preempt it. This is merely a rule of construction which would be applied in the case of ambiguity.

Mr. LAUSCHE. I am glad to get the comments of the distinguished Senator from North Carolina. I understand what a rule of construction and what a rule of law are, but I cannot speedily subscribe to the views expressed by my distinguished colleague, because under this language no discretion is given to the Court. The Court is told, "You cannot state that the field was preempted because there is no provision in the law to that effect."

Mr. KUCHEL. Mr. President, I will be glad to yield the floor to my able friend from Ohio.

Mr. LAUSCHE. I desire to make a statement.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. One cannot lightly cast aside the resolution adopted by the chief justices of the 48 States concerning the need for some clarification of this subject. One cannot lightly cast aside the resolution adopted by 43 governors in the 1956 governors conference calling for some action to clarify this conflict which is occurring. I repeat that 48 governors in the 1956 conference suggested that some clarification must be made as to this problem.

Likewise, we cannot cast aside the fears which reside with some Members of the Senate about the purpose in making the law retroactive in its operation. The disclosures which have been given lend emphasis to the confusion which might develop. This is a matter worthy of serious consideration, especially when it is said, "Not only prospectively, but retrospectively this law shall operate."

I feel that something must be done in this field, and it must be done on the basis of not one isolated field of action. There are probably 50 fields of action to which this has application. Regrettably, in the last 2 days we have been thinking only of 1 field and have become oblivious to the fact that the principle is applicable in probably 50 other fields of governmental function.

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

Mr. LAUSCHE. I yield.

Mr. GORE. If it be true, as the able Senator says, that there are 50 fields of action, can the able Senator foretell the effect of the retroactive provisions of H. R. 3 upon those 50 fields? If not, would it not be the part of wisdom for the Congress to proceed to act after study and after some knowledge of possible effect? Would it not be the part of wisdom and judicious procedure to deal specifically with those fields, in the case of existing law?

Mr. LAUSCHE. In my judgment we are going into the realm of the unknown when we are trying to foretell what a human mind, even residing in a judge, will do with the language. We would be speculating fantastically in trying to predict how the court would retrospectively apply the language.

There is great strength in the proposition that we ought to have some certainty, to the degree we can achieve it, since we are possessed of human minds, about what the impact will be.

I should like to ask the chairman of the committee, what is his view concerning a law which would cope with the problem about which complaint is made by the chief justices of the 48 States and the governors of the 48 States, in the event it is to operate only prospectively?

I ask the Senator from Missouri [Mr. HENNINGS] to answer the question. The Senator from Missouri stated that a bill had been proposed.

Mr. HENNINGS. Mr. President, I did not understand the question was addressed to me. I do not happen to be chairman of the committee.

Mr. LAUSCHE. The Senator is the chairman of the subcommittee.

Mr. HENNINGS. No. My subcommittee had no dealings with the legislation. The Subcommittee on Constitutional Rights is the subcommittee of which I am chairman.

Mr. LAUSCHE. Am I correct in my understanding that a bill which is intended to operate in the future, from the day of its passage, is on the calendar of the Senate?

Mr. HENNINGS. Yes, that bill is S. 337, as amended in the Committee on the Judiciary. I will say to the able Senator, I think he has grasped the salient and essential point. We know not whither we are drifting on this legislation. We do not know what it is likely to do. As the able Senator from Tennessee pointed out, we are legislating in utter darkness and uncertainty.

I think, as the Senator says, these matters should be given reflection, serious and sober consideration by the committees having these matters within their jurisdiction. I find this field is enormously complex. I think it is very difficult to understand.

I think the number of 50 fields the Senator mentions is a very conservative estimate, in addition to the effect on the commerce clause. If we believe there are only 50 fields, the proposed legislation may still be so far reaching that it will burgeon and spread to all areas of our life and our economy.

But I am not sure I have answered the Senator's question.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. JOHNSTON of South Carolina. Let us keep the record straight. Many people have been talking about the bill as something which would do a great deal of irreparable injury. Someone spoke up to say that all interstate commerce laws would be involved. There is not a thing in the bill, if it were passed, which would keep the Federal Government from acting exactly as it has in the past. The only question, really, is whether we also want the States to act, when such action is not in conflict with the Federal law. That is all the bill would provide. We are confusing the issue when we talk about all the other laws on the statute books which have been passed heretofore. As I see it, the only question is whether we want the States to try to help out just a little bit in the situation.

Mr. LAUSCHE. I appreciate the statement made by the Senator from South Carolina. I feel somewhat bewildered by the fact that if this is a procedural rule, as distinguished from a substantive law——

Mr. ERVIN. A rule of construction.

Mr. LAUSCHE. A rule of construction deals with procedure.

Mr. ERVIN. It deals with interpretation.

Mr. LAUSCHE. If this is a procedural rule, then there is no need to make the statute retrospective, because all changes in law dealing with procedural matters are operative on cases as they come before the court. Rules of evidence, rules of pleading and rules of construction are all operative upon the cases which come before the court, and no declaration is needed to make them retrospective.

Mr. HENNINGS. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado to recommit the bill to the Senate Committee on the Judiciary.

Mr. McCLELLAN. Mr. President, I shall be very brief. In the discussion last night the distinguished Senator from Colorado in his remarks said, "Let us hear from the people who will be affected by the legislation. Let us hear from the Association of American Railroads."

Mr. President, I have received a letter from the Association of American Railroads. We talk about the retroactive aspects of the matter, and we talk about those who would be most affected. This is certainly the biggest scarecrow which has been thrown up in this area.

I assume the railroads have some pretty good lawyers. I assume those lawyers give attention and study to bills which they think may adversely affect the interests of the railroads. And I assume, Mr. President, after the remarks last night, when the matter was called to their attention, there was a desire to set the record straight. I received a letter today, dated August 21, 1958, which reads:

ASSOCIATION OF AMERICAN RAILROADS,
Washington, D. C., August 21, 1958.

Hon. JOHN L. McCLELLAN,
The United States Senate,
Washington, D. C.

DEAR SENATOR McCLELLAN: The purpose of this letter is to make clear the position of the Association of American Railroads with respect to the amendment proposed by you to S. 654 on August 20, 1958.

It is my understanding that your proposed amendment would add to S. 654 the provisions of H. R. 3 as adopted by the House of Representatives on July 17, 1958. You may be assured that the Association of American Railroads does not oppose adoption by the Senate of your amendment. On the contrary, we take no position on the merits of that amendment, believing that its principle is intended to apply to much legislation in which we have no substantial interest as an industry.

When H. R. 3 was being considered on the House side we endeavored to make this position clear to the Members of the House, stating then that we took no position on the merits of that bill. We did seek an exemption that would make the bill inapplicable to acts of Congress relating to carriers subject to the Interstate Commerce Act, believing that it was not the intention of the authors of the bill to affect longstanding Federal laws regulating interstate commerce and having years ago been held to preempt the field. At the same time we stated that, in event such amendment should fail, the railroads would not oppose the passage of the bill. I quote in part a telegram from Mr. Gregory S. Prince, vice president and general counsel, Association of American Railroads, dated July 17, 1958, to certain Members of the House of Representatives.

"In view of the numerous statements being made on the floor of the House of Representatives with respect to the position of the Association of American Railroads on H. R. 3, I wish to state in unequivocal terms our position on this bill. The Association of American Railroads takes no position on the merits of the bill. * * * Therefore, we feel that the supporters of the bill should have no objection to the amendment we advocate. In the event that amendment should fail, the railroads will not oppose the passage of the bill."

In keeping with this position, we have made no effort to obtain any amendment to H. R. 3 as it was placed before the Senate. Consequently, adoption of its provisions as an amendment to S. 654 is not opposed by the Association of American Railroads.

Very truly yours,
WILLIAM M. MOLONEY,
General Solicitor.

I point out that in the past when the Supreme Court has held that the Congress, by an act, intended to preempt a field, previous decisions were not upset. The proposed legislation is not retroactive in that sense. It would be applied only in a new test of the law. It would not upset the decisions which had already been made in past cases with respect to an act of Congress. The rule of construction would affect only cases which would arise in the future. In instances in which the courts have already made findings, under the long established rule which the courts have followed, this legislation would have no effect.

I was greatly concerned by the statements of the distinguished Senator from Ohio and other Senators a moment ago. They stated that there are at least 50 fields of action in which this proposed legislation might apply. If there are 50 fields of action in which it might operate, there are 50 fields of action in which the Supreme Court can operate, just as it did in connection with the Nelson decision.

So what are we to do? Are we to do nothing? There would never have been any occasion for this bill if the Supreme Court had followed the long established precedents. All the bill would do would be to restore the long established rule of construction.

Which is the safest for the country—to settle this question by enacting into law a rule of construction, or for the Congress to take no action and permit the Supreme Court, if it cares to do so, in 49 or 50 other fields of action, again throw away a precedent of long standing and establish a new precedent, as it did in the Nelson case? I think the situation is pretty serious.

I spoke last night, and I stated that I was not offering the amendment in a spirit of criticism of the Supreme Court. I am not doing so now. Everyone listening to me now knows whether or not I have ever said a word, or whether any other Member of this body has said a word on the floor, in the way of personal criticism of the Supreme Court.

However, we know that for some of its decisions the Court is under criticism from sources which the Congress cannot ignore. I do not believe we would want to ignore the views of the Attorney

General of the United States. I do not believe we wish to disregard the governors of the 48 States. I do not believe we wish to ignore and disregard what the chief justices of the several State courts have said, and the action they have taken.

I am interested in this question only because there is a gap. Action should be taken. I should like to see this amendment voted upon on its merits. Senators say they are in favor of Senate bill 654; yet if they vote to send the bill back to committee, they know that it will be killed. It will not be enacted at this session of Congress.

Therefore I trust that the motion to recommit the bill will be defeated. The gap ought to be filled. The Congress ought not to sit silently by and take no action.

Mr. President, I shall have very little more to say. If this debate continues for a week, that is all right, if any Senators wish to continue it for that length of time. But enough has been said. Enough is known, and there is enough before the Senate to enable it to act.

Mr. THURMOND. Will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from South Carolina.

Mr. THURMOND. Is it not correct to say that the American Bar Association, composed of the leading lawyers of the United States, have passed a resolution in favor of H. R. 3, the very bill the distinguished and able Senator from Arkansas has offered as a substitute? I shall read that resolution:

Resolved, That the American Bar Association favors the enactment into law of H. R. 3, 84th Congress, 1st session, entitled "A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws," and authorizes and directs the standing committee on jurisprudence and law reform to advocate by all appropriate means its passage by the Congress of the United States.

The Senator is aware of that resolution, is he not?

Mr. McCLELLAN. Yes. I have been aware of its contents. I recall a number of them.

Mr. THURMOND. I assume the Senator is also aware of the action which has been taken by a number of medical associations. A typical example is a telegram to Hon. HOWARD W. SMITH, a Member of Congress from the State of Virginia, which reads in part:

Our association supports H. R. 3 as now proposed and hopes no amendments will be attached unless you think it advisable.

The Medical Society of the State of Pennsylvania and other medical societies have endorsed H. R. 3.

The distinguished Senator from Arkansas just referred to the attorneys general. The attorneys general, who advise the governors in the State governments, men in whom we all have confidence in our States, took action in this field during the 50th annual meeting of the association, which was held in Phoenix, Ariz. I read one paragraph of their resolution:

Be it resolved by the 50th annual meeting of the National Association of Attorneys General, That this association approves the enactment by Congress of legislation to clarify its intent that no future act of Congress shall be considered to exclude any State laws on the same subject matter unless such Congressional act contains an express provision to that effect, nor shall such Congressional act invalidate a provision of State law which would be valid in the absence of such act unless a power expressly granted to the Federal Government by the Constitution of the United States is involved.

I would ask the distinguished Senator from Arkansas if he is familiar with that.

Mr. McCLELLAN. I am sure most of the Senators are familiar with it. If the Senator will please place in the RECORD the communications approving H. R. 3 which he has, and name the parties sending them, we shall be able to move along. I do not wish to keep the Senator from reading them if he desires to do so, but he would expedite matters by naming the parties sending the communications and inserting them in the RECORD.

Mr. THURMOND. I have just one more.

Mr. McCLELLAN. Very well.

Mr. THURMOND. I have here a telegram which gives the action of the 48th Annual Governors' Conference. Here is what the governors of the States of the United States say:

Members of this conference are gravely concerned by decisions of the Supreme Court of the United States which have held that Congressional enactments supersede State laws on the matters involved and thereby preempt those fields for the Federal Government alone. Judicial interpretations of this character seriously handicap the States in the regulation and the administration of their internal affairs: Now, therefore, be it

Resolved, That the 48th Annual Governors' Conference recommend to the Congress that Federal laws should be so framed that they will not be construed to preempt any field against State action unless this intent is stated, and that exercise of national power on any subject should not bar State action on the same subject unless there is positive inconsistency.

I ask the distinguished Senator if that is not exactly what his amendment does.

Mr. McCLELLAN. That is my interpretation of it, and if I did not think it would accomplish that purpose, I would not be here fighting for it.

Mr. THURMOND. I shall not read any additional telegrams or letters, but I call attention to the fact that the National Lumber Manufacturers' Association has endorsed this bill, as have also the Missouri State Chamber of Commerce, the United States Chamber of Commerce, the Wisconsin Employment Relations Board, the American Farm Bureau, the California Farm Bureau, the Kentucky Farm Bureau, the Pennsylvania Farmers Association, the South Carolina Farm Bureau, the Tennessee Farm Bureau, the Texas Farm Bureau, the Conference of American Small Business Organizations, the Medical Society of the State of Pennsylvania, the South Carolina Law Enforcement Officers Association, Association of State Labor Relations Agencies, American Cotton Manufacturers Association, Southern States Industrial Council, the National Grange, the National Industrial Council and, as I mentioned the governors' conference, and the Association of Attorneys General.

Mr. President, I should like to ask the Senator from Arkansas if this is his interpretation of the bill, if I can state it in one simple sentence: If the Federal Government has a law on a subject and a State has a law on the same subject, the State law will not be stricken down unless 1 of 2 conditions exists: First, if the Federal act contains an express provision for exclusive jurisdiction; second, if there is a positive and direct conflict between the Federal law and the State law and the two cannot be reconciled or consistently stand together. Is that the Senator's interpretation of the amendment?

Mr. McCLELLAN. That is exactly what the amendment means. I do not see how it can be interpreted otherwise.

Mr. THURMOND. I thank the Senator.

Mr. McCLELLAN. I shall conclude my remarks by asking unanimous consent to have printed in the RECORD an article written by Representative EDGAR W. HIESTAND, published in the Alameda (Calif.) News-Press of July 26, 1958. It deals with H. R. 3. The author has given a great deal of study to the proposal, having worked on it for a long time. It is a very splendid and convincing article.

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

CONGRESSMAN EDGAR W. HIESTAND REPORTS THE WASHINGTON NEWS

WASHINGTON.—The most important single bill of this session of Congress, in my judgment, and one of the most important of any session in modern times, is H. R. 3. The bill states its purpose in clear and simple terms:

"No act of Congress shall be construed as indicating an intent on the part of Congress to occupy the field in which such act operates to the exclusion of all State laws on the same subject matter, unless such act contains an express provision to that effect, or unless there is direct and positive conflict between such act and the State law so that the two cannot be reconciled or consistently stand together."

Obviously this would correct the "preemption doctrine" upon which many of the much criticized decisions of the Supreme Court have been based. In one of the most recent, the notorious Steve Nelson case, the Court turned loose a convicted Communist, because he was prosecuted under Pennsylvania law, rather than the Federal Smith Act. In another case, the Court held that Alabama could no longer enforce her own State pure food law, because the Federal Government adopted such a law, thereby preempting the field and nullifying Alabama's law.

These are but two of such controversial decisions.

In these instances, the Supreme Court, not merely "in effect," but actually, nullified State law by application of the doctrine of Federal preemption. The confusion resulting from these decisions poses a very serious problem and a dangerous threat to our system of government, which is based on the premise of local self rule, and places in jeopardy that whole great body of State legislation now on the books.

Students of government know that the Founding Fathers of this Nation, when drafting the Constitution, were vitally concerned with preserving the authority of the State governments. They were fearful of centralized power and tyranny. Having just broken the yoke of one such power to earn

their freedom, they were disinclined to create a similar monster on domestic soil. Quotations of these great American patriots fill volumes. Washington, Jefferson, Adams, Franklin, Paine, and many others, were adamant, and articulate on the subject of local self government.

It is generally agreed that the Constitution would not have been ratified without the Tenth Amendment, which provides that the powers not specifically delegated to the Federal Government are reserved to the States, or to the people. I hold the opinion that we are a far stronger Nation composed of 48 sovereign Republics, than we would be as a strong, centralized, Federal despotism.

The concept of State sovereignty, so indelibly stamped on our Declaration of Independence, Constitution, and Bill of Rights by the Founding Fathers, must be preserved.

Students of government and free citizens alike, must be conscious of the increased concentration of power in our Government in Washington. This centralization has weakened State government and law enforcement, narrowed its scope of operation and depleted sources of revenue for it. As a result, the weakened States have been more and more prone to look to the Federal Government for financial aid. This aid has in most instances been willingly supplied, but of course, with Federal strings attached.

If adopted by Congress, H. R. 3 would, in part, checkmate the trend toward centralization in our Government, and proportionately strengthen the position and power of the sovereign States. Thus rejection of H. R. 3 by Congress would be a green light to the forces of centralization, and a lethal blow to the sovereign States.

H. R. 3, for which I have worked very hard, is a companion bill to my H. R. 679, and I hope we can pass it.

Mr. McCLELLAN. Mr. President, in conclusion, I ask that we not send the bill back to committee. The substitute should be adopted. If the bill is sent back to committee we cannot vote on its merits. I know there are honest differences of opinion. I quarrel with no one who honestly disagrees with me. I respect everyone's convictions. However, Mr. President, the bill should be voted on, and we should decide its fate on its merits. The device of returning it to committee should not be used to kill the measure at this session of Congress. I hope we will face the issue and vote our honest convictions, and thereby let the American people know that the Senate intends to do something in this matter, and not let the American people know that the Senate is not ready and is not willing to do anything about the problem.

Mr. CARROLL. Mr. President, in view of the fact that the distinguished Senator from Arkansas mentioned my name at the outset of his remarks concerning some statements on the issue which I read into the RECORD last evening, I should like to say, as I said many times last night, that there is no source material available within the Senate to which a Senator can refer. Therefore I had to go to the House of Representatives for source material, where proper hearings have been held on the bill. I had to go for this information to the House.

I, too, have a copy of a letter which was addressed to the distinguished Senator from Arkansas by the Association of American Railroads, and it is a very significant letter. It bears out exactly what the distinguished Senator from Pennsylvania has said as to what we might have confronting us if we do not recommit the bill and bring some common-sense into the situation. If we pass the bill we shall have to go through the whole judicial code, chapter by chapter, and exempt from the application of the act transportation, communications, and, as the distinguished Senator from Oklahoma [Mr. MONRONEY] said last night, even his own bill, now enacted, having to do with the civil aviation program.

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

Mr. CARROLL. Not at the moment. I did not interrupt the Senator from Arkansas. I should like to finish my point; then I shall be happy to yield. This is what the letter addressed to the distinguished Senator from Arkansas said:

> We did seek an exemption that would make the bill inapplicable to acts of Congress relating to carriers subject to the Interstate Commerce Act, believing that it was not the intention of the authors of the bill to affect long-standing Federal laws regulating interstate commerce and having years ago been held to preempt the field.

Of course the railroads would have no objection to the bill if they could make its provisions inapplicable to themselves. This is the letter of the Association of American Railroads dated August 21, 1958. Let us see what else they said in the letter addressed to the Honorable JOHN L. McCLELLAN, this time on May 22, 1956. This is the part I read last night. I now repeat. It is from the same Association of American Railroads, with its distinguished lawyers and learned men.

I read from page 25 of the hearings of the House entitled "Federal-State Concurrent Jurisdiction," May 18, 1956:

> During the last 75 years, the Congress has developed a complex and elaborate administrative system for the regulation of the railroads of this country, and during this period the courts have on numerous occasions passed upon the question of when certain railroad matters are subject to exclusive regulation by Federal law, and when they are subject to concurrent regulation by Federal law and State law. These adjudications have become an integral part of the entire system that Congress has provided for the field of national transportation.

That letter was written in connection with a bill similar to the one now pending, having to do with the question of preemption. It was an almost identical bill. I continue:

> The railroads, therefore, respectfully suggest that no action be taken by the Senate Judiciary Committee that would have the effect of setting aside the legal arrangements that have been developed with such care in this field. Without attempting to be exhaustive, it is believed that the proposed bill might result in drastic changes in the fields regulated by the Interstate Commerce Commission under authority of the Interstate Commerce Act, and in the fields covered by such laws as the hours of service law, the Federal employers' liability law, the safety appliance law, and no doubt many others.

This is the concluding paragraph of the letter:

> In order to avoid the harmful consequences that might ensue in the field of interstate railroad transportation if this measure should be enacted, it is suggested that the bill be amended by the addition of the following language:
>
> "This act shall not apply to laws of Congress relating to carriers by railroad subject to part I of the Interstate Commerce Act."

Now Senators can understand why the Interstate Commerce Commission opposes the bill. Now they can understand why the Department of Justice opposes the bill. That is why I read what I have just read.

I have no connection with the railroad attorneys. I read the letter from the hearings held in 1956. I submit that by their own letter dated today, they have proved the point conclusively.

I read again from the letter of August 21, 1958, in which is quoted, in part, a telegram from Mr. Gregory S. Prince, vice president and general counsel, Association of American Railroads, dated July 17, 1958, to certain Members of the House of Representatives:

> Therefore, we feel that the supporters of the bill should have no objection to the amendment we advocate.

Do we advocate an amendment for the benefit of the Association of American Railroads? Is there a provision in the bill which will exempt the railroads?

If the motion to recommit is not agreed to, there will be many amendments to the bill, because we shall not only be helping the railroads; we shall be helping other methods of transportation. We shall be helping the aviation industry. We shall be moving step by step to exclude other forms of transportation and industry. Why? The answer is that we cannot legislate intelligently, in the closing days of a session, on an important matter which has never been considered by a committee of this body.

This is the argument I made last night. If the Senator from Arkansas and other Senators think this is a simple bill, then let us have some hearings. It is only 3 months until we can be back to hold them. The proposal can then be considered carefully. We can call in the legal lights and find out whether the measure is merely a rule of construction. We shall find out whether it is a simple bill. Is there something wrong with that suggestion? Why can we not wait 60 or 90 days?

I could stand here and talk for another 30 or 40 minutes, talking about the Interstate Commerce Commission, which the Senator from South Carolina has incorporated in the bill.

Again, I go to the source material in the House, because there is nothing in this body to give us the benefit of thinking.

Representative KENNETH KEATING, a distinguished Member of the House from New York, at page 14145 of the RECORD of July 17, 1958, said:

> It has been said that the American Bar Association favors this bill. I have a letter from the president of the American Bar Association dated July 15, saying:
>
> "It is not correct to say that the association has approved the bill."

If we examine the debates, we will find nothing about such a recommendation having been put before that organization. It was a group in the House of

Delegates, which has no right to commit the American Bar Association.

I received a telephone call last night from Mr. Charles Rhyne, of the American Bar Association. He has authorized me to say, in his behalf, that the American Bar Association has not endorsed H. R. 3.

Mr. President, I could continue to talk at length on this measure, because its scope is so broad and its significance so great. I could speak on this subject, as could any other Senator, hour upon hour, as each of us sought to find his way through this maze. There are many problems which confront us. I know we are tired and want to vote. Therefore, Mr. President, I shall forego further remarks. Many excellent arguments have been made.

I now yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, after the Senator read last night what he has repeated today, the Senator then said that the representatives of the Interstate Commerce Commission and the Association of American Railroads had been heard. In 2 years' time they have changed their mind. They no longer oppose the bill.

Mr. CARROLL. I read from the letter of the Association of American Railroads to the Senator from Arkansas [Mr. McCLELLAN] dated August 21, which is today:

> Therefore, we feel that the supporters of the bill should have no objection to the amendment we advocate.

What amendment do they advocate? They want to be exempt from the provisions of the bill. If the Senate does not recommit the bill, we shall be exempting many other fields. Mr. President, I have nothing more to say on the motion.

Mr. EASTLAND. Mr. President, this legislation has been made necessary because a decision of the United States Supreme Court, in the case of Commonwealth of Pennsylvania against Steve Nelson, enunciated a new extension of the doctrine of Federal legislative preemption, to the great joy of Communists convicted, indicted, or under investigation for violation of State antisubversive laws. The effect of that Supreme Court decision was to render unenforceable the antisubversive and antisedition laws of 42 States and Hawaii and Alaska.

This bill has just one purpose: to make sure that no State law not in direct and positive conflict with Federal statutory provisions shall be stricken down or rendered unenforceable on the theory that Congress has occupied the field in which it operates, unless the Congress has itself determined to occupy that field and has expressed its determination in legislation.

The Communist Party, U. S. A., and Communist-front organizations in this country, are the greatest opponents of this bill. They fear it and oppose it because they like things the way they are now, with no effective legislation at either the State or Federal level under which Communist activity can be controlled. If this bill is passed, the governments of the sovereign States of the Union will again be in a position to take effective action to defend themselves and the Union itself against subversion from within.

The day after the Supreme Court handed down its decision in the case of Commonwealth of Pennsylvania against Steve Nelson, the Communist Daily Worker hailed the decision as a tremendous victory.

When the Communists hailed the Nelson case as a tremendous victory, they were not thinking of it as a victory for the security of the United States; they were thinking of it as a victory for the Communist conspiracy. No one knows better than the Communists themselves how their conspiracy has been hurt and hampered by the antisubversive activities of the States.

Outstanding efforts in combatting communism have been made by many States down through the years. States which have been notable in this regard include California, Florida, Illinois, Massachusetts, New Jersey, New York, Ohio, and Washington.

Opponents to the bill contend that because, as the minority report on similar legislation in the other body puts it:

> The power of the State to act in the area of subversion against the Federal Government was nullified in the first instance not by the Supreme Court of the United States but by the highest court of the Commonwealth of Pennsylvania.

The decision of the United States Supreme Court in Pennsylvania against Nelson can hardly be claimed to be a case of Federal aggrandizement by the Supreme Court of the United States. This argument overlooks entirely the fact that all that the Pennsylvania Supreme Court decided was the status of the Pennsylvania law; but the Supreme Court of the United States presumed to lay down general law of general applicability, which resulted in rendering unenforceable the antisubversive and antisedition statutes of 42 States and 2 Territories.

Specifically, the Supreme Court decision in the Nelson case brought about a crisis in law enforcement. In State after State, Communists who had been convicted of subversive activity were put in a position to seek and secure new trials or outright release; Communists under indictment were discharged and the indictments dismissed; and many cases against other Communists, carefully prepared after months or years of investigation, and ready or nearly ready for presentation to grand juries, were dropped because it was obvious there was no use in indicting a Communist when there was no enforceable law under which he could be convicted; and the Supreme Court decision in the Nelson case had made all State antisubversive laws unenforceable.

But the Nelson case decision did not concentrate within itself all the evils of the preemption doctrine. It is merely the latest, and probably the worst, in a series of decisions which have advanced this doctrine step by step, in recent years, despite the fact that the doctrine of preemption, as it has been expanded and applied, works counter to our basic philosophy of government.

The philosophy which best fits the constitutional and traditional theory of our form of government is that a man should be controlled most by that law which is closest to him, and least by that law which is farthest away. Wholly consonant with his philosophy is the attitude that State laws should be valid and enforceable except where they conflict directly and positively with a Federal statute, absent a specific Congressional finding of need and intention to take the particular field or area of law into Federal control. Under this philosophy, States' rights to control their own affairs through State legislation and enforcement would be unimpinged except where Congress made specific provision to the contrary, and it would then be up to the Congress to justify its assertion of Federal control.

Quite out of consonance with the traditional and constitutional American theories of government is the idea that Congress should take over control of any field in which its acts, and then leave it up to the individual States to show why the field or portions of it should be returned to them.

In the former instance—and this is the philosophy embodied in the bill now before us—Congress will act with its eyes open, and will know in advance what the results of its acts will be.

On the other hand, if we go along with the doctrine of preemption by operation of law and without any expression of intent, Congress will never be sure what it is doing, or what will be the effect of its enactments upon the rights of the States and the laws of the States.

There is a subtle and insidious twist to this doctrine of a preemption which has gone largely unnoticed.

Under the Constitution, there are two fields in which Congress may legislate: Those where Federal power is exclusive, such as foreign relations, declaration of war, naturalization, and regulation of the coinage; and fields where concurrent State and Federal jurisdiction may exist.

The tendency of the doctrine of preemption is to narrow the area of concurrent Federal and State jurisdiction and broaden the area of exclusive Federal jurisdiction. The preemption doctrine necessarily involves, to a greater or lesser degree, the idea that mere enactment of Federal legislation in a field, thereby expressing national interest and concern in the field, results in making the field exclusively a Federal one. But the constitutional delineation of certain fields of legislation as exclusively Federal necessarily implied that fields not so delineated were not intended to be exclusively Federal; so that the preemption doctrine, in gradually wearing away State jurisdiction and cutting down on States rights, is also, at the same time, blurring a distinction clearly made and undoubtedly firmly intended in the Constitution itself.

It makes sense for Congress, when it desires to take control of a particular field or sphere of legislation to the exclusion of a State law or laws, to express its intent specifically; and for the intent so expressed to then control. But when

the Congress has no intention to assert control of a particular sphere or field of legislation, and is perfectly willing that State legislation in the same field or sphere should continue to be effective and enforceable, at least to the extent that it does not conflict directly and positively with any provisions of Federal law, it most emphatically does not make sense for the Congress to acquire all power in the field merely by virtue of having acted within it, and then to have to pass new legislation in order to restore the enforceability of State statutes in the allegedly preempted area.

For the future, if there is any area of law which the Congress determines should be preempted to Federal use, to the exclusion of all State law in the field, Congress need only declare its finding in order to accomplish the result it desires. If there is some State law which the Congress wishes to supersede, in a field where the Congress is competent to legislate, Congress need only express its determination in order to supersede that State law. But if S. 337 is enacted, never again will there be imputed to the Congress an intention to preempt a field of State law in a case where Congress has neither desired to preempt nor made any provision for doing so.

There is a principle of legislative construction that courts will not favor repeal of one Federal statute by another by implication, but will try to preserve the enforceability of both statutes unless there is a clear provision for repeal contained in the latter of the two statutes. We should be just as careful to preserve State laws from repeal by implication, as the result of some Federal enactment, as we are to preserve Federal laws from repeal by subsequently enacted Federal statutes.

Opponents of this bill have made much of the contention that Congress should legislate only in response to a demonstrated need. They make this point, of course, as a preliminary to their contention that there is no need for S. 337 or any similar bill. On the contrary, the need for such legislation as this, if only to counteract the effects of the Supreme Court decision in the Nelson case, is so great that it need hardly be argued. But there is a good deal of merit in the idea that Congress should legislate only in response to a demonstrated need. Suppose we apply this principle to the question of superseding State laws. Then we would say, Congress should supersede a State law only when there is a demonstrated need. Congress should preempt a field of law, to the exclusion of existing State legislation, only when there is a demonstrated need. If we are going to live up to this principle, then of course Congress should enact legislation such as that now before us, which will avoid invalidation of a State statute or preemption of a field of legislation except where Congress has expressly found and declared a need for such a result. In other words, this argument of the opponents to the bill, when it is examined, strongly supports the enactment of the bill.

Another argument made against this bill is that it would displace the usual method of Federal-State accommodation by a blanket declaration that past and future Federal legislation will include State acts only to the extent specifically stated. The usual method of determining the enforceability of State legislation in relation to Federal enactments, opponents of this bill say, has been judicial determination on a case-by-case basis, so that evaluation may be made of the impact of Federal and State acts on one another in terms of practical operation and the national or local problems presented. This is a correct statement, but the conclusion they draw from it is wrong. What they overlook, or refuse to admit, is the fact that it was the Supreme Court of the United States which abandoned the case-by-case basis and attempted to make general law of general applicability which would render unenforcible the laws of all of the States wherever the Court chooses to say Congress has preempted the field.

Do not lose sight of the fact that wherever there is a statute which has provisions plainly at variance with Federal legislation it cannot stand against the conflicting Federal law, regardless of whether S. 337 is enacted.

And wherever there is a State statute which is vague, indefinite, uncertain, or lacking basic constitutional procedural safeguards, such statute could be attacked for its intrinsic defects, and declared unconstitutional without regard to the provisions of S. 337, if it should be enacted.

There is nothing in S. 337 which would give vitality or constitutionality to an infirm or unconstitutional State statute; and there is nothing in S. 337 which would permit a provision of State law, in irreconcilable conflict with a provision of Federal law, to stand against the Federal legislative provision.

It is important that we recognize that enactment of this bill will not involve undoing anything that Congress has done. For instance, Congress has never affirmatively declared an intention to preempt the field of antisubversive legislation, or to overthrow any State laws in this field. In this field, and in any other field where Congress has power to legislate, whenever any Act of Congress, past, present, or future, declares that Congress is taking over, that declaration of Congressional intent will be controlling, even though S. 337 has been enacted. And let me repeat that whenever it is found in any particular case that a provision of an act of Congress is in irreconcilable conflict with a provision of State law, the fact that S. 337 has been enacted into law will not prevent the courts from holding that the provision of Federal law must be enforced as against the provision of State law with which it is found to be in conflict.

No predominance of State law over Federal law in any instance of direct conflict between the two would be brought about by enactment of S. 337.

What is basic here is the question of Congressional intent. Through the growth of the doctrine of preemption, State laws have been superseded in area after area without any expression of intent by the Congress that this should happen. Unfortunately, the intent which the Supreme Court imputes to the Congress becomes and remains, in the eye of the law, the actual intent of the Congress, unless and until the Congress speaks out to the contrary. Fortunately, it is still within our power to speak out and say for ourselves what our intent is.

It is quite wrong to say that enactment of this bill would encroach upon a judicial function. The Supreme Court has a right to apply the law to the decision of particular cases, but the Court does not have the right to make law, nor does it have the right to compel the Congress to take any particular course of action the Court may think right.

Where a legislative field is one for concurrent State and Federal jurisdiction, under the Constitution, the Court can neither arbitrarily transfer it to the field of Federal jurisdiction, nor force upon the Congress an unwanted intent to claim the field as its own. The Court can, of course, declare the intention of the Congress as it comes to understand that intention. But if the intention which the Court declares is not in fact the intention of the Congress, the Congress can always enact new legislation properly declarative of its true intent.

Under this bill, if Congress has expressly preempted a field of law, all State law in that field falls. If Congress has expressly stricken down a State statute, that particular statute falls. If there is an irreconcilable conflict between a provision of Federal law and a provision of State law, the Federal provision controls and the State provision falls. But where there has been no preemption of a field, no express invalidation of a State law, and no direct and irreconcilable conflict between a Federal and a State provision, the two provisions will be allowed to operate concurrently, each in its own jurisdiction. That is all there is to it.

Now let me say a word about an amendment offered to S. 337 in committee, which involved adding the words "hereinafter enacted" at two places in this bill. Senators will find these words in italic on lines 3 and 8 of the calendar print of S. 337. This amendment was supported by the contention that its purpose is to avoid retroactivity, which sounds like a plausible reason. But the fact is that a proper distinction has not been made between retroactivity of effect, and retroactivity of application. This bill will not have retroactive effect with or without this amendment. It will have effect only from and after the date of its enactment. But without the amendment, the bill will have retroactive application; that is, it will apply as a declaration of Congressional intent with respect to statutes already on the books. If the amendment is adopted, the bill will not constitute a declaration of Congressional intent except with respect to legislation which may be passed hereafter.

To adopt the amendment, with this result, would be to make the bill a nullity. It would accomplish nothing. No declaration of Congressional intent can be binding on future Congresses, nor even on the same Congress, with respect to afterpassed legislation, if Congress wants to express a new intent. Thus,

with respect to legislation which may be passed hereafter, this bill can do nothing that Congress cannot do at the time it passes the new legislation; nor can this bill prevent Congress from expressing its current intent at that time, whatever that intent may be. That is why there is nothing to fear from this bill. Any time in the future that Congress may wish to preempt a field of legislation, or overturn a State law, in any area where Congress has legislative power, Congress will be able to do so, even though this bill has been enacted.

But the purpose of this legislation is to cure a situation which has been brought about by the Supreme Court's expansion of the doctrine of preemption and implied preemption. The Supreme Court has declared the intent of Congress as something other than what the Congress in fact intended. And the purpose of this bill is to declare the true intent of Congress with respect to preemption; to declare that Congress has not intended and does not intend to nullify State laws on a wholesale basis where it has not expressed any such intention, and has not intended and does not intend to supersede or invalidate any particular State law or provision of State law with which no Federal statute is in direct conflict, and which Congress has not specifically declared should be superseded or invalidated.

This basic objective of the bill—to cure such situations as invalidation of all State antisubversive laws by the decision in the Nelson case—cannot be accomplished unless the bill we pass has application to the laws already on the books.

It is not some possible future law which Congress may pass that has been used as the basis for rendering the sovereign States of this Union impotent to deal with communism and other subversive activity. It is laws already enacted which the Court has cited. The Court said that by merely taking action in the field of antisubversive legislation, through enactment of the Smith Act, the Internal Security Act, and the Communist Control Act, Congress has preempted this entire field and rendered the antisubversive laws of 42 States and Alaska and Hawaii unenforcible. Unless Congress declares to the contrary, this Court statement of Congressional intent will stand as a continuing bar to enforcement of State antisubversive statutes. And the same principle holds true in other areas.

Clearly, Congress must make its present declaration of intent applicable to the laws it already has passed, if it wants to accomplish its purpose of curing the evils of preemption by Court decree.

Congress can say—and this bill does say—that the declaration of intent we now make shall not apply to any case decided in the past, but only to cases decided in the future. We could not say otherwise. But if we adopt the committee amendment, we shall be adopting the Supreme Court's statement of Congressional intent to preempt fields of State law where Congress expressed no such intent and did not pass conflicting legislation.

To summarize, Mr. President, we face this situation:

The Supreme Court in the Nelson case enunciated new law of general applicability, leaving to the Federal Government alone all authority and responsibility for control or punishment of the Communist conspiracy or other subversive activity. Then, in the Yates and Schneiderman cases, the Supreme Court rendered the Smith Act unenforcible against current Communist activity. With the Internal Security Act still in litigation after 8 years because the Supreme Court refused to meet its responsibility to pass on the constitutionality of that act, there is no effective antisubversive legislation in this country today at either the State or Federal level which may be used to deter the Communist conspiracy. This is a situation which involves the gravest danger to the Nation, and is a situation which must not be allowed to continue.

If we should refuse to act in this situation, the people of this country would be justified in concluding we were satisfied with things as they are. And that is what adoption of the committee amendment will do; it will leave things as they are.

Enactment of S. 337 will not provide effective antisubversive laws at the Federal level. That will have to be handled in another way, either by enactment of the Jenner-Butler bill, S. 2646, or at least by enacting separate legislation embodying substantially the provisions of section 4 of the Jenner-Butler bill. But by simply reaffirming, as S. 337 does, the intent of Congress that the States are to be allowed concurrent jurisdiction in fields which the Congress has not affirmatively preempted, and thus restoring the future enforcibility of State antisubversive and antisedition laws, we shall be able to restore some very effective and very useful barriers against the onward march of communism toward its goal of sovietizing the United States of America.

What we have before us is basically an issue of States rights. There are forces in this country which want to see all State law superseded by Federal law. They want to see Federal controls over commerce, over labor, over agriculture, over every phase of life, enlarged and broadened until everything is run from Washington. They want to see the Federal police powers extended further and further until we arrive at the point where there is no need or room for local law enforcement, except perhaps as an adjunct to Federal power.

The goal toward which these forces are aiming is nothing less than the leviathan state; and that cannot be achieved so long as the sovereignty and the rights of the individual States of the Union are preserved. So the apostles of the leviathan state pass up no opportunity to chisel away at the rights of the individual States of the Union.

A decade ago, the late, great Senator from Nevada, Pat McCarran, wrote an article which appeared in the Journal of the American Bar Association in which he pointed out the growing trend toward what he called the "silent supersession of State powers" through the growth of the doctrine of Congressional preemption—that is, the doctrine that where Congress has enacted substantial legislation in a particular legislative field, it must be deemed to have preempted the field to the exclusion of State law. Senator McCarran warned that unless Congress took some action to stay this trend, the day would come when State laws in area after area would be rendered unenforcible not because of anything Congress said, nor because of any conflict between Federal and State law, but merely because Congress had acted in the field.

We have seen this warning borne out. The doctrine of preemption has grown and its application has been broadened. One of the most unhappy applications of this doctrine was in the case of Pennsylvania against Nelson, and the results of that decision have been so favorable to the activities of the Communist conspiracy in this country, and so dangerous to the security of the States and of the Nation as a whole, that I believe the country as a whole has been shocked into an awareness of the situation and is demanding action to correct it. Certainly we Senators who sit here with full understanding of the fact that by a single misrepresentation of the intent of the Congress, the Supreme Court has been able to render unenforcible the antisubversive laws of 42 States and Alaska and Hawaii, and who are fully aware of many other instances in which the rights of the States to enact and enforce their own laws have been taken away from them under this doctrine of Federal preemption, cannot plead unfamiliarity with the problem, or ignorance that it exists. And now that we have the opportunity to do something about it, by passing this bill, we are going to have some mighty tall explaining to do if we fail to take advantage of this opportunity.

Mr. CARROLL. Mr. President, I am ready to vote. I do not wish to shut anybody off from speaking. If no one else wishes to speak, 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. CARROLL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is on agreeing to the motion of the Senator from Colorado [Mr. CARROLL] that the bill be recommitted. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT (when his name was called). On this vote, I have a pair with the senior Senator from New Jersey [Mr. SMITH]. If the senior Senator from New Jersey were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. BUSH (when his name was called). On this vote, I have a pair with the distinguished senior Senator from Ohio

[Mr. BRICKER]. If the Senator from Ohio were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. SMATHERS (when his name was called). On this vote I have a pair with the junior Senator from Oklahoma [Mr. MONRONEY]. Were he present and voting, he would vote "yea." Were I permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], and the Senators from Oklahoma [Mr. KERR and Mr. MONRONEY] are absent on official business.

I further announce that if present, and voting, the Senator from Delaware [Mr. FREAR], the Senator from Florida [Mr. HOLLAND], and the Senator from Oklahoma [Mr. KERR] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Nebraska [Mr. HRUSKA], and the Senator from New York [Mr. IVES] are absent on official business.

The Senator from Kansas [Mr. CARLSON], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS] is absent because of illness in the family.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

On this vote, the Senator from Maine [Mr. PAYNE] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maine would vote "yea", and the Senator from Nebraska would vote "nay."

The respective pairs of the Senator from New Jersey [Mr. SMITH] and of the Senator from Ohio [Mr. BRICKER] have been previously announced.

The result was announced—yeas 41, nays 40, as follows:

YEAS—41

Aiken	Green	McNamara
Anderson	Hayden	Morse
Beall	Hennings	Morton
Bennett	Humphrey	Murray
Bible	Jackson	Neuberger
Carroll	Javits	O'Mahoney
Case, N. J.	Johnson, Tex.	Pastore
Case, S. Dak.	Kefauver	Proxmire
Chavez	Kennedy	Purtell
Church	Langer	Saltonstall
Clark	Lausche	Symington
Cooper	Magnuson	Wiley
Dirksen	Malone	Yarborough
Douglas	Mansfield	

NAYS—40

Barrett	Hickenlooper	Revercomb
Bridges	Hill	Robertson
Butler	Hoblitzell	Russell
Byrd	Jenner	Schoeppel
Capehart	Johnston, S. C.	Smith, Maine
Cotton	Jordan	Sparkman
Curtis	Knowland	Stennis
Dworshak	Kuchel	Talmadge
Eastland	Long	Thurmond
Ellender	Martin, Iowa	Thye
Ervin	Martin, Pa.	Watkins
Fulbright	McClellan	Williams
Goldwater	Mundt	
Gore	Potter	

NOT VOTING—15

Allott	Frear	Monroney
Bricker	Holland	Payne
Bush	Hruska	Smathers
Carlson	Ives	Smith, N. J.
Flanders	Kerr	Young

So Mr. CARROLL's motion to recommit was agreed to.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the motion to recommit was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Montana to reconsider. (Putting the question)——

Mr. THURMOND. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

Mr. THURMOND. I would like to know what the motion is. I cannot hear the Senator from Texas.

Mr. JOHNSON of Texas. A motion was made to reconsider the vote by which the bill was recommitted. I made a motion to lay that motion on the table.

The VICE PRESIDENT. The motion is not debatable.

The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from Montana to reconsider.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 4249) to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose.

The message also announced that the House had agreed to the report of the committee of further conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, and that the House receded from its disagreement to the amendment of the Senate numbered 36 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 9950. An act for the relief of D. A. Whitaker and others; and

H. R. 11889. An act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

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;

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes; and

H. R. 9817. An act relating to venue in tax refund suits by corporations.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

H. R. 1493. An act for the relief of Lt. Col. Charles A. Holshouser;

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 2269. An act for the relief of Truck & Axle Manufacturing Co.;

H. R. 4991. An act for the relief of Waldo E. Miller;

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 5584. An act for the relief of Mrs. Maude L. Smith;

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from the interlocutory orders;

H. R. 6595. An act for the relief of Markus H. Teitel;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzger;

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7499. An act for the relief of the Cooper Tire & Rubber Co.;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes;

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-condtional and career appointments in the competitive civil service;

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;

H. R. 9822. An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes;

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of

uniformity of boating laws; and for other purposes;

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12365. An act for the relief of the estate of Suck Pil Ra;

H. R. 12632. An act authorizing Gus. A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12663. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Anneliese Ottolenghi;

H. R. 13132. An act to amend the District of Columbia Teachers' Salary Act of 1955;

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson, Company, and Houma Canals, La., and for other purposes;

H. J. Res. 557. Joint resolution to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission;

H. J. Res. 630. Joint resolution to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the Southwest area in the District of Columbia;

H. J. Res. 654. Joint resolution requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways; and

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

SUPPLEMENTAL APPROPRIATION BILL, 1959—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the distinguished chairman of the Committee on Appropriations has a conference report to present on the supplemental appropriation bill. I understand the conferees were unanimous. I hope we can act on the report promptly, and proceed to the consideration of other business this evening.

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the Senate numbered 36, and the amendment of the House thereto, and numbered 114, to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 36 and the amendment of the House thereto, and numbered 114 to the bill (H. R. 13450) "making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$2,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 36.

CARL HAYDEN,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
CLINTON P. ANDERSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
GERALD R. FORD, Jr.,
FRANK T. BOW,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 36.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

Mr. JOHNSON of Texas. Mr. President, I ask the Senator from Arizona to give an explanation of what the conferees did as to amendment No. 36.

Mr. HAYDEN. The amendment originally read:

No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress.

The conferees added the words "for any period prior to June 30, 1960" after "National Aeronautics and Space Administration." In other words, this language would accomplish the purpose of the Senate for the period ending June 30, 1960, and not permanently.

Mr. JOHNSON of Texas. Mr. President, I think so far as fiscal year 1960 is concerned, this would take care of the situation. I realize, after having served in the House of Representatives for 6 terms, and in the Senate for some 10 years, that legislation is a matter of give and take. I realize that we cannot always have everything we want.

I think it is highly desirable that Congress maintain a constant surveillance over new agencies and be at least informed as to what are their plans and what their expenditures may be. Congress should be informed prior to the time the agencies seek appropriations, so that public opinion may reflect itself.

I realize the point of view expressed in the House. I have read the debate. I am sorry to say I do not believe the House Members realized the full portent of our amendment.

In view of the fact that the distinguished chairman of the committee and the other able conferees have been able to preserve the principle for 1 year, and in view of the fact that the Special Committee on Space and Astronautics intends to act as a partner and not an adversary with the National Aeronautics and Space Administration, I am willing to go along with the agreement of the conferees. I would not be frank, however, if I did not say for the record, so that all who hear may know, I think the conferees made a serious mistake when they reduced the appropriations to the extent they did for the National Aeronautics and Space Administration. I think time will tell, and I want to predict that the reduction we made, below the President's budget request, will return to haunt us.

So far as I am concerned, I am not going to attempt to hold up the conference report. The authorizing committee did hear detailed evidence to justify the President's budget request. As nearly as I can tell, that detailed information was not available to the individual members of the Appropriations Committee to the same extent.

The President asked for $125 million. The Senate provided the full $125 million. We went to conference, and we settled by cutting off $45 million of the $50 million the Senate provided.

Since we live in an uncertain world, it is certainly a calculated gamble to do this. I think I should raise my voice and warn the Members of Congress who have taken that gamble that I want none of the blood on my hands which may result from our failure to take adequate steps in time.

There is not anything we can do about the matter now. We have had to accede to the views of the other body. I realize that is necessary. I think the conferees have done as good a job as they could do. I do not rise to criticize anyone. I rise to attempt to warn the people of America that in my opinion the President's budget request was too low. Then when we took a meat ax after it and cut it from $125 million to $75 million, practically a 50-percent cut, without justification, we made a serious mistake.

Mr. BRIDGES. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield to the Senator from New Hampshire.

Mr. BRIDGES. I want to say to the distinguished chairman of the committee that I had the pleasure of serving with him on the conference committee. I realize the strong feelings of the Senate, as demonstrated by the 86-to-0 vote yesterday.

I know that, with respect to legislation, the two Houses must reach a common ground of understanding. I believe the Senate conferees were able to do that without surrendering the principle they stood for. When a conferee is able to arrive at a common ground of agreement with the other body and does not surrender principles, I think one has been successful. Therefore, in spite of the fact that the report is not exactly as I should like to see it, it is satisfactory to the Senator from New Hampshire, both as a conferee of the committee and the ranking minority member of the Special Committee on Space and Astronautics. I am glad to join in approval.

Mr. HAYDEN. The Senator will agree with me that we will obtain experience for 1 year with the legislative committee; that is, the Special Committee on Space and Astronautics. The committee will pass upon the subject matter before it goes to the Committee on Appropriations, and we will have the advantage of passing an authorization bill. If that turns out to be good procedure, it can be followed afterward. We will have that experience, which we would not have if we had accepted the House amendment in the first place.

Mr. BRIDGES. The Senator is correct.

Mr. DIRKSEN and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. HAYDEN. I yield first to the Senator from Illinois.

Mr. DIRKSEN. I wish to ask the Senator from New Hampshire a question, if I may. We really had difficulty with the item the first time it came before the Appropriations Committee. I must confess that, except for the items of equipment and the things which need to be ordered, deciding what to do was sort of guesswork on my part. I was willing to go to a much lower figure. With the $80 million, certainly the agency will be able to plan between now and the first of the year. If additional funds and additional authority are necessary, there will be no difficulty in coming to the Congress in ample time for that purpose.

Mr. HAYDEN. Particularly if the Special Committee on Space and Astronautics authorizes the action.

Mr. BRIDGES. The Senator is correct. I think we have a good arrangement.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I commend the conferees for their excellent work. Of course, we are never exactly satisfied with anything.

There was one item in the appropriation bill this year which I think the Senate and the Congress will have to do something about next year. We provided an item of $29.5 million in the Senate bill for modernization of the Post Office Department. Far more than that is needed to really modernize our post offices as they should be modernized at the present time.

Being chairman of the Committee on Post Office and Civil Service, naturally I come in contact with subjects of that kind to a greater extent than other Senators. So I hope that next year the Senate will not only give $29,500,000, but will see to it that the proper amount is allowed to do a good job.

Mr. HAYDEN. Mr. President, while the House did not agree to allow any money for that purpose at this time, we did obtain the promise that if a budget estimate were to come up early in the year, it would be given early consideration by the other body, and something would probably be done about it.

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

Mr. HAYDEN. I yield.

Mr. HUMPHREY. I should like to inquire of the distinguished chairman what happened to the item relating to civil defense appropriations?

Mr. HAYDEN. We could not get anywhere with it.

Mr. HUMPHREY. Did the Senate conferees have to accede to the House figure?

Mr. HAYDEN. We asked the House conferees to take the item back to the House, and the House overwhelmingly voted not to accept it, so we were compelled this morning to recede.

Mr. HUMPHREY. What is the figure which is allowed for civil defense appropriations?

Mr. HAYDEN. Two and one-half million dollars for emergency supplies.

Mr. HUMPHREY. Nothing for Federal contributions?

Mr. HAYDEN. That is correct.

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

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. We tried very hard in the conference to put through the adjustment which was agreed to on the floor of the Senate, but the House conferees were adamant. We could not move them at all. They were very much opposed to beginning the new activity, but they took the item back to the House, and, as the distinguished chairman said, the House supported the conferees on the floor of the House, and we could do nothing further.

Mr. HUMPHREY. I understood what happened early this morning. I merely wished to develop the record.

I believe that the chairman of the committee and all the other members of the committee, particularly the Senator from Massachusetts [Mr. SALTONSTALL], have been a fine help in arriving at an arrangement in the Senate. I regret that the funds for Federal contributions have been dropped. This is a blow to the State civil defense agencies.

Let me say to our friends in the other body that they are the ones who initiated the legislation for Federal contributions. They initiated the legislation for greater Federal appropriations. It is rather paradoxical and ironic that they are the ones who now refuse to go along; but I know that some of the Members of the other body will read the record. If the Lord grants me the right to live until next January, I shall be back here making a request before the appropriate subcommittee and committee for funds for civil defense. The administration will be doing so, too, but I should like to support it.

I note the fact that several Senators are nodding their heads. I should like to be able to register those nods as vocal assents.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona [Mr. HAYDEN] that the Senate concur in the House amendment to Senate amendment No. 36.

The motion was agreed to.

The amendment of the House to Senate amendment No. 36 is as follows:

In lieu of the matter proposed by said amendment, as amended by the House amendment thereto, insert "no appropriation may be made to the National Aeronautics and Space Administration for any period prior to June 30, 1960, unless previously authorized by legislation hereafter enacted by the Congress."

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be printed in the RECORD a table illustrating the appropriations as they appeared in the House and Senate bills and agreed to in conference.

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

The supplemental appropriation bill, 1959 (H. R. 13450)

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	DEPARTMENT OF AGRICULTURE				
	AGRICULTURAL RESEARCH SERVICE				
	SALARIES AND EXPENSES				
394	Plant and animal disease and pest control	$3,000,000	$2,000,000	$4,000,000	$3,500,000
	Meat inspection	2,100,000	1,750,000	2,100,000	1,750,000
	Total, salaries and expenses	5,100,000	3,750,000	6,100,000	5,250,000
	AGRICULTURAL CONSERVATION PROGRAM SERVICE				
394	Emergency conservation measures	Language	Language	Language	Language

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	DEPARTMENT OF AGRICULTURE—Continued				
	SOIL BANK PROGRAMS				
394	Acreage reserve program	$282,800,000	$275,000,000	$279,450,000	$279,450,000
	Total, chapter I	287,900,000	278,750,000	285,550,000	284,700,000
	DEPARTMENT OF COMMERCE				
	CIVIL AERONAUTICS ADMINISTRATION				
394	Operation and regulation	12,750,000	11,735,000	12,750,000	11,735,000
394	Construction and development, additional Washington airport	53,500,000	50,000,000	50,000,000	50,000,000
	BUREAU OF FOREIGN COMMERCE				
394 / S. 110	Salaries and expenses	305,000			
394	Export control	3,060,000	3,060,000	3,060,000	3,060,000
	COAST AND GEODETIC SURVEY				
394	Salaries and expenses	491,000	343,500	343,500	343,500
394	Construction and equipment, geomagnetic station	400,000	400,000	400,000	400,000
	MARITIME ACTIVITIES				
394	Salaries and expenses	25,000		25,000	
394	Maritime training	175,000	68,000	68,000	68,000
S. 110	War Shipping Administration liquidation	Language		Language	Language
	BUREAU OF PUBLIC ROADS				
394	General administrative expenses	(550,000)		(550,000)	
394	Inter-American Highway	10,000,000	10,000,000	10,000,000	10,000,000
	NATIONAL BUREAU OF STANDARDS				
394	Expenses	262,000		262,000	
394	Plant and equipment	200,000	186,000	200,000	186,000
394	Construction of facilities	3,000,000	3,000,000	3,000,000	3,000,000
	WEATHER BUREAU				
394	Salaries and expenses	840,000	1,840,000	1,840,000	$1,840,000
394	Establishment of meteorological facilities	1,300,000	1,300,000	1,300,000	1,300,000
	RELATED AGENCIES				
	SMALL BUSINESS ADMINISTRATION				
S. 110	Salaries and expenses	3,775,000		3,775,000	3,500,000
S. 110	Revolving fund	215,000,000		215,000,000	200,000,000
	Total, chapter II	305,083,000	81,932,500	302,023,500	285,432,500
	DEPARTMENT OF DEFENSE—MILITARY FUNCTIONS				
	INTERSERVICE ACTIVITIES				
394	Retired pay, 1958	9,000,000	9,000,000	9,000,000	9,000,000
394	Retired pay, 1959	18,000,000			
	DEPARTMENT OF THE ARMY				
394	Military personnel, 1956	8,000,000			
	DEPARTMENT OF THE NAVY				
394	Medical care, 1958	(8,000,000)			
	Total, chapter III	35,000,000	9,000,000	9,000,000	9,000,000
	DISTRICT OF COLUMBIA				
	OPERATING EXPENSES				
394	Department of Public Health	(86,000)			
394	Personal services, wage-scale employees (fiscal year 1958)	(75,000)	(75,000)	(75,000)	(75,000)
	MISCELLANEOUS				
394	Settlement of claims and suits	(26,701)	(26,701)	(26,701)	(26,701)
394	Judgments	(1,280)	(1,280)	(1,280)	(1,280)
394	Audited claims	(19,645)	(19,645)	(19,645)	(19,645)
	Total, chapter IV	(208,626)	(122,626)	(122,626)	(122,626)
	FOREIGN OPERATIONS				
	DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS				
266	Administration, Ryukyu Islands	3,150,000	2,750,000	2,850,000	2,830,000
266	Construction of utility systems, Ryukyu Islands	6,000,000	600,000	600,000	600,000
	Subtotal	9,150,000	3,350,000	3,450,000	3,430,000
	EXPORT-IMPORT BANK				
266	Administrative expense limitation	($2,055,000)	($2,055,000)	($2,055,000)	($2,055,000)
	Total, chapter V	9,150,000	3,350,000	3,450,000	3,430,000
	GENERAL GOVERNMENT MATTERS				
	EXECUTIVE OFFICE OF THE PRESIDENT				
S. 110	Executive Mansion and Grounds:				
	Extraordinary alterations and repairs	100,000		100,000	100,000
	Office of Civil and Defense Mobilization:				
S. 110	Salaries and expenses	4,000,000		2,915,000	2,500,000
S. 110	Research and development	9,150,000			
S. 110	Federal contributions	9,000,000		4,000,000	
S. 110	Emergency supplies and equipment	7,188,000		2,000,000	2,000,000
	FUNDS APPROPRIATED TO THE PRESIDENT				
S. 110	Translation of publications and scientific cooperation	Language		5,100,000	5,100,000

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	GENERAL GOVERNMENT MATTERS—Continued				
	CORREGIDOR BATAAN MEMORIAL COMMISSION				
394	Salaries and expenses	$46,000		$46,000	
	Total, chapter VI	29,484,000		14,161,000	$9,700,000
	INDEPENDENT OFFICES				
	FEDERAL COMMUNICATIONS COMMISSION				
394	Salaries and expenses	142,000	$142,000	142,000	142,000
	FEDERAL POWER COMMISSION				
394	Salaries and expenses	120,000	120,000	120,000	120,000
	GENERAL SERVICES ADMINISTRATION				
394	Public Buildings Service, operating expenses	6,400,000	3,800,000	5,800,000	5,200,000
394	Construction, public buildings	323,000	323,000	323,000	323,000
	Hospital facilities in the District of Columbia			1,020,000	1,020,000
394	Expenses, supply distribution	177,000	160,000	160,000	160,000
394	National Archives and Records Service	36,000	32,500	32,500	32,500
	HOUSING AND HOME FINANCE AGENCY				
394	Federal National Mortgage Association (limitation on administrative expenses)	(800,000)	(700,000)	(700,000)	(700,000)
S. 110	Federal Housing Administration (limitation on administrative and nonadministrative expenses)	(4,600,000)		(4,600,000)	(4,600,000)
	Public Housing Administration:				
394	Annual contributions (fiscal year 1958)	4,300,000	3,900,000	3,900,000	3,900,000
394	Limitation on nonadministrative expenses	(750,000)	(500,000)	(500,000)	(500,000)
	INTERSTATE COMMERCE COMMISSION				
S. 110	Salaries and expenses	500,000		461,000	300,000
	NATIONAL AERONAUTICS AND SPACE ADMINISTRATION				
S. 112	Salaries and expenses	7,000,000		7,000,000	5,000,000
S. 112	Research and development	70,200,000		70,200,000	50,000,000
S. 112	Construction and equipment	47,800,000		47,800,000	25,000,000
	NATIONAL SCIENCE FOUNDATION				
394	Salaries and expenses	4,400,000	4,000,000	4,400,000	4,000,000
394	International Geophysical Year	2,950,000	2,500,000	2,500,000	2,500,000
	VETERANS' ADMINISTRATION				
394	General operating expenses	5,269,000	4,750,000	5,269,000	5,000,000
394	Inpatient care	3,486,000	3,400,000	3,490,000	3,400,000
S. 110	Grants to the Republic of the Philippines	450,000		450,000	
S. 110	Soldiers' and sailors' civil relief	1,300,000		1,300,000	1,300,000
	Total, chapter VII	154,853,000	23,127,500	154,277,500	107,397,500
	DEPARTMENT OF THE INTERIOR				
	DEPARTMENTAL OFFICES				
	OFFICE OF SALINE WATER				
394	Salaries and expenses	530,000	345,000	345,000	345,000
	OFFICE OF MINERALS EXPLORATION				
S. 113	Salaries and expenses	5,000,000		4,700,000	4,000,000
	OFFICE OF OIL AND GAS				
S. 110	Salaries and expenses	53,500		18,500	18,500
	BUREAU OF LAND MANAGEMENT				
S. 110, 394	Management of lands and resources	1,000,000	200,000	885,000	885,000
	BUREAU OF INDIAN AFFAIRS				
394	Road construction and maintenance (liquidation of contract authorization)	4,000,000	1,500,000	4,000,000	4,000,000
	GEOLOGICAL SURVEY				
394	Surveys, investigations, and research	3,983,000	1,500,000	2,483,000	1,500,000
	BUREAU OF MINES				
394	Conservation and development of mineral resources	2,850,000	1,250,000	1,350,000	1,250,000
394	Health and safety	50,000			
394	Construction	11,280,000	10,905,000	10,905,000	10,905,000
	NATIONAL PARK SERVICE				
394	Management and protection	88,000		50,000	50,000
394	Construction	1,200,000		200,000	
394	Construction (liquidation of contract authorization)	10,000,000		10,000,000	5,000,000
	FISH AND WILDLIFE SERVICE				
	BUREAU OF SPORT FISHERIES AND WILDLIFE				
394	Management and investigations of resources	325,625	Language	125,000	125,000
	Construction			675,000	
	BUREAU OF COMMERCIAL FISHERIES				
394	Management and investigations of resources	425,625	85,000	85,000	85,000
	Subtotal, Department of the Interior	40,785,750	15,785,000	35,821,500	31,163,500

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	INDEPENDENT OFFICES				
	ALASKA INTERNATIONAL ROAD AND HIGHWAY COMMISSION				
S. 110	Salaries and expenses	$240,000		$240,000	$40,000
	NATIONAL CAPITAL PLANNING COMMISSION				
394	Land, acquisition, National Capital Park, parkway, and playground system	2,000,000			
	SMITHSONIAN INSTITUTION				
394	Salaries and expenses	52,800	$52,800	52,800	52,800
	HISTORICAL AND MEMORIAL COMMISSIONS				
S. 110	Boston National Historical Sites Commission	20,000		20,000	20,000
394	Civil War Centennial Commission	63,000	63,000	63,000	63,000
	Hudson-Champlain Celebration Commission			50,000	50,000
S. 110, 394	Lincoln Sesquicentennial Commission	742,000	142,000	642,000	350,000
	OUTDOOR RECREATION RESOURCES REVIEW COMMISSION				
S. 110	Salaries and expenses	100,000		100,000	50,000
	VIRGIN ISLANDS CORPORATION				
S. 110	Borrowing authority	(1,500,000)			
	Total, chapter VIII	44,003,550	16,042,800	36,989,300	31,789,300
	DEPARTMENT OF LABOR				
	OFFICE OF THE SOLICITOR				
394	Salaries and expenses	110,000	110,000	110,000	110,000
	BUREAU OF EMPLOYMENT SECURITY				
394	Salaries and expenses	347,000	300,000	300,000	300,000
394	Grants to States for unemployment compensation and employment service administration	10,600,000	20,600,000	20,600,000	20,600,000
394	Unemployment compensation for veterans	37,700,000	37,700,000	37,700,000	37,700,000
394	Unemployment compensation for Federal employees	36,300,000	36,300,000	36,300,000	36,300,000
	Total, Department of Labor	85,057,000	95,010,000	95,010,000	95,010,000
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	GALLAUDET COLLEGE				
S. 110	Salaries and expenses, 1958	15,000		15,000	15,000
S. 110	Salaries and expenses	32,300		34,000	34,000
	HOWARD UNIVERSITY				
S. 110	Salaries and expenses, 1958	182,500		182,500	182,500
S. 110	Salaries and expenses	396,600		396,600	396,600
	OFFICE OF EDUCATION				
S. 115	Assistance for school construction	60,150,000		60,150,000	50,000,000
S. 115	Payments to school districts	149,700,000		149,700,000	130,000,000
S. 115	Salaries and expenses	316,000		316,000	186,500
	PUBLIC HEALTH SERVICE				
	Assistance to States, general			1,000,000	
394	Salaries and expenses, hospital construction services	150,000			
394	Military pay increases, various appropriations	2,270,000		634,000	
	ST. ELIZABETHS HOSPITAL				
394	Salaries and expenses	32,000	32,000	32,000	32,000
	SOCIAL SECURITY ADMINISTRATION				
394	Limitation on salaries and expenses, Bureau of Old-Age and Survivors Insurance	(5,831,000)	(5,831,000)	(5,831,000)	(5,831,000)
	OFFICE OF THE SECRETARY				
394	Salaries and expenses, office of field administration	(18,000)	(18,000)	(18,000)	(15,000)
	Total, Department of Health, Education, and Welfare	213,244,400	32,000	212,460,100	180,846,600
	NATIONAL LABOR RELATIONS BOARD				
394	Salaries and expenses	1,515,000			
	UNITED STATES SOLDIERS' HOME				
394	Limitation on operation and maintenance and capital outlay	(232,000)	(232,000)	(232,000)	(232,000)
	Total, chapter IX	299,816,400	95,042,000	307,470,100	275,856,600
	LEGISLATIVE BRANCH				
	SENATE				
	SALARIES, OFFICERS AND EMPLOYEES				
S. 112	Committee employees	102,160		102,160	102,160
	CONTINGENT EXPENSES OF THE SENATE				
	Committee on Rules and Administration			200	200
S. 112	Inquiries and investigations, 1958	73,000		73,000	73,000
S. 112	Inquiries and investigations, 1959	10,000		10,000	10,000
S. 112	Stationery (revolving fund)	300		300	300
	Miscellaneous items	Language		Language	Language
	HOUSE OF REPRESENTATIVES				
	Payment to widow of deceased member			22,500	22,500
	CONTINGENT EXPENSES				
	Stationery (revolving fund)		262,800	262,800	262,800

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	LEGISLATIVE BRANCH—Continued				
	ARCHITECT OF THE CAPITOL				
	CAPITOL BUILDINGS AND GROUNDS				
S. 112	Expansion of additional site for New Senate Office Building	$625,000		$625,000	$625,000
	CAPITOL POWER PLANT				
	Expansion of facilities		$750,000	750,000	750,000
	LIBRARY OF CONGRESS				
	Preservation of early American motion pictures			60,000	60,000
	General provisions			Language	Language
	Total, chapter X	810,460	1,012,800	1,905,960	1,905,960
	ATOMIC ENERGY COMMISSION				
113	Operating expenses	2,443,000,000	2,375,972,000	2,418,840,000	2,397,406,000
266, 388					
388	Plant acquisition and construction	204,000,000	229,429,000	249,929,000	249,929,000
	Total, chapter XI	2,647,000,000	2,605,401,000	2,668,769,000	2,647,335,000
	PUBLIC WORKS				
	DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS				
	DEPARTMENT OF THE ARMY				
	Rivers and Harbors and Flood Control				
	Construction, general			1,925,000	
	Operation and maintenance, general			70,000	70,000
	DEPARTMENT OF THE INTERIOR				
	BUREAU OF RECLAMATION				
	Construction and rehabilitation			2,500,000	
	Loan program			4,203,000	4,203,000
	Total, chapter XII			8,698,000	4,273,000
	DEPARTMENT OF STATE				
	ADMINISTRATION OF FOREIGN AFFAIRS				
394	Salaries and expenses	854,000	450,000	650,000	550,000
	PAYMENT TO GOVERNMENT OF DENMARK				
394	Payment to Government of Denmark	5,296,302	5,296,302	5,296,302	5,296,302
	INTERNATIONAL ORGANIZATION AND CONFERENCES				
	INTERNATIONAL CONTINGENCIES				
S. 110	International contingencies	200,000		200,000	
	Total, Department of State	6,350,302	5,746,302	6,146,302	5,846,302
	DEPARTMENT OF JUSTICE				
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
394	Salaries and expenses, general legal activities	200,000	200,000	200,000	200,000
394	Salaries and expenses, United States attorneys and marshals (1958)	Language	Language	Language	Language
	FEDERAL PRISON SYSTEM				
394	Salaries and expenses, Bureau of Prisons	2,066,000	2,066,000	2,066,000	2,066,000
	GENERAL PROVISIONS				
394	General provisions				
	Total, Department of Justice	2,266,000	2,266,000	2,266,000	2,266,000
	UNITED STATES INFORMATION AGENCY				
394	Salaries and expenses	1,100,000			
S. 112	Acquisition and construction of radio facilities	22,300,000		15,000,000	10,000,000
S. 110	Payment to informational media and guaranty fund	7,000,000		5,000,000	2,500,000
	Total, United States Information Agency	30,400,000		20,000,000	12,500,000
	Total, chapter XIII	39,016,302	8,012,302	28,412,302	20,612,302
	TREASURY DEPARTMENT				
	BUREAU OF THE PUBLIC DEBT				
394	Administering the public debt	1,500,000	1,500,000	1,500,000	1,500,000
	BUREAU OF CUSTOMS				
394	Salaries and expenses	150,000			
	UNITED STATES SECRET SERVICE				
394	Salaries and expenses, White House Police	54,000		54,000	
S. 110	Contribution for annuity benefits	Language		Language	Language
	COAST GUARD				
394	Operating expenses	6,900,000	Language	Language	Language
394	Retired pay	700,000			
394	Acquisition, construction, and improvements	150,000	150,000	399,000	150,000
	Total, Treasury Department	9,454,000	1,650,000	1,953,000	1,650,000

The supplemental appropriation bill, 1959 (H. R. 13450)—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action
	POST OFFICE DEPARTMENT				
394	Administration, regional operation, and research	$1,600,000			
394	Transportation, 1958	3,000,000			
	REIMBURSEMENT FOR PUBLIC SERVICES				
S. 110	Reimbursement for public services	171,259,000			
	PAYMENT TO POSTAL MODERNIZATION FUND				
S. 110	Payment to postal modernization fund	29,500,000		$29,500,000	
	Total, Post Office Department	205,359,000		29,500,000	
	Total, chapter XIV	214,813,000	$1,650,000	31,453,000	$1,650,000
	CLAIMS AND JUDGMENTS				
S. 418, 112	Claims and judgments	14,224,509	8,523,895	14,223,316	14,223,316
	GENERAL PROVISION				
S. 110	Salary increases, policemen, firemen, and teachers	Language		Language	Language
	Grand total	4,081,154,221	3,131,844,797	3,866,382,978	3,697,305,478

LUMP-SUM PAYMENT FOR ACCRUED ANNUAL LEAVE OF DECEASED EMPLOYEES—CONFERENCE REPORT

Mr. JOHNSTON of South Carolina. 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. 7710) to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7710) entitled "An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its amendment numbered 1.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2 and agree to the same with an amendment as follows:

In Senate amendment numbered 2 as set forth in the Senate engrossed amendments strike out "SEC. 3." and insert in lieu thereof "SEC. 2."

And the Senate agree to the same.

OLIN D. JOHNSTON,
DICK NEUBERGER,
RALPH YARBOROUGH,
THOMAS E. MARTIN,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSTON of South Carolina. Mr. President, the conference agreement on this bill is completely satisfactory to both Houses. The House has accepted section 3 of the bill which is a Senate amendment and the Senate has agreed to striking out section 2 of the bill because identical language is contained in another measure now awaiting approval in the House. The Senate has been assured that action will be taken on the bill pending in the House, so no purpose would be served by retention of the same provision in H. R. 7710.

The PRESIDING OFFICER (Mr. BEALL in the chair). The question is on agreeing to the conference report.

The report was agreed to.

ADDITIONAL JUDGE FOR JUVENILE COURT OF DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. CLARK. 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. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered (1), (2), (3), (4), and (5).

JOSEPH S. CLARK,
ALAN BIBLE,
JACOB K. JAVITS,
Managers on the Part of the Senate.

THOMAS G. ABERNETHY,
JOHN DOWDY,
JOSEPH P. O'HARA,
JOHN J. ALLEN, Jr.,
Managers on the Part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CLARK. Mr. President, as the present occupant of the chair [Mr. BEALL] knows, it is of the greatest importance that there be an additional judge in the Juvenile Court of the District of Columbia. In order to obtain that additional judge it was necessary for the Senate conferees to recede from three amendments to the House bill. The Senate conferees were unanimous in their view that they should recede, and I ask for approval of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

LOAN OF CAPTION FILMS FOR THE DEAF

Mr. HILL. Mr. President, on August 26 of last year, the Senate passed S. 1889, providing in the Department of Health, Education, and Welfare, a loan service of caption films for the deaf. This bill was referred to the House Committee on Education and Labor which considered this legislation this year and after amending the bill in two respects, namely; by authorizing an appropriation not to exceed $250,000 and by striking out the "Advisory Council," favorably reported the bill under House number H. R. 13678 to the House. The House, on August 15, 1958, passed this bill without further amendment.

Mr. President, the House bill, H. R. 13678, is now at the President's desk. I ask the Chair to lay the House bill before the Senate and I ask unanimous consent for the immediate consideration of H. R. 13678.

The PRESIDING OFFICER laid before the Senate a bill coming over from the House of Representatives, (H. R. 13678) to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf, which was read twice by 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.

CARL EBERT AND HIS WIFE, GERTRUDE EBERT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3276) for the relief of Carl Ebert and his wife, Gertrude Ebert, which was, to strike out all after the enacting clause and insert:

That section 352 (a) of the Immigration and Nationality Act shall be held to have been and to be inapplicable to Carl Ebert and his wife, Gertrude Ebert: *Provided*, That they return to the United States to reside within 3 years following the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, on June 23, 1958, the Senate passed S. 3276, to permit two naturalized United States citizens to remain in Germany, the country of their birth, for 3 years following the date of enactment of the act without losing their United States citizenship by protracted residence abroad.

On August 19 the House of Representatives passed S. 3276, with a technical amendment which does not change the original intent of the bill as passed by the Senate.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

The motion was agreed to.

VICENTA GARCIA Y PUENTE

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3818) for the relief of Vicenta Garcia y Puente, which was, to strike out all after the enacting clause and insert:

That the Attorney General is authorized and directed to cancel any outstanding order and warrant of deportation, warrant of arrest, and bonds, which may have issued in the case of Vicenta Garcia y Puente. From and after the date of the enactment of this act, the said Vicenta Garcia y Puente shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrant and orders have issued.

Mr. JOHNSON of Texas. Mr. President, on August 11, 1958, the Senate passed S. 3818, to grant the status of permanent residence in the United States to the beneficiary, who is an elderly widow residing in the United States with her children.

On August 19, 1958, the House of Representatives passed S. 3818, with an amendment to merely cancel outstanding deportation proceedings.

The amendment is acceptable, and I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

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

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The Clerk will call the roll.

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

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

ORDER FOR CONVENING TOMORROW MORNING AT 9:30

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow, it convene at 9:30 o'clock a. m.

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

NOTICE OF LATE SESSION TOMORROW AND POSSIBLE SINE DIE ADJOURNMENT ON SATURDAY NIGHT

Mr. JOHNSON of Texas. Mr. President, I wish to give notice that we expect to have a very late session tomorrow evening and that we shall make every effort to adjourn sine die by Saturday night.

I should like to have the very faithful members of the staff to be informed that we will have two more very trying days, and we may have to work around the clock. However, we have some very important proposed legislation which must be acted on.

Mr. President——

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

EXTENSION OF RENEGOTIATION ACT OF 1951

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 2544, H. R. 11749, to extend the Renegotiation Act of 1951 for 6 months, and for other purposes. I give notice now that if the motion is agreed to, I do not intend to have any action taken on the bill tonight.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 11749) to extend the Renegotiation Act of 1951 for 6 months, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. I wish to give notice of the possibility that the bill dealing with the Railroad Retirement Act will be offered as an amendment to the pending bill. I wish Senators to be on notice that, while that has not definitely been determined, it is likely before we conclude consideration of H. R. 11749, to extend the Renegotiation Act, an amendment will be offered to it incorporating the substance of the railroad retirement bill reported by the senior Senator from Oregon [Mr. MORSE].

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

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. Does the Senator mean S. 2020 or S. 1313? There are two. S. 2020 is the technical bill.

Mr. JOHNSON of Texas. I have reference to Calendar 2428, S. 1313, to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act so as to provide increases in benefits and for other purposes.

The Senator from Nebraska [Mr. CURTIS] and the Senator from New Jersey [Mr. SMITH] wish to be informed about it. I refer to calendar 2428, S. 1313. I do not know that that amendment will be offered, but there is a possibility of it. I shall give the minority leadership such information ahead of time as I can, although any Senator has the right to offer an amendment to any bill.

Mr. CURTIS. Mr. President, will the distinguished Senator yield?

Mr. JOHNSTON of Texas. I yield.

Mr. CURTIS. To what bill would the Railroad Retirement Act be offered as an amendment?

Mr. JOHNSON of Texas. To calendar 2544, H. R. 11749, to extend the Renegotiation Act, which is a House bill.

I shall be very glad to enter into a unanimous-consent agreement to limit debate of the pending bill if Senators are disposed to do so.

One of the reasons for coming in early tomorrow morning is that I hope we will be able to dispose of the Renegotiation Act extension, the mutual security appropriation bill, the bill increasing the public debt limit, the conference report on S. 3420, dealing with Public Law 480, and the other appropriation bills, so that we may adjourn sine die on Saturday night.

With the fine cooperation I have received this week from every Member of the Senate, I have no doubt that we will be able to do it.

FINANCIAL CONDITION OF THE RAILROADS

Mr. JENNER. Mr. President, last Saturday, when this body had under consideration the social security amendments of 1958, the senior Senator from Oregon sent to the desk, as an amendment to that proposed legislation, S. 1313, which would amend the Railroad Retirement Act, the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act so as to provide increases in benefits and for other purposes. At that time he made certain comments regarding the history of S. 1313 and what he referred to as the "subsidy" or "handout" granted the railroads under the recently enacted legislation commonly referred to as the Smathers bill. I shall address myself to those comments.

The senior Senator from Oregon indicated in his statement that the Senate should vote on S. 1313 because in 1956 Congress had passed legislation which had to do with railroad retirement but had failed to provide funds to take care of the deficit in the railroad retirement fund which resulted from the passage of that legislation, that it was understood that at the next session of Congress legislation would be passed which would take care of that deficit, and to carry out that obligation the Senate should now consider the pending measure S. 1313.

It is true that in 1956 Congress passed legislation which granted a 10-percent increase in the annuities provided for under the railroad retirement system. No increased taxes to pay the cost of those benefits were provided in that bill. The railroads opposed the increased benefits in 1956. Notwithstanding this opposition, representatives of the railroad industry appeared in hearings on S. 1313 before the Railroad Retirement Subcommittee of the Senate Labor Committee in the spring of 1957 and stated that in the event the standard railway labor organizations had sponsored a bill in the 85th Congress only for the purpose of paying the cost of the 10 percent increased benefits the carriers would not have opposed such a proposal. In other words, if all S. 1313 had done was to pay off the deficit resulting from the 1956 legislation, the railroads would never have appeared regarding the bill. However, S. 1313 in the form introduced and also in the form reported by the Senate Committee on Labor and Public Welfare is a far cry from a bill aimed at merely financing the 10-percent increase in benefits provided for 2 years ago. With respect to the railroad retirement system the bill would provide a 10-percent increase in retirement benefits over and above the 10 percent granted in 1956; it would provide an increase in the taxable compensation base from $350 to $400 a month and an increase in the rate of tax from 6¼ percent to 9 percent each for employees and employers and thus raise retirement taxes paid by the railroads by more than $175 million a year.

In regard to the unemployment system S. 1313 would provide increased and extended unemployment and sickness benefits for railroad employees; it would fix the practical minimum weekly benefit at a level above the maximum weekly benefit under all but a very few State unemployment systems; it would permit individual beneficiaries to draw several thousand dollars in benefits for one period of unemployment; it would increase the tax base; and it would increase the tax rate paid by the railroads to support the unemployment system, thereby increasing the railroads' unemployment taxes by about $85 million a year more than they are now paying. It may be that there is some obligation on this body to consider legislation aimed at paying for the costs of the 1956 amendments to the railroad retirement system, but there certainly is no obligation to consider with favor the drastic and sweeping changes in the railroad retirement and unemployment systems contained in S. 1313 in the form reported by the Labor Committee.

The senior Senator from Oregon states that he does not propose to oppose the program set forth in S. 1313 on the basis that railroad workers and retired railroad employees should subsidize the carriers on the ground that the carriers now claim they cannot afford a fair retirement system. There is, of course, a considerable difference of opinion as to what constitutes a fair retirement system for railroad employees. As everyone knows, the benefits available to railroad workers under existing law are much more generous than those available to the worker under the present social-security system and will continue to be much more generous even if the social security amendments which we considered last week become law. However, the important point, it seems to me, is that the senior Senator from Oregon is willing to impose additional payroll taxes against the railroad industry regardless of their effect on that industry. He appears to be of the view that the only fact worth being considered is what is a fair system for a particular group of employees and once having determined that fact the system should be placed in effect without any consideration being given to the impact on the employers of such employees.

Every Member of the Senate is well aware of the very critical financial situation in which the railroads now find themselves. Extended hearings were held early this year on the legislation which has now become the Transportation Act of 1958, at which time the railroads clearly showed that they needed help and they needed it quickly. The railroads' position has not improved in the interim between those hearings and the present. As a matter of fact, it has steadily declined. In the first 5 months of 1958, 42 railroads were operating in a deficit. During that same period the net income of the class I railroads was only $72 million. Additionally, operating costs are steadily increasing and traffic is continuing to decline. Railroad employment in May 1958 was about 180,000 less than it was in May 1957.

The last serious freight car shortage in this country is that which occurred in the fall of 1956. Serviceable ownership of freight cars is now 20,000 less than it was at that time and such ownership recently has been decreasing at the rate of 10,000 cars a month. Because of the decline in earnings of the carriers they have been unable to maintain their car fleet, and accordingly there are about 140,000 freight cars out of service awaiting repairs. Further, lack of money prevents them from purchasing new cars. The imposition of increased payroll taxes, such as are provided for in S. 1313, would deprive the carriers of funds already badly needed for maintenance of existing equipment and purchase of new equipment all in the best interests of the national transportation system and at a time when the national defense potential of the railroads is already a matter of concern.

The senior Senator from Oregon states that if the railroads, in order to supply the people of the country with continuing transportation which is essential to national defense, need a further subsidy along the lines of the Smathers bill he would vote for it. The Smathers bill, of course, provides no subsidy or handouts as they were referred to in the Senator's statement, and no one can point to anything in the legislation which even smacks of a subsidy or handout.

As I understand the senior Senator from Oregon, his position is that increased benefits should be granted the railroad employees even though the cost of such benefits will thereafter prevent the railroads from buying new cars and maintaining their present fleet, and then if it develops that the railroads are inadequately equipped to take care of the defense needs of the Nation a subsidy should be provided. I am unalterably opposed to such a proposition, and I am certain that the majority of the House and Senate are likewise opposed. The railroads of this country have never asked for subsidization and I cannot believe that railroad employees would favor subsidies. Subsidizing the railroad industry is outright socialism and could only lead to nationalization of not only the railroads but of the entire transportation system of this country. We have all seen the disastrous results when the transportation systems of other countries have been nationalized. Certainly the railroad industry would not favor nationalization and the railroad employees would not desire to give up their right to collective bargaining, a right that almost certainly would be lost to them under Federal operation of the carriers.

It is obvious that the railroads do not have the money to pay for the costs of S. 1313. It does not appear in the foreseeable future that they will have funds to pay those costs. It seems to me that it is far more in the best interests of the Nation's economy and of the national defense to give the railroads an opportunity to use such funds as are available to provide themselves with a car supply capable of meeting the needs of this country than it is to deprive them of such funds and in fact bankrupt a number of lines in order to provide additional retirement and unemployment benefits to a group of employees whose benefits are already substantially more liberal than those granted to workers in industries other than the railroads.

MINERALS STABILIZATION LEGISLATION

Mr. BIBLE. Mr. President, today is a black day for the domestic mining industry of America. By a vote of 182 to 159, the House has defeated the minerals stabilization bill, washing—at least for a year—any hopes the faltering mining industry might have held out for a Congressional lifeline.

The bill that was defeated by the House today was certainly not a cure-all for all the ills besetting our mining industry, Mr. President. In fact, it fell far short of the aims many of us had hoped to achieve in the face of great obstacles. The bill was designed to assist domestic mining by establishing a

long-range purchase program for copper, lead, zinc, acid-grade fluorspar and tungsten, as well as promoting mining and development research for beryl, chromite and columbium-tantalum from domestic mines.

While I would prefer to see legislation enacted that would call for proper protective tariff guaranties to domestic mining to meet the unfair and indiscriminate importation of foreign metals, it was felt that this measure might provide at least a semblance of relief for a distressed and near-mordant segment of our economy. Under this bill, there was the possibility that we could have salvaged something—that perhaps some mines, now closed, might have been able to reopen and prevent our country from being barren of mineral production.

I am tremendously disappointed at the House action, Mr. President, not only because of the blow that has been dealt to our own mining industry but by its implication that some House Members have a greater concern for the mining world overseas than they do for our own producers.

AUTHORIZATION TO COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO FILE REPORT DURING ADJOURNMENT

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the Committee on Post Office and Civil Service be permitted to file, during the adjournment of the Senate, a report of its activities during the 85th Congress.

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

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL EXECUTIVE REPORTS OF A COMMITTEE

The following additional executive reports of a committee were submitted:

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

Howard W. Babcock, of Nevada, to be United States attorney for the district of Nevada, vice Franklin P. Rittenhouse; and

Russell R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia.

INCREASED DIVERSION OF WATER FROM LAKE MICHIGAN INTO ILLINOIS WATERWAY—AMENDMENTS

Mr. PROXMIRE submitted amendments, intended to be proposed by him, to the bill (H. R. 2) to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes, which were ordered to lie on the table, and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MUTUAL SECURITY APPROPRIATION BILL

Mr. BRIDGES (for himself and Mr. WILLIAMS) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 13192, an act making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, the following amendment, namely, page 7, line 21, add the following new section:

"SEC. 109. The Congress hereby requests the President, from time to time during the fiscal year ending June 30, 1959, to review the expenditures programed by the executive branch for such fiscal year and to issue such directives to the Director of the Bureau of the Budget and other officials in the executive branch of the Government as may be necessary to achieve the maximum reduction in the expenditures of the executive branch during such fiscal year consistent with the objectives of maintaining essential Government services, providing adequately for the common defense, and fostering a healthy national economy; all with a view toward achieving an aggregate, of at least 2 percent on defense appropriations and at least 4 percent on other appropriations but not more than 10 percent on any one item, reduction in the expenditures programed by the executive branch as of July 1, 1958, for the fiscal year ending June 30, 1959. Nothing in this section shall be deemed to authorize executive action to decrease expenditures for interest on the public debt, veterans compensation, or pensions, Federal, and State cooperative benefit programs and expenditures from trust funds. A report of action taken under this chapter shall be contained in the 1960 budget."

Mr. BRIDGES (for himself and Mr. WILLIAMS) also submitted an amendment, intended to be proposed by them, jointly, to House bill 13192, making appropriations for mutual security for the fiscal year ending June 30, 1959, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 21, 1958, he presented to the President of the United States the following enrolled bills:

S. 540. An act for the relief of the board of national mission of the Presbyterian Church in the United States of America;

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. 571. An act for the relief of George P. E. Caesar, Jr.;

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 2001. An act for the relief of Alalu Duncan Dillard;

S. 2057. An act for the relief of Diana Elaine Greig;

S. 2216. An act for the relief of John C. Walsh;

S. 2517. An act to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes;

S. 2888. An act to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans;

S. 2955. An act for the relief of Kazuko Young;

S. 3004. An act for the relief of Joanna Strutynska;

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3219. An act for the relief of Mrs. Margaret Graham Bonnalie;

S. 3221. An act for the relief of Erika Margaretha Zintl Pearce;

S. 3300. An act for the relief of Jean Andre Paris;

S. 3308. An act for the relief of Itzhak Aronovici;

S. 3357. An act for the relief of Arturo Ernesto Audrain y Campos;

S. 3445. An act for the relief of Teruko K. Jackson;

S. 3448. An act to authorize the acquisition and disposition of certain private lands and the establishment of the size of farm units on the Seedskadee reclamation project, Wyoming, and for other purposes;

S. 3502. An act to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes;

S. 3509. An act for the relief of Wong Wing Boa;

S. 3547. An act for the relief of Andrejs Pablo Mierkalus;

S. 3607. An act for the relief of Harvey L. Forden;

S. 3640. An act for the relief of Daniel (Nathaniel) Rosenzweig;

S. 3739. An act for the relief of Hermine Elmon Papazian;

S. 3743. An act for the relief of Cynthia Elizabeth Jefferson (Mimi Kurosaka) and Sylvia Elise Jefferson (Junko Tano);

S. 3768. An act for the relief of Hing Man Chau;

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3789. An act for the relief of Donald J. Marion;

S. 3801. An act for the relief of Klara Leitner and her daughter, Sylvia Leitner;

S. 3826. An act for the relief of Concettina Iannacchino;

S. 3921. An act for the relief of Peter Tillner;

S. 3966. An act to amend Public Law 85-422;

S. 4020. An act for the relief of Kunio Inouye (Sparkman);

S. 4021. An act to establish the United States Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Perdido-Escambia River Basins, and intervening areas;

S. 4053. An act to extend the boundaries of the Siskiyou National Forest in the State of Oregon, and for other purposes;

S. 4071. An act to provide more effective price, production adjustment, and marketing programs for various agricultural commodities;

S. 4081. An act for the relief of Marianne (Sachiko) Fuller;

S. 4167. An act to authorize the lease of Papago tribal land to the National Science Foundation, and for other purposes;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization;

S. 4196. An act to amend the Intercoastal Shipping Act, 1933 (47 Stat. 1425), as amended, to authorize incorporation of contract

terms by reference in short-form documents; and

S. 4273. An act to provide for cooperation with the European Atomic Energy Commission.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, if no Senator desires to address the Senate, or ask any questions, I move that the Senate stand in adjournment until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 49 minutes p. m.) the Senate adjourned until tomorrow, Friday, August 22, 1958, at 9:30 a. m.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 21, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

I Chronicles 22: 12: *Only may the Lord give you wisdom and understanding.*

Almighty God, as we again assemble to confer and consult with one another, may we have a clear vision of Thy will and a deep concern for the good of all mankind.

We pray that in our plans and purposes we may give evidence that we are partners rather than partisans.

Grant that we may never try to escape the imperatives of our own personal responsibility as we face the crucial issues of our time.

Inspire us to affirm and apply those principles of justice and righteousness which must be paramount in all our longings and labors to build the temple of world peace.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate has passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 3366. An act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes;

H. R. 3571. An act for the relief of Boris F. Navratil;

H. R. 9370. An act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes;

H. R. 9817. An act relating to venue in tax refund suits by corporations;

H. R. 9950. An act for the relief of D. A. Whitaker and others;

H. R. 10473. An act for the relief of Hipolito C. DeBaca;

H. R. 10559. An act for the relief of Thomas Forman Screven, Julia Screven Daniels, and May Bond Screven Rhodes; and

H. J. Res. 675. Joint resolution to facilitate the admission into the United States of certain aliens.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3287. An act for the relief of Vivian D. Giesey;

S. 4109. An act for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; and

S. 4113. An act for the relief of Harold Pangelinian.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 469) entitled "An act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. MONRONEY, Mr. BIBLE, Mr. SCHOEPPEL, and Mr. BUTLER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7710) entitled "An act to provide for the lump-sum payment of all accumulated and current accrued annual leave of deceased employees," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON of South Carolina, Mr. NEUBERGER, Mr. YARBOROUGH, Mr. MARTIN of Iowa, and Mr. MORTON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12858) entitled "An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to Senate amendment No. 12 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13450) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 2, 7, 14, 15, 22, 24, 42, 50, 58, and 113.

The message also announced that the Senate recedes from its amendment No. 23.

The message further announced that the Senate disagrees to the House amendment to Senate amendment No. 36, further insists on its amendments Nos. 36 and 114, asks a further conference with the House on the disagreeing votes of the two Houses thereon, and reappoints as conferees on the amendments in disagreement, Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. ANDERSON, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG, and Mr. KNOWLAND.

The message further announced that the Senator from Iowa [Mr. MARTIN] had been appointed a conferee on the bill (S. 25) entitled "An act relating to effective dates of increases in compensation granted to wage board employees" in place of the Senator from Kansas [Mr. CARLSON], excused.

SUPPLEMENTAL APPROPRIATION BILL, 1959

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, insist on the House amendment to Senate amendment No. 36, insist on its disagreement to Senate amendment No. 114, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CANNON, THOMAS, ROONEY, GARY, TABER, FORD, and BOW.

CALL OF THE HOUSE

Mr. YATES. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 186]

Ashley	George	Miller, N. Y.
Avery	Glenn	Minshall
Bailey	Gordon	Mitchell
Barden	Gwinn	Morrison
Baumhart	Hale	Norrell
Beamer	Harrison, Nebr.	Pilcher
Bentley	Haskell	Powell
Blitch	Hébert	Preston
Boykin	Herlong	Prouty
Brooks, La.	Hill	Radwan
Brownson	Hillings	Rivers
Buckley	Hoffman	Roosevelt
Burdick	Hosmer	Scherer
Christopher	James	Schwengel
Clevenger	Jenkins	Scott, Pa.
Coffin	Jensen	Sheehan
Colmer	Johnson	Shuford
Coudert	Jones, Mo.	Simpson, Pa.
Curtis, Mass.	Kearney	Spence
Dies	Kilburn	Taylor
Diggs	LeCompte	Teague, Tex.
Doyle	McCarthy	Thompson, La.
Durham	McCormack	Vanik
Eberharter	McCulloch	Williams, N. Y.
Elliott	McIntire	Winstead
Engle	Macdonald	Young
Farbstein	Mason	Zelenko
Frelinghuysen	Metcalf	
Friedel	Miller, Calif.	

The SPEAKER. On this rollcall 333 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RETIREMENT, CLERICAL ASSISTANTS, AND FREE MAILING PRIVILIGES FOR FORMER PRESIDENTS OF THE UNITED STATES

Mr. MURRAY. Mr. Speaker, I call up the conference report on the bill (S. 607) an act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2657)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1 and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows:

Restore the matter proposed to be stricken out by the House amendment with the following changes:

Page 1, line 9, of the Senate engrossed bill, strike out all matter following the word "President" down to but not including the period in line 11, and insert in lieu thereof the words "an office staff".

Page 2, line 4, of the Senate engrossed bill, strike out all matter following the word "exceed" down to and including the period in line 10, and insert in lieu thereof "$50,000 per annum. The rate of compensation payable to any such person shall not exceed the maximum aggregate rate of compensation payable to any individual employed in the office of a Senator. Each individual appointed under this subsection to a position on the office staff of a former President shall be held and considered to be an employee of the Government of the United States for the purposes of the Civil Service Retirement Act, the Federal Employees' Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954.".

Page 2, line 14, of the Senate engrossed bill, strike out the words "located in a Federal building".

And the House agree to the same.

Amendments numbered 3, 4, 5, and 6: That the House recede from its amendments numbered 3, 4, 5, and 6.

Amendment to the title: That the House recede from its amendment to the title of the bill.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

OLIN D. JOHNSTON,
MIKE MONRONEY,
DICK NEUBERGER,
FRANK CARLSON,
THRUSTON B. MORTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 607) entitled "An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes", submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This is a technical amendment which designates subsection (a) of the bill. The Senate recedes.

Amendment No. 2: The House amendment struck out subsections (b), (c), and (d) of the Senate bill which contained provisions as follows:

Subsection (b) of the Senate bill provided an office staff (administrative assistant, secretary, and other secretarial and clerical assistants) for each former President with rates of basic compensation fixed by the former President at rates which in the aggregate would not exceed the aggregate amount prescribed by law for the basic compensation of the administrative asssitant, secretary, and other secretarial and clerical assistants authorized for a Senator from the least populous State of the Union, with additional compensation at the rates provided by law for employees in the offices of Senators.

Subsection (c) of the Senate bill required that the Administrator of General Services shall furnish for each former President suitable office space appropriately furnished and equipped located in a Federal building at a place within the United States to be designated by the former President.

Subsection (d) of the Senate bill provided for the conveyance free of postage within the United States, its Territories and possessions, of all mail matter sent by any former President under his written autograph signature.

The committee of conference recommends that the Senate recede from its disagreement to House amendment No. 2 and agree to the same with an amendment which restores the matter proposed to be stricken from the Senate engrossed bill by House amendment No. 2 (that is, subsections (b), (c), and (d) discussed above) with the changes described below and that the House agree to the same.

The changes are as follows:

First, the new subsection (b) as agreed to in conference, relating to the office staff of a former President, eliminates language which sets forth specifically the different types of employees comprising the office staff and, in lieu of such specific language, makes general reference to an office staff.

Second, the new subsection (b) as agreed to in conference, relating to the office staff of a former President, eliminates language which provides that the aggregate basic compensation of such office staff members shall not exceed the aggregate basic compensation of the office staff employees of a Senator from the least populous State and that such office staff members also shall receive additional compensation at rates provided by law for employees in offices of Senators, and, in lieu of such language, requires that the aggregate basic compensation of such office staff employees of former Presidents shall not exceed $50,000 per annum.

Third, the new subsection (b) as agreed to in conference adds a provision (not contained in the Senate bill) to the effect that the rate of compensation payable to any individual member of the office staff of a former President shall not exceed the maximum aggregate rate payable to any individual employed in the office of a Senator.

Fourth, the new subsection (b) as agreed to in conference adds a provision the purpose of which is to make it clear that the members of the office staffs of former Presidents will be entitled to the benefits of the Civil Service Retirement Act, the Federal Employees' Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954.

Fifth, the new subsection (c) as agreed to in conference, relating to office space for former Presidents, eliminates the restriction contained in the Senate bill requiring that such office space be located in a Federal building.

Amendment No. 4: Subsection (e) of the Senate bill provided for a pension of $10,000 a year to the widow of a former President if the widow shall waive the right to any pension or annuity under any other act of Congress. House amendment No. 4 eliminated this waiver provision. Subsection (e) of the bill as agreed to in conference restores this waiver provision and, therefore, is the same as subsection (e) of the Senate bill. The House recedes.

Amendments Nos. 3, 5, and 6: These amendments, which redesignated certain subsections of the bill and repealed certain existing law, were technical and clarifying amendments intended to carry out the purposes of House amendments Nos. 2 and 4. Amendments 3, 5, and 6 are eliminated from the bill as agreed to in conference as unnecessary in the light of the conference agreement with respect to amendments Nos. 2 and 4. The House recedes.

Amendment to the title: In order that the title of the bill might reflect the purpose and effect of House amendment No. 2, the House version amended the title of the bill so as to read: "An act to provide retirement benefits to former Presidents of the United States and their widows." The House amendment to the title is eliminated from the bill as agreed to in conference as unnecessary in the light of the conference agreement with respect to amendment No. 2. The House recedes.

TOM MURRAY,
JAMES H. MORRISON,
EDWARD H. REES,
Managers on the Part of the House.

Mr. MURRAY. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the conference agreement on S. 607 represents a fair, reasonable, and highly desirable compromise of the matters at issue in the disagreeing votes of the two Houses on this legislation.

As passed by the Senate, this legislation provided for each former President, first, a $25,000 annual monetary allowance; second, a staff comprising an administrative assistant, a secretary, and other secretarial and clerical assistance, selected by the former President and paid at rates which in the aggregate could not exceed the aggregate amount provided by law for the staff of the office of a Senator from the least populous State; third, office space located in a Federal building at such place in the United States as the former President shall specify; and, fourth, free postage for mail sent by the former President under his written autographed signature. In addition, the Senate bill would authorize a $10,000 annuity for each widow of a former President if such widow waived all right to any other annuity or pension under any act of Congress.

The House on July 30 passed this legislation with an amendment striking out the provisions in the Senate bill for, first, staff assistants for former Presidents; second, office space for former Presidents; and, third, the franking privilege for former Presidents. This left

only the provisions for the $25,000 annual monetary allowance for each former President—which is subject to taxation—and the $10,000 annuity for each widow of a former President.

The staff provision of the Senate-passed bill, as was pointed out in the House debate on this legislation, could have involved salaries aggregating as much as $120,000 for each former President, depending on the individual salaries paid each staff member. The average amount of the aggregate staff salaries in the offices of Senators from the least populous State presently is approximately $100,000.

The conference agreement eliminates language in the Senate bill which specified the types of staff employees of former Presidents and which authorized such staff employees aggregate compensation equaling that of the office of a Senator from the least populous State. In lieu thereof, the agreement authorizes an office staff for each former President and limits the aggregate compensation of such staff to a maximum of $50,000 per annum. In other words, the staff allowance authorized in the Senate bill has been reduced by one-half in the conference agreement, which certainly is a fair and reasonable adjustment.

The conference agreement also includes a House Post Office and Civil Service Committee amendment limiting the top salary of any member of the staff of a former President to the maximum compensation payable to any individual employed in the office of a Senator.

The conference agreement clarifies an ambiguity of the Senate-passed bill—which did not specify whether or not the staff assistants provided for in that bill would be considered as Federal employees for certain purposes—by the insertion of language making clear that the office staffs of former Presidents will be eligible for coverage of the Civil Service Retirement Act, the Federal Employees' Compensation Act, and the Federal Employees' Group Life Insurance Act of 1954. This language in the conference agreement is highly desirable to clarify the law and facilitate its administration with respect to the office staffs, particularly in cases of staff personnel who have previous service covered by the acts I have mentioned.

The conference agreement restores the provision for office space, but eliminates unduly restrictive Senate language relating to space in Federal buildings. The Administrator of General Services, under this agreement, will have the necessary measure of administrative latitude in order to carry out his responsibilities for quarters for regular Government activities as well as office space for former Presidents.

The conference agreement includes the original Senate provision for a $10,000 annuity to each widow of a former President if the widow waives the right to any pension or annuity under any other act of Congress. The purpose of both the House and Senate language is identical in respect to the $10,000 annuity being the only benefit for which such widows are eligible. The Senate waiver language was adopted in the conference agreement since it will be more effective than the House language as a permanent limitation on these annuities.

Mr. Speaker, this legislation has been before the Congress, in substantially the same form, for well over 3 years. It has received very careful and extended consideration in the Post Office and Civil Service Committees of both Houses, and has passed the Senate by large majorities on two occasions. The Senate agreed to the conference report the day following the conference, with strong bipartisan support. The ranking minority member of the Senate Post Office and Civil Service Committee stated that this legislation should have been enacted years ago and that he was pleased the legislation was before the Senate for final consideration.

Mr. Speaker, this conference agreement is a fair compromise of the differences between the two Houses. It will provide very moderate and reasonable annuities for former Presidents of the United States and the means for them to carry out the many duties and responsibilities which continue to be theirs after they leave the highest office in the Nation. I hope that we will have the same bipartisan approach that has been evidenced in the other body and that this House will approve the conference agreement.

Today the President of the United States is virtually the only officer of the Federal Government who is not covered by some kind of retirement program. He occupies the greatest office in the world. His duties are most trying and exacting. A former President is considered a dedicated statesman, available whenever desired for service to our country. The interest of the American people in the President does not cease when his term of office has ended, nor does his responsibility end when he retires. The public demands for speeches, conferences, and correspondence continue after his term of office ends.

The distinguished Speaker of the House, the majority leader and the minority leader, all three, appeared before our committee in behalf of this legislation.

I am sure that the House today will agree to this conference report. The Senate agreed to it with practically no debate. There were only two who discussed the conference report, the chairman of the Senate Committee on Post Office and Civil Service, Mr. JOHNSTON of South Carolina and also the ranking minority member of the committee, Mr. CARLSON, of Kansas. There was not a dissenting voice raised against this legislation in the other body. I feel that this House should agree to the conference report because it is only just and right that we extend this deserving consideration to our former Presidents.

Our Federal judges today retire on full salary. The members of the Supreme Court when they retire receive $35,000 per year, which is $10,000 a year more than this bill provides for a former President. Five-star generals retire on full pay with a very good staff.

Mr. CRETELLA. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Connecticut.

Mr. CRETELLA. The gentleman from Tennessee indicated in his remarks that the majority leader, the Speaker of the House and the minority leader appeared in behalf of this legislation.

Mr. MURRAY. That is correct.

Mr. CRETELLA. Is it not a fact that when those gentlemen appeared before the committee the only legislation that we had to consider at that time was that of a pension allowance of $25,000 a year, that all the other fringe benefits that have been added to this bill were added later? At the time those gentlemen appeared there was no reference to franking privileges, there was no reference to staffs, and no reference made to allowance for office space; is that correct?

Mr. MURRAY. I must disagree with my friend from Connecticut. Those provisions affecting the office staff and the franking privilege were in the bill when our Speaker, our majority leader and minority leader appeared before our committee last March.

I may say also that the charge is made that this is a bill in which only one ex-President is interested, ex-President Truman. We have never heard anything from Mr. Truman about this legislation, but I have a statement which appeared in the Boston Daily Globe of Boston, Mass., of Thursday, August 7, 1958, headed "Hoover Favors Pensions for Ex-Presidents."

This is dated San Francisco, Calif., August 6, 1958, and is an Associated Press statement:

> Herbert Hoover declared today a pension ought to be given to former Presidents "and it ought to be accepted."
>
> A man of independent wealth himself, the former President told why he favors a bill now before Congress to award a $25,000 annual pension.
>
> "In recent years," observed Hoover, "former Presidents have had to take on a lot of public duties. They are semipublic servants."
>
> Mr. Hoover further said:
>
> "These days all judges retire with pensions. Generals retire with pensions.
>
> "About the only person who doesn't now have a pension is a former President.
>
> "I presume Mr. Truman and I both must write 4,000 to 5,000 letters a month—all these things are kind of a public duty."

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I would just like to say to my distinguished chairman that I have no objection to pensions for Presidents or pensions for the widows of Presidents. But, I do have great doubt as to the merits of setting up a staff, with unlimited franking privileges, because I do not believe it is necessary. And, it is on that basis that if there is a rollcall on this conference report, I shall vote against it, not because I have any objections to giving Presidents or widows of Presidents pensions.

Mr. MURRAY. Does the gentleman realize the voluminous amount of mail and the tremendous amount of letters received and written by ex-Presidents? As former President Hoover said, he gets from 4,000 to 5,000 pieces of mail a

month right now. And, would you expect the ex-President, out of this $25,000, to pay for all of that stenographic assistance and clerical assistance?

Mr. CEDERBERG. I have no objection if you give limited franking privileges, but it is my understanding that this is unlimited as it came back in this conference report.

Mr. MURRAY. That is correct. And should be unlimited.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Iowa, who is also opposed to this legislation.

Mr. GROSS. Did former President Hoover endorse all of the frosting that you put on the cake?

Mr. MURRAY. I am reading the statement that appeared in the Boston Globe.

Mr. GROSS. Does he endorse all the fringe benefits that you put in this bill over in the Senate; all the frosting you put on the cake?

Mr. MURRAY. All I know is what this article states.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Minnesota.

Mr. JUDD. On the matter of office space for former Presidents, the conference report says that it does not need to be in a Federal building. Is there any limitation on the amount of rental to be paid for such office space if in a private building?

Mr. MURRAY. Not at all. I am sure it will be obtained in a Federal building. At the present time former President Truman has office space in the Truman Library, which belongs to the Federal Government.

Now, this legislation has been pending before our committee for over 3 years. I do hope that the Members will back up the committee, will approve the conference report, and get through with this legislation. We have had hearing after hearing on it. We thoroughly considered it, and this conference report is a compromise, and it is fair and it is just and reasonable.

I now yield to our beloved Speaker, the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I am distressed that as much heat has been generated about a piece of legislation as has been displayed here today. I doubt if I would ever be more disappointed in the House of Representatives than I would today if you turned down this proposition. After discussing it with the majority leader and the minority leader, it is true that each of us went before the Committee on Post Office and Civil Service and endorsed this proposition. And, we endorse it today. I am certain that I speak for the gentleman from Massachusetts [Mr. MARTIN], when I say that he is for the adoption of this conference report.

Mr. MURRAY. I thank the Speaker.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the distinguished minority leader.

Mr. MARTIN. Mr. Speaker, let me say to the distinguished Speaker that I favor the adoption of the conference report because I believe it is necessary to accept the report to have legislation that I believe is just and desirable. I believe all Government employees are entitled to a pension, regardless of their offices.

It has been my experience to know personally 8 Presidents of the United States, 4 of them rather intimately. I know the tremendous burden that is thrust upon their shoulders in this high office. I know the very exacting demands of the office. I think any man who has served as President of the United States, no matter what his political faith, is entitled to be assured of a retirement revenue at the close of his service.

Mr. Speaker, reference has been made to Mr. Hoover. Mr. Hoover does not need this pension. He does not need any of the emoluments that go with the legislation. He is big enough to appreciate and say that there may be men coming along who will need this. We should not force them to write and lecture to gain a livelihood in their final days. I do not believe that we should be niggardly. We must not make it so that only men of great wealth can serve as President.

Some of the opposition has been based on the fear it will be misused. I have differed violently on many occasions with Mr. Truman, and I rather anticipate I shall continue to differ with him. Regardless of that fact the issue must not be determined by prejudice but with justice. Mr. Truman did serve his country in a time when few men would have liked to be President of the United States, with full knowledge of what they had to go through. He did make some notable contributions to our welfare. I think he deserves the annuity as a matter of justice, and I think it is desirable to give him clerical assistance that he may effectively do his work. A man who serves a long period never ends his public service. We must have some confidence in the men who served as President, and I believe none of these grants will be used unfairly.

I believe that we here in America want to avail ourselves of the services of our ex-Presidents as much as possible. They have attained a vast amount of wisdom that can be beneficial to this country. We want all the knowledge and wisdom possible to bring our country through the crisis of the future. I should like to see this conference report approved by an overwhelming vote. We have already recorded ourselves upon this measure in one instance. I hope that this watered-down conference report will be adopted.

Mr. MURRAY. Mr. Speaker, I yield further to the distinguished Speaker.

Mr. RAYBURN. Mr. Speaker, I expected that the gentleman from Massachusetts [Mr. MARTIN] would make that kind of a statement. There has been a great deal of talk about Mr. Truman's book. Mr. Truman had no staff. He had to hire everyone who worked for him. He had to buy every piece of paper and every stamp. He had to pay travel expenses of everybody who worked with him on his book. He did not get the benefit of the capital gains provision. He came out of it with the paltry net sum of $27,500 for the labor and the expense he went to to get that book published.

As the gentleman from Massachusetts has so well said, the President of the United States does not have any chance to pay into a retirement fund. We do. I think the most comforting thing that has ever been done for the Members of the House of Representatives and the Senate of the United States was when we passed a bill toward retiring ourselves and put ourselves under the same law as the rural carriers and the post office clerks. I think we could do nothing that would show we are bigger and better than to pass this bill at this time.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Indiana.

Mr. HALLECK. I have felt for a long time that legislation along this line was overdue. I think any of us who have had experience around here know, and I certainly have had opportunity in my much lesser capacity to know, that when you attain a position of some prominence in public life so many responsibilities and obligations follow you even when you no longer hold that official position. Certainly that would be ample reason for some reasonable arrangement for providing the quarters and the services and the mailing privileges.

I know many have thought that some of the suggestions have gone too far. There could be a difference of opinion about that. Personally, I cannot conceive of any man who has been President of the United States knowingly violating the privilege as far as the mailing is concerned. Of course, that is a matter that would constantly be within the action of the Congress to deal with.

One other thing I might say: I know that at the moment much of the attention in respect to this measure might be focused on one individual.

Wholly apart from any consideration of Mr. Truman, this legislation is for the years to come. I do not know what the financial situation of our present great President is but, as far as I am concerned, I look at this legislation as something that might one day be of very much help to him. Certainly I am not going to express any doubt or any question about what I am sure his conduct in future years will be.

I hope this conference report is adopted.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Kentucky.

Mr. CHELF. Any man that is big enough to be President of the United States will certainly, I am sure, be honest and careful with the use of the frank if we entrust it to him. There is no man in my book, in my time, certainly, who has had the responsibility that Harry Truman has had, and I say that as a Democrat who on occasion has differed with Mr. Truman. He took his duties seriously—he studied each major question before him—and once

he made up his mind—he did not vacillate, oscillate, deviate, or hesitate. He acted promptly. He acted to save Turkey from communism. He acted when Korea was invaded. As a result of his decision to drop the atomic bomb in World War II there are tens of thousands of our boys alive and happy today. That took courage—every decision that he made demanded raw courage—intellect and a deep sense of duty to America and the world. History will call him the Andrew Jackson of his time.

Mr. MURRAY. I guess I have differed with him more than the gentleman has.

Mr. CHELF. But when you hang it all out on the clothes line; any man who is big enough to be President of the United States is big enough to carefully, conscientiously, and judiciously use the franking privilege placed in his care and custody. Likewise he will be most concerned about any needless expense on the taxpayers. I know that no former President would abuse any privilege accorded to him by the people through their representatives. I commend the gentleman from Tennessee. He seeks to legislate on principles and fairness and not on prejudice. The conferees and the committee have done a fine job. It is L. P. D.—long past due.

Mr. MURRAY. Let me say this in conclusion: Just remember that this $25,000 allowance to ex-Presidents is taxable, and the way taxes are today, that would take a sizable amount out of it.

So let us approve this conference report, as the other body has.

Mr. Speaker, I yield 8 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, no good baseball player walks back to the dugout because he happens to have two strikes on him. I say that with the greatest respect for the distinguished Speaker, the distinguished minority leader, and the chairman of my committee.

Mr. Speaker, I rise in opposition to the conference report on S. 607.

This conference report on the proposal to institutionalize and subsidize the nonexistent office of former President reveals serious confusion as to the difference between compromise and capitulation.

The mandate given to the House conferees through the amendments to S. 607 adopted by the House July 30 was to compromise the proposed combined pension, office staff allowance, office space and franking privilege provisions of the original bill on the basis of simply a pension for former Presidents and their widows.

I hold that this was a genuine compromise between those who opposed all of the provisions of S. 607 and those who favored everything called for in that bill.

Instead of holding firm for this real compromise, the conferees have come back with what I can only describe as a surrender document. Let us see just what is in this conference report.

In the first place, what has come back to the House is approval and adoption by a majority of the conferees of every single basic feature and provision of the original bill—pension, office staff allowance, office space, and franking privilege.

So far as the basic issue debated and resolved in this House on July 30 is concerned—the basic issue of whether we are going to start the buildup of a bureaucracy around a nonexistent office—there is no compromise or concession whatsoever by the other body.

What is claimed as a compromise, namely the Senate agreement to cut the office staff allowance to a $50,000 maximum, has no bearing on this basic principle which the House had rejected and which is now reestablished.

Does anyone suppose that once the principle of such an office staff for a nonexistent office is accepted—and it is accepted in this conference report—there will be any major difficulty hereafter in raising the ante? Obviously, the dollars amount will subsequently have to be geared to inflation.

The $50,000 reduction in the office staff allowance which the other body so generously consented to is a cheap price indeed for what they bought.

So much for the claim that this is a compromise. Now let us see what the conferees have added to the bill as it went to conference from the House:

First. The conferees have restored unlimited franking privilege in lieu of the $4,000-per-month limitation imposed by the House committee amendment.

Second. The conferees have revised the provision with respect to free office space so that the office space no longer need be in a Federal building. I cannot interpret this as other than carte blanche for General Services Administration to provide such space, if a former President so requests, either by lease or by construction of new office space, with no ceiling on the cost in either event.

Third. The conference report specifically spells out the status of personnel on the office staff of a former President. It provides that they "shall be held and considered to be employees of the Government of the United States for the purpose of the Civil Service Retirement Act, the Federal Employees Compensation Act, and the Federal Employees Group Life Insurance Act of 1954."

I do not know how it would be possible to confirm any more precisely and emphatically my statement in the earlier debate that this is the beginning of the buildup of a bureaucracy around a nonexistent office.

I hope that my colleagues will fully grasp what this involves. It means that for the first time in American history a non-office-holding citizen is to have as his employees and subordinates a permanent official entourage of Federal personnel.

In that connection, I call attention to Mr. Truman's comment to the press on August 6, relative to this pending legislation, to the effect that former Presidents should not receive less consideration in this respect than five-star admirals and generals.

I will pass over the fact that none of the five-star admirals and generals has, to my knowledge, publicly campaigned for these perquisites for themselves.

The important and highly relevant fact, it seems to me, is that the permanent rank of these officers—whether on active or inactive duty is quite incidental—was established by statute either prior to or coincident with the granting of these perquisites.

I am not aware of any corresponding statute conferring the permanent rank of President, or, as Mr. Truman prefers, of Commander in Chief, upon the temporary occupants of the White House.

Finally, Mr. Speaker, I direct the attention of the House to Mr. Truman's tart comment, in the same interview, relative to criticism of the use which might be made of the office staff allowance. Mr. Truman is quoted as saying—and I have reduced the voltage of his remark somewhat—"I would use it anyway I please."

I will merely say of this that in the debate on July 30 I did envision the possibility of some future President taking such an attitude. Obviously, my timing was off so far as my forecast on this score was concerned.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from California.

Mr. GUBSER. I am sure the gentleman has heard a great many allegations both here and in the other body regarding perversion of our Constitution. The gentleman knows that the power of this Government is in the hands of the legislative, executive, and judicial branches. The Constitution says not a single word or even mentions a fourth branch. This legislation will create a fourth one and will be an additional perversion of the spirit of the Constitution.

Mr. JOHANSEN. In my judgment it would be, and particularly in light of the statement of Benjamin Franklin at the time of the Constitutional Convention that it was the good fortune of those who, having served as President in the role of servant, would upon their retiring return to the rank of the rulers.

Mr. MURRAY. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, this is the first time that I have been able to ascertain the real purpose of this legislation, to whom it is directed, who wants it, who needs it. We tried when the bill was previously before the House, to find out for whom this bill was designed, and nobody seemed to want to say. We tried in the committee before that to find out for whom this legislation was necessary. Nobody could tell us.

Today we learn that it is for ex-President Truman, and we saw the interesting spectacle of a couple of Democrats here in the well of the House trying to outtalk each other on the subject of who opposed him the most while he was President. I opposed him, too, but I am not going to get into that competition because I would be outclassed as between those two Democrats.

The gentleman from Tennessee [Mr. MURRAY], chairman of the committee, said this is a compromise. The distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN], says this is a watered-down version of

the House bill. It is neither. It is neither a compromise nor a watered-down version; this is the worst kind of surrender on the part of the House conferees.

The House approved a bill that provided $25,000-a-year pensions for ex-Presidents and $10,000 for widows. It went over to the other body and the conferees loaded it with everything the House turned down. So it is not a compromise; not a watered-down version; it is an abject surrender on the part of the House conferees.

The distinguished Speaker spoke of the pensions for Members of Congress. If I remember correctly, I am making a substantial contribution out of my pay check every month to this pension fund, and I do not recall anything in the pending bill that provides that any former President put up any money of any kind.

Yes; I learn for the first time today that this bill is for the benefit of Harry Truman who recently with his family disposed of some 220 acres of land adjacent to the Grand View (Mo.) Air Base which was conveniently located there when he was President, at a cost of some $30 million. He joined in disposing of 220 acres of farm land that is to be converted into what I understand is to be known as Truman Corners, with a shopping center, and a residential subdivision.

It is interesting to note that Congress, with a deficit of from 10 to 13 billion dollars staring it right in the face; with the Treasury confronted with extreme difficulty in refinancing $120 billion worth of Government securities, is prepared to provide a nice fat pension, a staff, unlimited free mailing privilege, and a plush office for former President Harry S Truman, who also bought in on an oil well deal down in Alabama not long ago.

Mr. Speaker, I do not intend to belabor this issue except to say that if this conference report is approved, I will not be surprised if a campaign is started across the country entitled "Bundles for Ex-Presidents."

Mr. MURRAY. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, some are opposed to this conference report because they say neither of our two living ex-Presidents need this pension and the accompanying perquisites. I believe that to be the fact. I certainly hope that neither of our living ex-Presidents is in need of this particular bill and the benefits under it. Mr. Speaker, that is all the more reason why we should adopt it at this time. Some day it may be that an ex-President will need it. We should do it now, not as a special grant to any particular individual but as a matter of principle for all time. We should do it because it is in keeping with the stature and dignity of the office of the President of the United States. We ought to do it because it is in keeping with our own dignity.

Mr. MURRAY. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, our distinguished Speaker has advised that he is distressed concerning this legislation. I am also distressed. It is with regard to pressure exerted for this measure.

I regret indeed I am not in agreement with the leadership in the House who are in support of this conference report. This legislation comes at a most inopportune time. We are within a few days of adjournment. Even so, this bill seems to be a "must" before the House adjourns.

A few days ago the House considered a Senate bill which provided for $25,000 a year for retirement benefits of former Presidents and $10,000 a year for their widows; also, approximately $100,000 for clerical hire and secretarial work, together with free office space and unlimited use of franked postage.

The House struck out all the benefits except the $25,000 for retirement benefits and $10,000 for widows of former Presidents.

The members of the conference committee, except myself, agreed to the proposal you are considering today. This proposal provides retirement benefits of $25,000 per year for former Presidents and $10,000 per year for their widows; also, $50,000 for clerk hire; also, free office space; also, free use of franked postage. I voted against the proposal and reserved the right to express my opposition to this measure today.

If you vote for this proposal, you approve not only $25,000 a year for former Presidents and $10,000 for their widows, but you add $50,000 a year for clerk hire, making $75,000 a year, and you are going to add, also, the cost of office space and furnishings and unlimited use of franked postage.

Let me repeat, if you believe the House was right only a few days ago, then you will vote against the conference report, but if you vote for the report, you are going to vote for $75,000 for former Presidents, together with free office space and unlimited use of postage.

I think the American people want to be fair with former Presidents, but in view of present conditions and circumstances, I do not believe they favor such examples of expenditure at the present time.

I just cannot go along with this proposal. It will cost a total of almost $100,000 a year. I really do not believe our former Presidents expect us to vote this legislation. Certainly not now. I think I should add with reference to so-called pressures, none of them—for or against the legislation—came from outside of Washington.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that all Members may be granted permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DENNISON. Mr. Speaker, the concept of a pension for ex-Presidents of the United States is one of which I approve. I am disturbed, however, by the fact that the House conferees on S. 607 have departed from that concept and have permitted the inclusion of fringe benefits which were not in the House version as originally passed. I believe this Nation has a responsibility to its greatest public servants, the Presidents of the United States, and I support every move to see that after their service to this country they shall not be in want. However, I am not convinced that it is the responsibility of the American people or the duty of Congress to provide an ex-President or any other retired public servant with benefits beyond an amount equal to reasonable living expenses. Before we extend additional benefits such as an unlimited franking privilege, free office space, and a free staff, serious study should be given to the full implications of such a move.

Mr. GRIFFIN. Mr. Speaker, when this bill was before the House a week or so ago, I voted in favor of the rule which allowed this measure to come on the floor for consideration.

During the course of that debate we wisely adopted an amendment striking out provisions of the bill providing former Presidents with a staff of clerical assistants and the free-mailing privilege. I supported this amendment. We retained in the bill the provision for a $25,000-a-year pension for former Presidents.

I believe that the pension provision is sound and should have been enacted a long time ago. However, I do not believe it would be wise or justified to set up a Federal bureaucracy around the nonexistent office of former President.

The SPEAKER. The question is on the conference report.

Mr. JOHANSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken, and the Speaker announced that the yeas had it.

So the conference report was agreed to.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair would hold, in strict compliance with the rules of the House, the gentlemen would be too late, because the Chair had announced his decision that the conference report had been agreed to.

A motion to reconsider was laid on the table.

DEMONSTRATION PLANTS FOR PRODUCTION OF WATER

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, and municipal, and other beneficial consumptive uses, and I ask unanimous consent that the statement on the part of the managers of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2674)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2, 10, 11, 11½, 12, 13, 14, and 16, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows:

In lieu of the language inserted by the House amendment, insert the following: "A decision with respect to the process to be utilized in the first of these five plants shall be made by the Secretary within six months after the date of approval of this joint resolution and decisions with respect to the processes to be utilized in the other plants shall follow at intervals of not more than three months. Each such decision shall be reported promptly to the Congress and the construction of the plants shall proceed as rapidly as is possible."; and the House agree to the same.

That the House recede from its amendments numbered 4, 6, 7, 8, and 9; that the Senate recede from its disagreement to amendment of the House numbered 5; and agree that item (3), subsection (b), section 1, wherein these amendments occur, be further amended so that it reads as follows:

"(3) Such plants shall be located in the following geographical areas with a view to demonstrating optimum utility from the standpoint of reliable operation, maintenance, and economic potential—

"(A) At least one plant which is designed for the conversion of sea water shall be located on the west coast of the United States, at least one such plant shall be located on the east coast thereof, and at least one such plant shall be located on the gulf coast thereof; and

"(B) at least one plant which is designed for the treatment of brackish water shall be located in the area generally described as the Northern Great Plains and at least one such plant shall be located in the arid areas of the Southwest."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 15, and agree to the same with an amendment as follows:

In lieu of the language inserted by the House amendment, insert the following:

"SEC. 6. When appropriations have been made for the construction or operation and maintenance of any demonstration plant under this joint resolution, the Secretary may, in connection with such construction or operation and maintenance, enter into contracts for construction, for materials and supplies, and for miscellaneous services, which contracts may cover such periods of time as he shall consider necessary but under which the liability of the United States shall be contingent upon appropriations being available therefor. Unobligated appropriations heretofore made to carry out the Act of July 3, 1956 (66 Stat. 328), as amended (42 U. S. C. 1951 and following) shall be available for administrative and technical services, including travel expenses and the procurement of the services of experts, consultants, and organizations thereof in accordance with section 15 of the Act of August 2, 1946 (60 Stat. 806), as amended (5 U. S. C. 55a), in connection with carrying out the provisions of this joint resolution."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
JAMES A. HALEY,
A. L. MILLER,
JOHN J. RHODES,
Managers on the Part of the House.

JAMES E. MURRAY,
CLINTON P. ANDERSON,
THOMAS H. KUCHEL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 135) providing for the construction of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

The conference committee accepted, for the most part, the amendments of the House to the Senate-passed resolution, and the language agreed upon does not materially change the House-approved legislation. In several instances language of the House amendments was modified. The House amendments and the actions of the conference committee thereon are discussed in the following paragraphs.

The House inserted the word "experimental" in front of the words "demonstration plants" to make it clear that the plants to be constructed would not necessarily represent the ultimate state of perfection in a given process. The conference committee agreed to leave out the word "experimental" on the basis that the term "demonstration plant" is defined in the legislation and that it would not be appropriate to qualify further this definition.

The House added language requiring each plant to demonstrate a different process so that there would be no duplication of plants in the various geographical locations. The conference committee agreed to accept this House language.

A provision in the Senate-passed resolution would have required the Secretary to make decisions within 6 months after enactment on all processes to be demonstrated. The House modified this provision to require the decision on 1 process in 6 months, with the other decisions to follow at intervals of not to exceed 6 months. The conference committee agreed to the House language requiring the selection of the first process in 6 months but modified the language with respect to the other decisions to provide that they follow at intervals of not to exceed 3 months. The conference committee further modified the language to require that the Secretary's decisions be promptly reported to the Congress.

With respect to the geographical location of the sea-water-conversion plants, the Senate placed 1 of the plants on the west coast, 1 on the east or gulf coast, and 1 in the Virgin Islands or some other territory or island area of the United States. The conference committee deleted the Virgin Islands or other island area as a location for one of the sea-water-conversion plants on the basis that authority for construction of a sea-water-conversion plant to meet the immediate need of the Virgin Islands for a supplemental water supply is included in other pending legislation, and adopted language locating the 3 sea-water plants; 1 on the west coast, 1 on the east coast, and 1 on the gulf coast.

With respect to the location of the brackish-water-treatment plants, the Senate located one in the Northern Great Plains area and one in the Southwest. The House deleted this language, leaving the decision with respect to location of these plants to the Secretary of the Interior. The conference committee accepted the Senate language placing 1 plant in the Northern Great Plains area and 1 plant in the Southwest.

The language added by the House to authorize acceptance of financial and other assistance from any State or public agency was accepted by the conference committee.

The Senate resolution included language terminating the program and the authority of the Secretary provided in the legislation 5 years after enactment. The House extended this period to 7 years. The conference committee accepted the House amendment.

The House amendment permitting the Secretary to enter into contracts for construction or for materials and supplies covering more than 1 year and contingent upon the appropriation of funds was accepted by the conference committee with the added provision that funds presently available to the Secretary for the continuing saline-water-research program could be used for administrative and technical services necessary to initiate this program.

Other minor clarifying language added by the House was agreed to by the conference committee.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
JAMES A. HALEY,
A. L. MILLER,
JOHN J. RHODES,
Managers on the Part of the House.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, a question has been raised concerning the effect of the conference committee amendment to section 6 of Senate Joint Resolution 135. Specifically, the question is whether the second sentence of that amendment contains a limitation on expenditure of funds for travel purposes. My answer is that it does not contain such a limitation and was not intended to do so. All that the amendment does is to insure that funds already appropriated for carrying out the saline-water program shall be available for getting this new aspect of the program under way. It is a means of permitting necessary expenses for initial administrative and technical services to be met pending consideration next year of a regularly submitted appropriation request for this work. Travel is sometimes a necessary part of such expenses. It would probably not have been necessary to include specific mention of travel, but it seemed desirable to make our intent 100-percent clear—namely, that there should be no excuse for not getting the program off the ground on even a faint argument that moneys were not available for travel expenses. The amendment does not specify the amount to be available for

this purpose but leaves this to the reasonable judgment of the Secretary of the Interior.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DOMESTIC MINERALS BILL OF 1958

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 4036, with Mr. EVINS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read down to and including line 4 of the bill.

The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 4, strike out "Stabilization".

The committee amendment was agreed to.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, now we are up against a lot of pressure. Pressure has been swelled; thinking people cannot be influenced by pressure. I hope this House will do some thinking on this bill.

I have found out overnight that this copper situation is rolling along and that they are working 6 days a week. Developments have come about in the use of copper in such things as sewage lines, and that sort of thing, because they can handle that stuff to so much better advantage with copper. Copper is something that will last longer than the other metals. So that these people are just rolling at the present time. I suppose that we ought to provide a subsidy for those who are rolling, rather than to try to use our heads and approach this matter from an intelligent standpoint.

Frankly, I cannot go along with any scheme that provides so many varieties of subsidies. The trouble with the whole situation is that if we are going to provide a subsidy for all these things that are provided for in this bill, we are going to have to spread ourselves out. We are going to have to provide subsidies for every single item of consumption in the United States, and we will be completely bankrupt before we get through with that kind of an operation.

Let us show some capacity to stand up and do our legislating on its merits, and try not to do it on the basis of pressure and influence.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. PILLION. I have here a report from the Bureau of Mines dated February 1958, in relation to one metal in this bill; and the other metals are pretty much in the same situation. I am referring to employment in the copper industry. The Bureau of Mines report which is very recent states that in 1955 total employment was 28,900. In 1957 instead of having unemployment, that employment has jumped to 32,400. In most of these metals employment is greater than it was in 1955 which was considered a good year for employment.

Mr. TABER. There is an item on the news ticker out in the lobby which indicates that the Kennecott Copper Co. has gone on a 6-day week, something they did not do during wartime. Let us get together and use our heads. Let us get a little backbone in us and turn this bill down. Let us not make fools of ourselves.

Mr. MATTHEWS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I have listened intently to the debate during the past couple of days on this important measure because, believe me, I wanted to accommodate myself to the viewpoint of my friends who are so vitally interested in this problem. I know the problem they have in the mining industry, and I am willing to admit that it is a pressing problem. But I find myself in a situation where if I accommodate myself to the viewpoint of my friends in favor of this particular legislation, I cannot accommodate my conscience.

Down deep in my heart, Mr. Chairman, I believe this is bad legislation. I believe it is bad legislation because it is preferential. It takes one segment of American industry, and granted it is an important segment, and places it in a class entirely by itself.

I do not blame my friends who are so concerned about the plight of the mining industry in their Districts, but what about other segments of the mining industry not covered by this legislation? And what about plywood, in my particular District? What about plywood in the Districts of others here, in other sections of the country?

I told my friends in the plywood industry that for the good of America I must vote for the Reciprocal Trade Agreements Act. I did not have any tacit understanding that my industry would be granted any particular privilege. I told my people I was going to vote for reciprocal trade for the good of America. I was told that my people could go before the Tariff Commission. I was told that if they presented a case they would be granted special benefits and privileges. I was told that the Reciprocal Trade Agreements Act would be so liberalized from the industry's viewpoint that we could look forward to some relief.

Why do we say to those in the plywood industry, "You can go through these regular channels," but we say to those in other segments of American industry, "You have these special benefits and these special privileges"?

What about the pottery industry? The people engaged in that industry are not great scions of wealth. They do not have great lobbying organizations representing them. But they have a case, and they have an important case.

What about the people in the fishing industry? I was at a committee meeting with some of my distinguished colleagues not long ago and we were talking about the plight of the little fishermen in this country. One of the gentlemen present—a fisherman, told us that when he went to the State Department to get relief the State Department told him, "Well, you had just better find some other business to get into."

What I am saying is, I do not doubt that many industries are in great difficulty, but why take one group of industries and treat them on a preferential basis? We might need an entirely new plan to solve the difficulties in which we find ourselves. I know that American industry is more and more being faced with this impossible burden of meeting the needs of their laborers, paying decent wages, and having to compete with foreign imports. But what about taking care of all of our American industry? What about taking care of coal, or, in my particular District, plywood, or tung oil? In my home county at one time tung oil was produced to a greater extent than in any other part of the Union, but because of foreign imports the business is just about put out of existence at the present time. It is a little industry. It needs protection. If it is right to protect one segment of American industry with one particular set of rules, I submit to you in all decency, in the spirit of democracy, in the spirit of answering the question not of who is right but what is right, let us conceive of a plan that is fair and equitable to all of American industry. Let us renounce this costly preferential legislation.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the bill S. 4036 be considered as read and open to amendment at any point.

Mr. CURTIS of Missouri. I object, Mr. Chairman.

Mr. HAYS of Ohio. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HAYS of Ohio moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. HAYS of Ohio. Mr. Chairman, I do this in the interest of conserving time, because I believe this bill should be killed and I think we ought to do it now, because we have a lot of important things before us if we are going to adjourn any time in the near future.

The House has already turned down the Brannan plan pretty emphatically, and this is nothing more or less than a Brannan plan for metals.

That is exactly what it amounts to. It picks out a certain group of employees

only to subsidize. The gentleman from Ohio [Mr. KIRWAN] gave you a list of the unemployed in the categories of metals contained in this bill. I look at his list and his source was the Bureau of Labor Statistics. It shows in this group there is a net unemployment over 1955 of 5,000 miners exactly. This bill carries an appropriation of a half billion dollars. If you divide 5,000 into a half billion dollars, what they are asking the Congress to do is to spend $100,000 per miner to put these fellows back to work. Now that is just the way it figures out. That is pretty expensive putting back to work. At a matter of fact, I would rather vote for a bill to give them all $5,000 apiece and let them stay home because then you could save $450 million for the taxpayers. What is the truth about this? The truth about the bill is that it is a direct subsidy to the mine operators and, as the gentleman from Ohio [Mr. KIRWAN] pointed out on the floor of the House yesterday, an indirect subsidy to those who dabble in mining stocks. That is what you are asking the Congress to do. If there are people here who believe what they say they believe, that the Government is going in the red at a fantastic rate and we ought to stop, this is a good place to stop because if this bill passes, there is a precedent for every industry that has a little recession to come in and get a subsidy. Certainly, if we pass a subsidy for this favored group, you could not in good conscience refuse to give anybody else a subsidy.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. GAVIN. I wonder why the gentleman does not introduce an amendment to include the pottery industry in Ohio, which I understand is having considerable difficulty meeting foreign competition and in which industry there are hundreds of men unemployed.

Mr. HAYS of Ohio. I would introduce it if we had a chance to pass it, but I am a realist and there were not enough of us from the pottery districts for them to need our vote to pass the Reciprocal Trade Agreements Act. So we were not approached. You might just about put it in the category: You are not against bribery in principle except when you are left out of it. And I am just realistic enough to know that they did not need the pottery votes and my amendment would not have a chance of passage. Besides that I am not amenable to bribery.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I am very glad to yield to the gentleman.

Mr. PILLION. I call to the attention of the gentleman from Ohio that the statistics of the Bureau of Mines as of February 1958, indicates that instead of having a net loss of employment, there has actually been a net gain of employment in the mining of these metals of about 3,000 between the years 1955 and 1957, and the only area where there has been an appreciable loss of employment, of course, has been in tungsten which, as the gentleman knows, we have such a tremendous stockpile of it that we do not know what to do with it.

Mr. HAYS of Ohio. I thank the gentleman for his contribution.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, this motion which is offered by the gentleman from Ohio is one of a series of efforts which I am sure will be made this afternoon to either cripple or destroy this legislation on which the House has been working for 2 days. I would like to answer for a moment or two, if I might, several of the arguments that have been advanced on the floor today against this legislation.

In the first place, the gentleman from Florida who spoke so eloquently just a few minutes ago, and who is one of my dear friends in the House, asked the House this question: Why do not these industries have to go to the Tariff Commission? He left the implication with you that the mining industries of America have not gone to the Tariff Commission and sought relief. I am speaking to you here today for 2,600 unemployed lead and zinc miners, and mill and smelter workers in the Second District of Oklahoma, who represent and work in an industry that has twice gone to the Tariff Commission in the last 4 years. In 1954, they went to the Tariff Commission. They made a case. They got a unanimous finding that they were being destroyed by imports and were in need of relief, but they could get no relief.

In 1957, doing what the gentleman from Florida said they ought to do, they went again before the Tariff Commission. Once again they spent long hours and long days making a case before the Tariff Commission. They got a unanimous finding again that they were being destroyed by the unrestricted imports and that they were entitled to relief, but they have not been given any relief. So we are asking in the Congress today that the Congress give these miners the relief that the Tariff Commission said they should receive and which they have not been given.

Mr. HAYS of Ohio. Will the gentleman tell us who refused to follow the findings of the Tariff Commission?

Mr. EDMONDSON. There is one further point I want to touch on, then I will yield to my friend.

The reason they are in this trouble, the reason our domestic miners are in the distressed condition they are in today is the manner in which we have been administering our foreign aid and the reciprocal-trade programs which have been supported by many of my colleagues, on the floor today.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Florida.

Mr. MATTHEWS. I would like to say to my friend that his industry is not the only one that has gone to the Tariff Commission and has been turned down time and time again. Many of us around here find ourselves in the same position.

Mr. EDMONDSON. If my friend from Florida brings before the committee the case of an industry that is jeopardized I shall be glad to give it favorable consideration on the floor.

But to get back to the bill under consideration, here we have a program that has been reported to Congress, that has been passed by the other body overwhelmingly, and we are asking this House to give us a chance to make this case and to give to the American miners and to give to the American producers a chance to continue. That is the plea we make to the Congress of the United States.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. Not at this time.

Mr. Chairman, we are subsidizing production in foreign countries. At this very time our Government is buying minerals from foreign sources, foreign producers, and is paying 5 or 6 cents above the market price for lead and zinc, and this is being done under so-called procurement contracts of long standing, which certainly amount to a liberal form of foreign aid. Programs to stimulate foreign production of metals have been adopted and generously appropriated for here in the past. I say it is time we did something for the American miner and the American producer. Let us adopt this bill here today and defeat these unworkable amendments.

I now yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I just want to say to the gentleman that I voted against the reciprocal-trade treaty before the gentleman was a Member of this body, and several times since he has come here.

Mr. EDMONDSON. May I say to my friend from Ohio that I, too, voted against the reciprocal-trade treaty bill, when its extension was last before this House, without needed safeguards for our own industry.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. SMITH of Mississippi. The gentleman has invited all the supporters of the bill——

The CHAIRMAN. The time of the gentleman from Oklahoma has expired. All time on the preferential motion has expired.

The question is on the motion to strike out the enacting clause.

The question was taken; and on a division (demanded by Mr. HAYS of Ohio) there were—ayes 77, noes 76.

Mr. UDALL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROGERS of Texas and Mr. HAYS of Ohio.

The Committee again divided, and the tellers reported that there were—ayes 108, noes 98.

So the motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and

tungsten from domestic mines, had directed him to report the bill back to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The question is on the recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out.

Mr. RHODES of Arizona. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 171, nays 174, not voting 84. as follows:

[Roll No. 187]

YEAS—171

Abbitt	Fascell	Natcher
Abernethy	Fenton	Neal
Adair	Flynt	Nicholson
Alexander	Fogarty	Nimtz
Alger	Forand	Norblad
Andersen, H. Carl	Ford	O'Hara, Minn.
Andrews	Forrester	O'Konski
Ashmore	Gary	Ostertag
Bailey	Gathings	Pelly
Baldwin	Gavin	Philbin
Bass, N. H.	Grant	Pillion
Bates	Green, Oreg.	Poff
Becker	Griffin	Polk
Bennett, Fla.	Gross	Quie
Betts	Gwinn	Rabaut
Blatnik	Haley	Ray
Boland	Harden	Reed
Bolton	Hardy	Riehlman
Bonner	Harrison, Va.	Riley
Bosch	Harvey	Robeson, Va.
Bow	Haskell	Robison, N. Y.
Bray	Hays, Ohio	Robsion, Ky.
Broomfield	Hess	Rogers, Fla.
Brown, Ga.	Hiestand	Rooney
Brown, Ohio	Hoeven	Sadlak
Broyhill	Holt	St. George
Bush	Huddleston	Saylor
Byrne, Ill.	Hull	Schenck
Byrnes, Wis.	Hyde	Scott, N. C.
Cannon	Johansen	Seely-Brown
Carrigg	Jonas	Selden
Cederberg	Kean	Sikes
Chamberlain	Keating	Siler
Chiperfield	Kelly, N. Y.	Simpson, Ill.
Church	Kilgore	Smith, Calif.
Collier	Kirwan	Smith, Va.
Cramer	Kitchin	Springer
Cretella	Lafore	Staggers
Cunningham, Iowa	Laird	Stauffer
	Lane	Taber
	Lankford	Talle
Cunningham, Nebr.	Lipscomb	Teague, Calif.
	McDonough	Tewes
Curtin	McGregor	Thomas
Curtis, Mass.	McIntosh	Tuck
Dague	McMillan	Utt
Davis, Ga.	Mack, Wash.	Van Pelt
Delaney	Mahon	Van Zandt
Dennison	Matthews	Vinson
Denton	May	Vursell
Devereux	Meader	Westland
Dingell	Michel	Wharton
Donohue	Miller, Md.	Whitener
Dorn, N. Y.	Moore	Whitten
Dorn, S. C.	Morano	Williams, Miss.
Dowdy	Multer	Wilson, Calif.
Eberharter	Mumma	Wilson, Ind.
Fallon	Murray	Younger

NAYS—174

Addonizio	Breeding	Dixon
Albert	Brooks, Tex.	Dollinger
Allen, Calif.	Brown, Mo.	Dooley
Allen, Ill.	Burleson	Dwyer
Anderson, Mont.	Byrd	Edmondson
	Byrne, Pa.	Elliott
Anfuso	Canfield	Everett
Arends	Carnahan	Evins
Aspinall	Celler	Feighan
Auchincloss	Chelf	Fino
Ayres	Chenoweth	Fisher
Baker	Christopher	Flood
Baring	Clark	Fountain
Barrett	Coad	Frazier
Bass, Tenn.	Cooley	Fulton
Beckworth	Corbett	Garmatz
Belcher	Curtis, Mo.	Granahan
Bennett, Mich.	Dawson, Ill.	Gray
Berry	Dawson, Utah	Green, Pa.
Boggs	Dellay	Gregory
Bolling	Dent	Griffiths
Boyle	Diggs	Gubser
Hagen	Magnuson	Rogers, Tex.
Halleck	Mailliard	Rutherford
Harris	Marshall	Santangelo
Hays, Ark.	Martin	Saund
Healey	Merrow	Scrivner
Hemphill	Metcalf	Scudder
Heselton	Miller, Nebr.	Sheppard
Holifield	Mills	Sieminski
Holland	Montoya	Sisk
Holmes	Morgan	Smith, Kans.
Holtzman	Morris	Smith, Miss.
Horan	Moss	Steed
Ikard	Moulder	Sullivan
Jackson	Nix	Teller
Jarman	Norrell	Thompson, N. J.
Jennings	O'Brien, Ill.	Thompson, Tex.
Jones, Ala.	O'Brien, N. Y.	Thomson, Wyo.
Judd	O'Hara, Ill.	Thornberry
Karsten	Osmers	Tollefson
Kearns	Passman	Trimble
Kee	Patman	Udall
Kilday	Patterson	Ullman
King	Perkins	Vorys
Kluczynski	Pfost	Walter
Knox	Poage	Watts
Knutson	Porter	Weaver
Krueger	Price	Widnall
Landrum	Rains	Wier
Lennon	Reece, Tenn.	Wigglesworth
Lesinski	Rees, Kans.	Willis
Libonati	Reuss	Withrow
Loser	Rhodes, Ariz.	Wolverton
McFall	Rhodes, Pa.	Wright
McGovern	Roberts	Yates
Machrowicz	Rodino	Zablocki
Mack, Ill.	Rogers, Colo.	
Madden	Rogers, Mass.	

NOT VOTING—84

Ashley	Gordon	Minshall
Avery	Hale	Mitchell
Barden	Harrison, Nebr.	Morrison
Baumhart	Hébert	O'Neill
Beamer	Henderson	Pilcher
Bentley	Herlong	Powell
Blitch	Hill	Preston
Boykin	Hillings	Prouty
Brooks, La.	Hoffman	Radwan
Brownson	Hosmer	Rivers
Buckley	James	Roosevelt
Budge	Jenkins	Scherer
Burdick	Jensen	Schwengel
Clevenger	Johnson	Scott, Pa.
Coffin	Jones, Mo.	Sheehan
Colmer	Kearney	Shelley
Coudert	Keogh	Shuford
Davis, Tenn.	Kilburn	Simpson, Pa.
Derounian	Latham	Spence
Dies	LeCompte	Taylor
Doyle	McCarthy	Teague, Tex.
Durham	McCormack	Thompson, La.
Engle	McCulloch	Vanik
Farbstein	McIntire	Wainwright
Frelinghuysen	Macdonald	Williams, N. Y.
Friedel	Mason	Winstead
George	Miller, Calif.	Young
Glenn	Miller, N. Y.	Zelenko

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Johnson for, with Mr. Hébert against.

Mr. Zelenko for, with Mr. Morrison against.

Mr. Farbstein for, with Mr. Thompson of Louisiana against.

Mr. Winstead for, with Mr. Buckley against.

Mr. Colmer for, with Mr. Keogh against.

Mr. Bentley for, with Mr. Durham against.

Mr. Taylor for, with Mr. Roosevelt against.

Mr. Hosmer for, with Mr. Engle against.

Mr. Frelinghuysen for, with Mr. Miller of California against.

Mr. Beamer for, with Mr. Doyle against.

Mr. Scherer for, with Mr. George against.

Mr. Sheehan for, with Mr. Boykin against.

Mr. Wainwright for, with Mr. Hillings against.

Mr. Simpson of Pennsylvania for, with Mr. Kilburn against.

Mr. Herlong for, with Mr. Glenn against.

Mr. Derounian for, with Mr. Friedel against.

Mr. Coudert for, with Mr. Hill against.

Mr. Henderson for, with Mr. Coffin against.

Mr. Preston for, with Mr. Scott of Pennsylvania against.

Mr. Pilcher for, with Mr. Mitchell against.

Mr. Williams of New York for, with Mr. McCarthy against.

Mr. Kearney for, with Mr. Ashley against.

Mr. James for, with Mr. Jensen against.

Mr. Rivers for, with Mr. Gordon against.

Mr. Mason for, with Mr. Shelley against.

Mr. McCulloch for, with Mr. Vanik against.

Until further notice:

Mr. Teague of Texas with Mr. Avery.

Mr. Spence with Mr. Baumhart.

Mr. Barden with Mr. Radwan.

Mrs. Blitch with Mr. Prouty.

Mr. Brooks of Louisiana with Mr. McIntire.

Mr. Macdonald with Mr. Brownson.

Mr. O'Neill with Mr. Budge.

Mr. Davis of Tennessee with Mr. Hale.

Mr. Dies with Mr. Hoffman.

Mr. Shuford with Mr. Harrison of Nebraska.

Mr. Young with Mr. Clevenger.

Mr. NORRELL, Mr. BYRD, MR. AUCHINCLOSS, and Mr. RHODES of Pennsylvania changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The Committee resumed its sitting.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill follows:

TITLE I

SEC. 101. (a) The Secretary of the Interior shall provide for stabilization payments to producers of ores or concentrates of lead, zinc, acid-grade fluorspar (fluorspar containing 97 percent or more calcium fluoride on a dry weight basis), and tungsten trioxide produced from domestic mines, as provided in this title.

(b) Upon presentation of evidence satisfactory to the Secretary of a sale of newly mined domestic ores, or concentrates produced therefrom, of lead, zinc, acid-grade fluorspar, and tungsten trioxide, the producer of such ores or concentrates shall be paid (if the market price of the material produced therefrom at the time of the sale was less than the stabilization price set forth hereinafter) an amount equal to but not exceeding the difference between the amount actually received by the producer from the sale and an amount, as determined by the Secretary, which the producer would have received for such ores and concentrates had the market price of the material produced therefrom at the time of sale been equal to the stabilization price as shown in the following schedule:

Material stabilization price

Lead (common), 15½ cents per pound, New York, N. Y.

Zinc (prime western), 13½ cents per pound, East St. Louis, Ill.

Fluorspar (acid-grade), $53 per short ton, f. o. b. point of shipment.

Tungsten trioxide, $36 per short ton, f. o. b. shipping point.

(c) If a producer further processes such ores or concentrates without effecting a sale, the equivalent and competitive market value of such ores or concentrates, as determined by the Secretary, at the time of such further processing shall be used in lieu of the amount which would have been received in

the case of a sale, for the purpose of computing payments.

SEC. 102. (a) Subject to the provisions of subsection (b) of this section, no stabilization payments under this title shall be made on sales, or further processing in lieu of sales, for any 1 year with respect to any production the recoverable content of which is in excess of the following annual limitations:

(1) Three hundred and fifty thousand tons of lead;

(2) Five hundred and fifty thousand tons of zinc;

(3) One hundred and eighty thousand tons of acid-grade fluorspar;

(4) Three hundred and seventy-five thousand short ton units of tungsten trioxide.

(b) No stabilization payments under this title shall be made on any domestically produced material which is sold to or eligible for sale to the United States Government, or any agency thereof, pursuant to a contract made under the provisions of the Defense Production Act of 1950, as amended, the Strategic and Critical Materials Stockpiling Act, or the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956. Any such material shall be applied to reduce the annual limitations specified in this section, and the quarterly limitations as fixed by the Secretary.

SEC. 103. (a) For purposes of administration the Secretary may fix quarterly limitations on the total amounts of each material on which stabilization payments are made for the purpose of achieving stabilization in the annual rates of production.

(b) Where sales of any material exceed such quarterly limitations, the Secretary may adjust stabilization payments to producers for that quarter so as to distribute the benefits of the program equitably among the producers, but stabilization payments shall not be denied on any sales of any producer during such quarter whose sales did not exceed the following quantities: Lead, 1,250 tons; zinc, 1,250 tons; fluorspar (acid-grade), 1,250 tons; and tungsten trioxide, 3,000 short-ton units.

(c) Whenever the total production from domestic mines of any of the minerals to which this title applies exceeds the quarterly limitation in any one quarter, the Secretary may establish, for succeeding quarters, limitations on the quantities for each producer that will be eligible for stabilization payments, but no producer shall have a quarterly limitation for any mineral less than the quantity set forth for that mineral in the preceding subsection.

SEC. 104. (a) In the case of tungsten trioxide, stabilization payments on the sales of any 1 producer shall be limited to 15,000 short-ton units per quarter from production originating in any 1 mining district: *Provided*, That in the event eligible sales from newly mined production is less than the quarterly limitation for this material, as established by the Secretary, the Secretary, at his option and under regulations issued pursuant to this act, may make stabilization payments on sales of tungsten ores and concentrates from the inventory of producers which were produced after July 1, 1956, but prior to the effective date of this title. In no event shall payments on sales from such inventories exceed an aggregate of 25,000 short-ton units to any 1 producer from production originating in any 1 mining district, nor shall payments on sales from such inventories, together with sales from newly mined production, exceed in any quarter an aggregate of 15,000 short-ton units for any 1 producer from production originating in any 1 mining district.

SEC. 105. No stabilization payment made under this title on the recoverable content of any ores or concentrates shall exceed the following: Lead, 3.9 cents per pound; zinc, 2.9 cents per pound; fluorspar (acid-grade), $13 per short ton; and tungsten trioxide, $18 per short-ton unit of WO_3.

SEC. 106. Whenever the Secretary determines that the total quarterly production of any of the materials on which stabilization payments are to be made, as provided in this title, has exceeded the quarterly limitation for each of 2 successive quarters by an amount in excess of that shown in the following schedule: Lead, 9,000 tons; zinc, 15,000 tons; fluorspar (acid-grade), 5,000 tons; tungsten trioxide, 55,000 short-ton units, he shall provide that all stabilization payments on such materials sold thereafter shall be suspended until such time as he shall be satisfied that the annual rate of production from domestic mines will approximate the amounts set forth in section 102 (a).

SEC. 107. The provisions of this title shall take effect on the first day of the first quarter next following the date of enactment of this act and shall terminate on June 30, 1963.

TITLE II

SEC. 201. (a) In addition to any payments under title I of this act, the Secretary shall make limited tonnage payments, upon presentation of evidence satisfactory to him of a sale of newly mined ores, or concentrates produced therefrom, as provided in this section.

(b) (1) Such payments shall be made to producers of lead, as follows:

(A) As long as the market price for common lead at New York, N. Y., as determined by the Secretary is at or below 15½ cents per pound, at the rate of 1.1250 cents per pound on not to exceed 500 tons per quarter per producer; or

(B) As long as such market price is above 15½ cents per pound but is below 17 cents per pound, at the rate provided in clause (A) reduced by an amount equal to 75 percent of the amount by which such market price exceeds 15½ cents per pound, on not to exceed 500 tons per quarter per producer.

(2) No payment shall be made under the provisions of this section to producers of lead when such market price is equal to, or exceeds, 17 cents per pound.

(c) (1) Such payments shall be made to producers of zinc, as follows:

(A) As long as the market price for prime western zinc at East Saint Louis, Ill., as determined by the Secretary, is at or below 13½ cents per pound, at the rate of .5500 cent per pound on not to exceed 500 tons per quarter per producer;

(B) As long as such market price is above 13½ cents per pound, but is below 14½ cents per pound, at the rate provided in the preceding clause (A) reduced by an amount equal to 55 percent of the amount by which such market price exceeds 13½ cents per pound, on not to exceed 500 tons per quarter per producer.

(2) No payment shall be made under the provisions of this section to producers of zinc when such market price is equal to or exceeds 14½ cents per pound.

(d) Such payments shall be made to any producer of tungsten trioxide who has not sold more than 250 units thereof during any quarter, at the rate of $4 per unit on the number of units produced by such producer in such quarter.

SEC. 202. The provisions of this title shall take effect on the first day of the first quarter next following the date of enactment of this act, and shall terminate on June 30, 1963.

TITLE III

SEC. 301. The Secretary is hereby authorized and directed to establish and maintain a program to purchase not more than 150,000 short tons of refined copper produced from ores mined in the United States its Territories, and possessions, of such types as he deems desirable meeting the same specifications for purchases of refined copper as are or may be in effect pursuant to the Strategic and Critical Materials Stockpiling Act. Such purchases shall be made at the market price, but not to exceed 27½ cents per pound, delivered Connecticut Valley.

SEC. 302. All copper purchased pursuant to the authority of this title shall be turned over to the supplemental stockpile in accordance with the provisions of the act of July 10, 1954 (Public Law 480, 83d Congress (68 Stat. 454)), as amended.

SEC. 303. The provisions of this title shall take effect upon the date of enactment of this act, and shall terminate on June 30, 1959.

TITLE IV

SEC. 401. The Secretary is hereby authorized to establish and promulgate such regulations and require such reports as he deems necessary to carry out the purposes of this act, but such regulations shall assure equitable distribution of the benefits of the programs provided by this act throughout the domestic industries affected.

SEC. 402. The Secretary may delegate any of the functions authorized by this act to the Administrator of General Services.

SEC. 403. (a) For the purposes of this act—

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "producer" means any individual, partnership, corporation, or other legal entity engaged in producing ores or concentrates from domestic mines and in selling the material produced in normal commercial channels.

(3) The term "sale" means a bona fide transfer for value of ores and concentrates from a producer to a processing plant.

(4) The term "domestic mine" means any single operating unit producing ores from properties located within the United States, its Territories, or possessions, and operating in one State or mining district.

(5) The term "newly mined" means domestic material processed into concentrates or severed from the land subsequent to the date of enactment of this act, but shall not exclude normal inventories of crude ore. The term does not refer to material recovered from mine dumps, mill tailings, or from smelter slags and residues derived from material mined prior to the date of enactment of this act.

(6) The term "quarter" means the calendar periods commencing on the first day of the months of January, April, July, and October.

(b) For the purposes of sections 103 and 201 of this act, the Secretary may determine what constitutes a single operating unit producing ores, and, in the event that more than one producer claims payment for sales from production of a single operating unit, the Secretary may determine the quantity of sales for each such producer to which the above limitations shall apply.

(c) For purposes of sections 103 and 201 of this act, sales of concentrates produced from ores sold to a mill or processing plant in accordance with regulations issued pursuant to this act shall not be considered as the sales of the owner of the mill, but shall be considered as the sales of the producer of the ores.

SEC. 404. In order to finance programs authorized under this act, the Secretary is authorized and empowered to issue to the Secretary of the Treasury notes and obligations in an amount not exceeding $350 million outstanding at any one time. Such notes and other obligations shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Secretary, with the approval of the Secretary of the Treasury: *Provided*, That such notes and other obligations may be redeemed by the Secretary at his option before maturity in such manner as may be stipulated in such notes

or other obligations. Such notes and other obligations shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the current average yield on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such notes and other obligations. The Secretary of the Treasury is authorized to purchase any notes or other obligations issued by the Secretary hereunder and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such act are extended to include any purchases of such notes and other obligations.

SEC. 405. No payment shall be made under this act after December 31, 1963.

SEC. 406. The Secretary shall make an annual report with respect to operations under this act as soon as practicable after July 1 of each of the years 1959 to 1963 inclusive to the Committees on Interior and Insular Affairs and the Committees on Appropriations of the Senate and House of Representatives. Any such report shall contain such recommendations as the Secretary may deem appropriate.

SEC. 407. Any person who willfully violates any provision of this act or any regulation issued under this act shall upon conviction be fined not more than $10,000, or imprisoned for not more than 10 years, or both.

Amend the title so as to read: "An act to stabilize production of copper, lead, zinc, acid-grade fluorspar and tungsten and to promote mining and development research for beryl, chromite, and columbium-tantalum from domestic mines."

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 6, strike the word "produced" and insert the word "producible."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 12, strike the word "produced" and insert the word "producible."

Mr. BYRNES of Wisconsin. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, I voted for the rule which made the consideration of this bill in order, but I am opposed to the bill. I voted to make the bill in order because I certainly thought that there should be brought to the attention of every Member of this Congress and to the country the plight that the lead and zinc people are in. It seemed to me that the discussion that would be possible under general debate would make information with respect to the plight of those industries available to the country.

There can be no question but what the lead and zinc industries are being seriously injured. It has been found on two separate occasions by a duly constituted Commission of our Government, which held hearings and made findings that the industry is being seriously injured.

I do not think, however, that we have placed the proper emphasis on the question of why or how it is being injured or that this bill even considers the cause of the injury. What did the Tariff Commission find and why did it find it and what were its recommendations? The Tariff Commission found in 1954 by a unanimous decision, and they found again this year, in April, by a unanimous decision that the lead and zinc industry was being injured. Why? Because of imports, low-priced imports, imports produced at low cost in some foreign country. That is why we have the problem. That is why they are being injured. There was a unanimous decision to that effect.

Let me quote from the report of the United States Tariff Commission to the President under date of April 24, 1958:

As a result of the investigation, including the hearings:

(1) The Commission unanimously finds that, as a result in part of the customs treatment reflecting the concessions granted thereon in the General Agreement on Tariffs and Trade, unmanufactured lead and unmanufactured zinc are being imported into the United States in such increased quantities, both actual and relative to domestic production, as to cause serious injury to the respective domestic industries producing like or directly competitive products;

(2) Commissioners Brossard, Talbot, and Schreiber find that, in order to remedy such serious injury, it is necessary, for an indefinite period, that unmanufactured lead and unmanufactured zinc be subject to duty at the maximum rates permissible under section 350 of the Tariff Act of 1930, as amended (see table 3 in the statistical appendix), and, in addition, that such unmanufactured lead and unmanufactured zinc be subject to quantitative limitations as set forth in table C on page 80; and

(3) Commissioners Sutton, Jones, and Dowling find that, in order to remedy such serious injury, it is necessary, for an indefinite period, that unmanufactured lead and unmanufactured zinc be subject to duty at the rates originally imposed by the Tariff Act of 1930 (see table 3), without quantitative limitations of any kind.

You will note that the Commission found that the lead and zinc industry was being injured as a result of the increased importation of lead and zinc as a result of concessions or reductions in the tariff on lead and zinc contained in the General Agreement on Tariff and Trade.

Let me call the attention of this Congress to the fact that we have a law on the statute books. It is the law today, it has been the law since 1951, and it will be the law for the next 4 years. I refer you to section 6 of the Trade Agreements Act of 1951. This section provides that no reduction or concession made under the Trade Agreements Act shall be permitted to continue in effect when the product on which the concession has been granted is, as a result, in whole or in part, of the duty or other customs treatment reflecting such concession, being imported in such increased quantities as to cause or threaten serious injury to the domestic industry. That provision is continued under the Trade Agreements Act Extension which was passed by this Congress and which was signed by the President yesterday.

I would point out to you also that the law authorizes the President to take action to increase the duties where injury is resulting from increased imports.

Now, Mr. Chairman, note the recommendation made by the Tariff Commission as to what should be done to relieve the lead and zinc industry under the present circumstances. This recommendation was made as recently as April 24 of this year. The Commission was unanimous in its recommendation that the duty on lead and zinc imports should be increased at least to the rate originally imposed by the Tariff Act of 1930. Three of the Commissioners recommended that the duty should be increased to the maximum rates permissible and, in addition, that quantitative limitations or quotas should be imposed. I should point out that nothing has been done by the President to date to carry out this recommendation.

You will note that the Tariff Commission does not recommend getting into a Brannan plan, an incentive payment or a subsidy program. They recommend meeting this problem in the historical American way, namely, the imposition of duties.

The mess we are in today is a direct result, Mr. Chairman, of the bad faith of the administration as far as the administration of the trade-agreements program is concerned. I said on this floor last June 10 when the extension of the Trade Agreements Act was before the House:

Until we get something that will assure us that the escape clause is meaningful, until we have assurance that section 6 of the Trade Agreements Extension Act of 1951 is carried out in spirit and in letter, I shall oppose further extensions of this act.

I was prompted to make that statement and oppose extension of the Trade Agreements Act when it was before this House last June because of the existence of situations exactly like the situation that now exists with respect to the lead and zinc industry.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. BYRNES] has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Chairman, this situation we have today in the field of lead and zinc is a result of the failure of the escape clause to function under the administration of the Trade Agreements Act. This is not the only industry that is so affected. There are other industries. And if you are going to give this type of special relief; if you are going to start subsidizing industries that are injured as a result of imports, you will open up the greatest floodgates this country has ever seen and you will reverse the historic policy of this country.

If you say, as you, in effect, say by this bill, that any industry injured as a result of the importation of goods produced by cheap labor abroad will be subsidized to make up the price differential, there is no end to the burden that

you are going to place on the American economy and the American taxpayers. We cannot stand it. Why should you start on this road today?

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. Briefly, I yield to the gentlemen from Colorado.

Mr. ASPINALL. Mr. Chairman, I take no offense at what the gentleman is saying. I think he is right. But suppose this bill should become law, and then the administration accepted its responsibilities to proceed under the escape and peril clauses, then this bill would not cost the taxpayers anything, would it?

Mr. BYRNES of Wisconsin. That is right. But I would force the President to carry out the present law; I would not give him the alternative. If I were to offer any alternative, I would say pass the bill H. R. 6894 that was before the Committee on Ways and Means last year, on which we had hearings and which has been sitting in that committee, to take care of the lead and zinc situation, by imposing an import tax on the imports. And that is still available to the Congress. The President has ample authority to increase duties and impose quotas. That is the type of relief that should be pursued. We should not get into the completely unrealistic approach that is offered by this bill.

The way to solve any problem is to attack the cause of that problem. This bill does not attack the cause. Even should this bill become law, the problem facing the lead and zinc industry will remain because the cause of their problem will still remain. This country will still permit the importation of lead and zinc at prices which make it impossible for the domestic industry to compete.

The proposal before us is a poor substitute for appropriate and effective action imposing a proper restriction on imports.

Industry should not be forced to accept the temporary and ineffective relief provided by this proposal. It is entitled to protection through the historical American method of duties and quotas on imports.

The American taxpayer should not be burdened by the additional cost of almost one-half billion dollars authorized by this legislation. The imposition of a duty would correct the problem, and, in addition, produce a revenue to the Treasury. This legislation drains the Treasury.

Mr. Chairman, either the President should accept the responsibility that is placed on him as part of the Trade Agreements Act and take effective action carrying out the recommendations of the Tariff Commission, or this Congress should pass bill H. R. 6894 imposing import taxes on lead and zinc. Such alternative actions would not only be effective, but they would be permanently effective because they attack the heart of the problem, the increased foreign imports.

If we pass this bill we will only be delaying the day of reckoning because the basic problem will still remain with us.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. BYRNES] has again expired.

Mr. CURTIS of Missouri. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I had not intended to take the floor; but during the debate some things have been said and I would not feel quite right if I did not do my best to correct them.

A statement has been made to the effect that a subsidy is a less regressive method of handling a trade situation than a tariff. As a matter of fact, the converse is true. There was testimony by expert witnesses before our Subcommittee on Tariff and Trade, of which the gentleman from Louisiana [Mr. BOGGS] is chairman. The question I put to many of them was: Of all the barriers to trade we have, whether it be a license, a quota, a subsidy, or what, do you not agree that the least restrictive and most liberal is the tariff? The answer was invariably, "Yes."

Of course, anyone who studies trade matters will recognize that that is the case.

We have an unusual situation in regard to lead and zinc, for this reason: Only 30 percent of the domestic market is filled by our domestic production. Seventy percent is always going to come from abroad. We are talking about a balance. The administration made it clear when they supported and sent up this program that they were agreeing with the findings of the Tariff Commission that damage had been done to the lead and zinc industry.

The only argument that faces this Congress today and, I might say faces the administration, is, having conceded that the industry has been injured and that it needs help; how is the best way to help them? I want to talk about what is the difference—the economic difference—between a tariff and a subsidy. Number one, a subsidy or a license or a quota means that the industry and the individual companies and the people involved and the labor unions have to come to a bureaucracy in order to plead their case and to prove their case. That is one of the most regressive forms of trade barriers while a tariff once it is imposed is available to all the people to figure out as best they can how they are going to fit into that particular program. That is one reason the subsidy program is one of the last kind of programs to adopt because our people have to come to a bureaucracy for decision instead of allowing the law of supply and demand to enter into the picture. The second economic difference is this, and this is important. A subsidy is imposed upon the whole society, upon all of the taxpayers, while a tariff places the cost essentially on the consumers of that product involved. I think from the standpoint of good economics and those who believe in the private enterprise system and want to keep it as free as possible that the burden should be imposed upon the consumers of that particular item. In that way, incidentally, if you have materials that might replace a particular kind of material in our economy, the price of any subsidy is borne by that particular product. There is the big, basic difference. As far as our foreign friends are concerned, there is no distinction between a subsidy and a tariff because we are saying we are going to try to preserve the 30 percent of the domestic market for the domestic producers whether you do it with a tariff or whether you do it with a subsidy. So the sole issue before us, I submit, is which method is the better method and which is the best method under the private enterprise system.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. DAWSON of Utah. What the gentleman is saying is that there is no question at all that the lead and zinc industry is in dire straits; is that not correct?

Mr. CURTIS of Missouri. That has been agreed and I do not think anyone would be correct in coming into the well of the House and saying otherwise because whichever side you are on, whether it be for subsidy or for tariff, that has been agreed to.

Mr. DAWSON of Utah. In other words, what we are doing is quibbling about what we are going to do to save the patient and there is no question in the mind of anyone that if relief is not granted either through a tariff or by a subsidy that the lead and zinc mines of this country are going to close up and the taxpayers of the country are going to pay for it in the end.

Mr. CURTIS of Missouri. I think that is true, but I do not regard it as quibbling over which method. I think we have some very basic political and economic factors involved in the decision as to which course we are going to take.

Mr. RHODES of Arizona. Mr. Chairman, I move to strike out the last word.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. MILLER of Nebraska. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SIMPSON] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Chairman, I am opposed to the passage of S. 4036, which provides for the payment of subsidies, under certain circumstances, to the producers of a limited number of minerals.

I oppose the bill because the recently-extended trade agreements program, which I also opposed, provides far better means of protecting the jobs of workmen threatened by excessive imports of the very same minerals, if the administration would only employ them.

My colleagues will recall that during the recent debate on the trade program, I fought for the adoption of much more stringent guaranties than are contained in the legislation signed into law by the President yesterday. My paramount concern was to require the Executive to

act in those cases where relief is justified. As the law stands, we are forced to depend upon voluntary action on the part of the administration.

Is it not reasonable to suggest that we be realistic and take action as provided under present law to protect the jobs of American workingmen?

The existing law provides that the President may impose a quota which would limit imports of the minerals in question, thereby enlarging the market for domestic producers to the extent that imports are restricted.

As a matter of policy, the administration refuses to impose quotas on the grounds that to do so would injure foreign producers. The fact is that S. 4036—the legislation we have before us—would injure foreign producers in exactly the same degree as would be the case if protection were granted to American producers under provisions of our present trade law.

The gentleman from Texas has declared that S. 4036 is not a stockpile bill. On the contrary, he says, it is a bill to assist in the disposal of minerals produced from American mines. If my friend is correct, this can only mean that the minerals produced and sold by reason of the subsidies provided in S. 4036 are intended to, and would most certainly, supplant minerals now coming into the United States at low tariff rates.

Therefore, it will be recognized that foreign producers would be injured just as much under S. 4036 as they would be under the imposition of either quotas or increases in import duties. Inasmuch as the subsidies called for in this bill would cost over $500 million, it seems ridiculous to me for us to impose this further burden on our taxpayers when the net result would be to endanger friendly relations with certain foreign countries. Apparently, the reaction of our foreign friends would be the same and they would be so minded no matter what course we might choose to follow here in the United States to assist our domestic mineral producers.

We should keep in mind that H. R. 12591, the Trade Agreements Act of 1958 which was signed by the President yesterday, also contains a specific provision which would permit the President to convert specific duties to an equivalent ad valorem rate based on 1934 price levels. It would provide the kind of protection our minerals industry deserves, if the administration could be induced to invoke its authority. By so doing, our taxpayers would be ahead in the amount of $500 million.

No one, I am sure, is more aware of the need of maintaining a strong minerals-mining industry than I. Unlike other industries, when mines are closed, they become flooded and deterioration sets in very rapidly. Closed mines are exceedingly difficult to reopen. Our mobilization base has always included a strong mining industry. The stockpile has been designed to supplement a mining industry, not to supplant it.

The bill before us might give some temporary relief to the mining industry, but in good conscience, no one could support it since there are so many other alternatives in the Trade Agreements Act to provide relief for this important segment of our economy.

Prior to the passage of H. R. 12591, the Tariff Commission could not recommend any substantial relief for mineral producers except for imposition of quotas. They could operate only within the specific duties imposed in the 1930 act. In 1930 the specific tariff represented a very substantial measure of protection based on the prevailing world price for lead, zinc, and copper. Because of inflation, the restoration of the 1930 specific rate, even if it were increased by 50 percent, would still afford very little real protection.

The provision to which I referred earlier—the Purtell amendment—would permit the conversion of all specific duties to an equivalent ad valorem rate based on the 1934 price levels. As I inferred, this amendment makes the entire mineral subsidy program unnecessary, as it authorizes the President to provide substantial relief for lead, zinc, copper, and other distressed mineral industries. It has always been my opinion that we should not concern ourselves with relief for a specific industry, but should rather direct our efforts to afford help for everyone. The Purtell amendment places everyone on the same ad valorem basis.

Prior law provided a base period of January 1, 1945, and permitted the President, upon recommendation of the Tariff Commission to establish a duty rate of 50 percent above the base for articles with respect to which a successful escape clause action has been maintained.

The measure we adopted makes substantial relief possible. For the benefit of my colleagues, I would like to cite examples.

In the case of lead in pig and bars, the specific rate of duty on January 1, 1934, was 2⅛ cents per pound on lead content. The ad valorem equivalent of that specific duty was 113 percent. Increasing that ad valorem equivalent by 50 percent would mean that an ad valorem equivalent of 169.5 percent could be applied in the case of lead. Converting the possible ad valorem equivalent back to a comparable specific rate of duty would produce 22.4 cents per pound on lead content. This is compared to the 3 3/16 cents per pound that would have been the maximum duty possible under the former law.

This section similarly offers opportunity for realistic protection in the case of zinc block, pigs, or slabs. The rate of duty in effect on January 1, 1934, was 1¾ cents per pound. Its ad valorem equivalent was 53.5 percent. Increasing the ad valorem equivalent by 50 percent produces 80.25 percent and converting that latter percentage into a specific duty results in a figure of 9.23 cents per pound. This is compared with a 2.625 cents per pound maximum specific duty that would have been possible previously.

In the case of copper, refined, ingots, plates, and bars, the rate of duty on January 1, 1934, was 4 cents per pound. The ad valorem equivalent was 54.6 percent, which, when increased by 50 percent, produces an ad valorem rate of 81.9 percent. This latter percentage produces a current specific rate equivalent of 24.5 cents per pound.

It is clear that the Trade Agreements Act gives the Tariff Commission ample power to grant substantial relief to distressed American mineral producers. Furthermore, the act provides for Congressional review of escape-clause actions. If the Tariff Commission should recommend relief which the President did not feel disposed to grant, a mechanism has been established for Congressional consideration of his finding, although I would be the first to recognize its practical limitations.

The trade agreements extension embodied in H. R. 12591 also includes this significant language in respect to industries affecting our national security:

> If the President is advised by the Director (of Defense Mobilization and Civilian Defense) that, as a result of his investigation, the Director is of the opinion that the article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President shall take the required action unless he determines that the article is not being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security.

Needless to say, producers of all the minerals covered by the legislation now before us would qualify under this national defense amendment.

In view of the fact, Mr. Chairman, that we find we have several possibilities of affording help to our domestic minerals industries under existing law, it seems clear to me that we should exhaust these alternatives before embarking on new programs which might establish unfortunate precedents for the future involving commitments for the expenditure of untold billions of dollars.

In conclusion, Mr. Chairman, I am constrained to say that the proposal now before us is the outgrowth of certain promises made earlier in an attempt to influence votes on the legislation to extend the trade-agreements program. I cannot believe that any of my colleagues will permit themselves to be imposed upon in this manner.

Mr. RHODES of Arizona. Mr. Chairman, every day in the last 3 days about this time I have come to the well of the House to get this particular discussion back in category. This is not a relief bill. This is not a bill to cure unemployment. This is a bill to save a very basic industry needed for the defense of the United States of America. In these few words, I will try to tell you what this bill is about. It is undoubtedly a fact that this industry is needed for defense. The industry is in difficulty because of foreign competition. That has not been disputed by anybody. The industry has gone to the Tariff Commission and has tried in every way it possibly could to get aid under the tariff laws. That has not been disputed by anyone. The only thing which is then in dispute is what we do about it. As the gentleman from Utah said very aptly, while we worry about the remedy, the patient is going to die. As I said a few days ago, this is not a patient which is easily resur-

rected. You can take land out of cultivation, but you can bring it back into cultivation comparatively easily.

But you let a mine go out of production and you have it flooded, you have the timbers rotting, you have the machinery rusted; and, believe me, all you have left is an ore deposit in the ground, and it takes about as much money to put it back into production as it took to put it into production in the first place.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. BAKER. Am I correct in saying it is the view of the gentleman that it is far better to have a fair import duty than to have this bill, but if we cannot get the duty—and it looks at the moment that we cannot—then it is imperative that we get this bill?

Mr. RHODES of Arizona. That was my next point.

Mr. BAKER. If the gentleman will yield again, may I say further that I join with the gentleman. I am a member of the Ways and Means Committee and heard all this evidence. I cannot see where we are going to get the relief that is needed through a tariff, which is the proper remedy, and that is the reason I am supporting this bill.

Mr. RHODES or Arizona. I do not find myself in disagreement with many of the things said by the gentleman from Wisconsin [Mr. BYRNES], nor do I find myself in disagreement with many of the things said by my good friend from Missouri [Mr. CURTIS]; but the fact remains that we tried and tried desperately to get help through the Tariff Commission but we have been unable to get it. This is the only answer which we see; and, because of the necessity to save this industry for the future of the United States of America all we can do at this particular time, as far as I can see, is to vote this bill out and to pass it on the floor of the House.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. BYRNES of Wisconsin. The gentleman knows I am sympathetic to the program.

Mr. RHODES of Arizona. Indeed the gentleman is.

Mr. BYRNES of Wisconsin. It seems to me one of the problems here in passing this legislation is, the gentleman I am sure will concede, that it is but a stopgap, is it not? The problem is still with us, namely, imports of production produced at prices lower than we can possibly pay.

Mr. RHODES of Arizona. The gentleman is absolutely correct. This is only stopgap legislation. Other Members have said it is only stopgap legislation, but it is the kind of stopgap necessary to save a very sick business from dying altogether.

Mr. BYRNES of Wisconsin. Then why not extend this for 1 year and next year come back and lay the problem again before the Ways and Means Committee? That would be the direct way to cure the problem.

Mr. RHODES of Arizona. That is a very good question. The only answer to that is that it requires a considerable investment even to keep one of these mines going when it is losing money. Under a 1-year program you would not find very many mines that are now losing money which would be willing to stay; in other words, a 1-year program is no more of an answer to the problem than is stopgap legislation to which the gentleman referred. The answer is, as the gentleman stated, a change in the tariff policies of the United States. But we have no chance right now of getting a change made, and it is a matter of doing something at this time to keep this industry from going down the drain. Believe me, if it goes down the drain the taxpayers of this country are going to be paying more money for lead and zinc as imports in the future than they now can imagine. The gentleman will remember a few years ago when one of our great allies released its stockpile of lead and zinc on the world market and broke the market. We had to act then to save lead and zinc by stockpile purchases, because to fail to do so would have placed our economy at the mercy of a world market which could have gone out of sight.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. GAVIN. Mr. Chairman. I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. The gentleman has presented the case for lead and zinc, and we deeply sympathize with the existing situation but why should we pass discriminatory legislation for one particular phase of our economic or industrial life? What I am calling to the gentleman's attention is the pottery industry in Ohio which has just as many difficulties as the lead and zinc industry. The textile industry in New England is in a very depressed condition. This morning my attention was called to the fact that the Wamsutta plant in New Bedford was just closed the other day and a thousand people are out of employment. They have no place to go, they had no recourse to other work. It too is a very serious situation.

Why should not the textile industry also receive the preferential treatment the gentleman asks for lead and zinc?

Why are not the coal mines of Pennsylvania that are in the same category?

Mr. RHODES of Arizona. Will the gentleman yield me some of my time?

Mr. GAVIN. Why does not the coal industry receive some help? Therefore I say to you, and I asked for these 2 minutes, why should we not include all phases of our economic life along with lead and zinc? Why be discriminatory?

Mr. RHODES of Arizona. May I answer the gentleman?

Mr. GAVIN. All the industries need assistance.

Mr. RHODES of Arizona. I have tried to answer that question 3 days running at this particular hour of the day. The reason is because all of the industries which the gentleman has mentioned, although they are sick, maybe sicker than ours, have nothing to do with defense. If this bill cannot be justified as a defense measure, I agree with the gentleman it cannot be justified to take care of one industry as against all the other industries.

Mr. GAVIN. We have ample stockpiles to take care of our defense needs.

Mr. RHODES of Arizona. No. I pointed out to the gentleman 2 days ago that these stockpiles are somebody's educated guess as to what might be needed in the case of war. An educated guess is only as good as any other guess. The only way to defend this country adequately is to have an industry which is capable of producing the metals so badly needed for war production in the event our ships are being sunk as they were in World War II.

Mr. GAVIN. When the gentleman started his discussion, he said this was not a stockpiling bill. He said that it is an incentive program.

Mr. RHODES of Arizona. I did not say it was an incentive program.

Mr. GAVIN. That is what it has been referred to as being.

Mr. RHODES of Arizona. It is a program to keep an industry going which is vital to the defense of this country.

Mr. GAVIN. The gentleman will admit if this legislation is enacted it will not cure the problem except on a temporary basis?

Mr. RHODES of Arizona. That is absolutely correct.

Mr. GAVIN. It is not the answer, it is not the solution.

Mr. RHODES of Arizona. I never said it was the answer. I agree with the gentleman; it is a stopgap proposition.

Mr. O'KONSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am very glad to follow the gentleman from Arizona, because I believe if you just shuffle this thing down to one point on why there is a so-called need for this bill, it is the fictitious argument presented by the gentleman from Arizona, approached from the standpoint of national defense.

I did something perhaps that many of you did not do. I read every page and every speech given in this Congress when the reciprocal trade agreements bill was up for consideration. Sixty-nine times in that debate the question was raised on how these reciprocal trade agreements were going to affect our national defense. The question was raised 69 times if you had any industry in the United States of America that is being hurt by reciprocal trade agreements—that is, these imports—what protection under the Reciprocal Trade Agreements Act, is that industry, which is so vital, going to have under that bill?

Sixty-nine times the advocates of the Reciprocal Trade Agreements Act reiterated, again and again, and referred to the section and paragraph, to the words in the bill stating that just as soon as it is indicated that any industry in the United States of America is being hurt by imports under the Reciprocal Trade

Agreements Act, an industry that is vital to our national defense, there is an escape clause, and the President of the United States of America can take immediate action to save that industry.

Sixty-nine times the proponents of the bill assured us that there was that protection in the reciprocal trade agreements bill. Now, 1 of 2 things is true. Either the advocates of the Reciprocal Trade Agreements Act were telling falsehoods; or, No. 2, the President of the United States of America is incompetent to judge whether an industry is vital to our national defense. These are the only two conclusions that can be drawn.

I say to you that the proponents of this pending bill have not made a case that this industry is vital to the defense of our country. If it were, you have an escape clause set out and promised 69 times in the process of the debate on the reciprocal trade agreements bill that an industry in the United States of America, vital to our national defense, has nothing to worry about because we have an airtight provision in this bill to take care of them, if they are adversely affected.

The gentleman from Texas stated you have to have this bill because we have the Reciprocal Trade Agreements Act. Now we come to the core of the whole thing. There is a hidden reason, obvious only to those who know and care what is going on, why you have to have this bill.

This bill is a payoff to the doubtful Congressmen and Senators who voted for the Trade Act. Without this promised payoff, the trade agreement never would have become law. This is in addition to the $87 million payoff to copper interest on the eve of the final vote to sway doubting Congressmen.

One thing I cannot understand, particularly from the gentleman on my side, is this. Whenever we have a bill up here which affects the general economy of all of the people, what do they do? We had a bill here, the community facilities bill, and I thought that the roof was going to come off the Chamber of the House over here, because we were trying to do something for all communities, all segments of society. Who opposed it? Some of the very people coming down here now and pleading for special consideration for their communities. They are asking a giveaway of $100,000 per man to put 1 man to work: total cost $650 million.

Let me tell you something, my friends, in conclusion. Everybody is being hurt by these reciprocal trade agreements, and I say to you now we are either going to fall together or we are going to exist together. We are not going to get along by taking up one segment, one group of people, one industry, and pass special legislation for them. Let me tell you, with the special consideration that they have already given oil, with the special consideration that they are now giving metals, they have enough votes to keep the reciprocal trade agreement in effect forever. They don't need any other votes. If this bill passes any chance for relief for others is gone forever.

We had a good bill here. The community facilities bill. It helped everyone and every community. It was not a handout. It was in the nature of loans. Some of the very people who are in favor of spending $100,000 to put 1 man to work, now voted against that bill that would have done so much for the whole United States of America. This present bill is not legislation—it is a payoff and should be deplored by the Congress as a whole.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, like the gentleman from Louisiana, Mr. BOGGS, who has been very active in behalf of this bill—at least, he was yesterday—I have not a single mine in the District I have the honor to represent.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. In a minute.

Mr. BOGGS. I am still active for it.

Mr. GROSS. Just a minute. I will yield later. I have not a single mine in the District I represent. But, unlike the gentleman from Louisiana, I am not a free trader.

Mr. BOGGS. Am I?

Mr. GROSS. Yes, and I wonder what the gentleman from Louisiana has in store for the knitting mill in my District that is being severely injured by the imports of knit gloves and mittens from the cheap labor of Hong Kong, Japan, and Italy. I do not know whether these products are handled through International House in New Orleans that apparently does a lot of curbstone brokerage in imports. But, I do know that American products are being hurt, and I do not see any relief for them.

The gentleman from Texas [Mr. ROGERS], a little while ago said that anyone who voted for the so-called Reciprocal Trade legislation ought to vote for this bill. It is not incumbent upon them to do any such thing for they could expect that the industries of this country would be protected under the terms of that bill.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Gladly.

Mr. ROGERS of Texas. Is the gentleman saying that the people who voted for the Reciprocal Trade Agreements Act had no concern at all for American business and were more interested in foreign trade?

Mr. GROSS. I said that they had a right to expect that the provisions of that act would be properly administered.

Mr. ROGERS of Texas. Would not that objection lie if they were to vote against their own interests?

Mr. GROSS. I am saying that they have a right to expect that the law be administered according to the terms of that law.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield, if you want to tell me about International House.

Mr. BOGGS. Does the gentleman yield?

Mr. GROSS. I yield.

Mr. BOGGS. Am I to imply from the gentleman's statement that if there was some provision in here for a knitting mill in his District, he would be for the bill?

Mr. GROSS. No, I would not be for the bill because it is a raid upon the Treasury which in turn results from the so-called Reciprocal Trade Act. I am not a special pleader.

Mr. BOGGS. You are not voting on reciprocal trade agreements today.

Mr. GROSS. No more than I would expect to find quotas in this bill to take care of the Louisiana sugar producers.

Mr. BOGGS. Did the gentleman vote for the reciprocal trade agreements bill?

Mr. GROSS. Of course I did not vote for it.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ROGERS of Texas. The gentleman does know that this is an administration measure, and he knows that the White House endorses it and that the Interior Department endorses it.

Mr. GROSS. Oh, yes. But that still does not make any difference to the gentleman from Iowa. Right is right and wrong is wrong, and this $650 million handout will not correct the basic trouble which is foreign imports.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. DORN of South Carolina. Mr. Chairman, I want to compliment the distinguished gentleman from Iowa, and I should like to ask this question, too. One of the distinguished gentlemen a moment ago inferred that only lead and zinc were essential to national defense. I certainly think that the gentleman's knitting mill and all of the textile industry and the woolen industry are also essential.

Mr. GROSS. What I am trying to say to the gentleman from Louisiana [Mr. BOGGS] is that I do not come here as a special pleader.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. I am a little bit confused, because the gentleman from Louisiana [Mr. BOGGS] stated very frankly and honestly, honorable gentleman that he always is, that he is a freetrader. Then I also heard the gentleman from Iowa say, "Well, how about the sugar quotas?" In other words, what the gentleman from Iowa really means is that the gentleman from Louisiana is a freetrader for everything except sugar.

Mr. GROSS. The gentleman from Wisconsin has stated the case exactly.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. PILLION. I think perhaps we ought to clarify the relationship of this program to the national defense. The national defense has been mentioned here a number of times. Referring to the report on this bill, nowhere do I find any reference to this program being necessary or desirable for the national defense. I find no approval, no letter of approval from the Department of Defense. This program is wholly outside of the Department of Defense requirements. I think the House ought to know that, and I think it ought to be made clear here that this has nothing to do national defense.

Mr. REED. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I shall not take but a very few minutes to speak on this question. We have wrestled with this lead and zinc tariff proposition for a long time in the Committee on Ways and Means. I am in deep sympathy with the condition of these mines. In fact, I worked so hard trying to get relief for them on the tariff that a delegation from the mining districts of the West came to pay their respects to me for what I had tried to do for them.

Mr. Chairman, I have great respect for this body. I have been in it a good many years. It is called the greatest legislative body in the world. It can only remain so if we preserve the rules of this House. I want to call attention to this. Every time we have had a war, the power of Congress has been weakened because great powers have been given to the Executive. We are told that they have surrendered those powers, but after all, there is a left over of power in the Executive that has watered down the strength of this Congress. There is not any question about it in my mind. I have seen it and I think many of the older Members have seen it, too.

I think it is more important to preserve the integrity of this House by bringing legislation in here under the rules, by having hearings before the proper committees and getting to the very bottom of these matters than to surrender to the Executive. I am not revealing any secrets; I do not know how many Members there are on the floor—I would not ask them to raise their hands—who have received letters and calls from the departments downtown and told what to do, at least by inference. And sometimes there are great promises made. I have seen it happen here in Congress after the wars. I have seen legislation pushed through by promises that if they were privately made, handled in that way, it might be called bribery. We have to stop the practice in order to protect the integrity, the good will and the reputation of this House.

I have a little quotation here. It says:

> That which raises a country, that which strengthens a country, and that which dignifies a country—that which spreads her power, creates her moral influence, and makes her respected and submitted to, bends the hearts of millions, bows down the pride of nations to her—the instrument of obedience, the fountain of supremacy, the true crown and scepter of a nation is character.

The only way we can preserve character in this legislative body is to follow the orderly procedure of the House rules. When there comes a time that the bureaus downtown can put the pressure on here and bring in such a piece of legislation as we have here, even though it may bring some relief, that is not the way it should be handled, and everybody on this floor knows it. If they can do it in one case they can do it in another, and they will keep doing it every time they want to put something over on the House of Representatives.

Mr. Chairman, in the name of the people of the United States, we cannot afford to surrender the power and the integrity and the character of this great legislative body.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. REED. I yield to the gentleman from Tennessee.

Mr. BAKER. In my judgment, no greater man ever served in this body than the distinguished gentleman just addressing us. May I ask one question: Does the gentleman agree with me that this important and serious problem must be solved by the Congress?

Mr. REED. It must be, of course. I agree to that. It must be solved in the honorable way.

Mr. BOGGS. Mr. Chairman, I move to strike out the last word.

Mr. NEAL. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from West Virginia.

Mr. NEAL. In line with what has been said by the gentleman from New York, admitting that the Congress surrendered its power over tariff questions, admitting that we made a mistake, does it not appear to the gentleman that this legislation is nothing more than an attempt on the part of the Congress to correct a mistake which has been made and has continued since the adoption of the Trade Agreements Act?

Mr. BOGGS. First, I will not admit we made a mistake, but, assuming one was made, I think this legislation should be passed.

I should like to join with the distinguished gentleman from Tennessee in a word of tribute to the gentleman from New York. I know of no man who has served our country with greater ability or greater integrity than has the gentleman from New York [Mr. REED].

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I should like to associate myself with the gentleman in his statement. I know that I speak the sentiment and the feeling of everyone on this side of the House in echoing the words of the gentleman from Louisiana with respect to the distinguished gentleman from New York [Mr. REED].

Mr. BOGGS. I thank the gentleman.

One of the really great pleasures of my life has been to be associated for many years with the gentleman from New York and to know his wife and his family, and also to have had the privilege of agreeing with him and disagreeing with him. On this subject, as everyone knows, I have disagreed with the gentleman from New York.

This is a subject that over the years has lent itself to a great deal of emotionalism and, shall I say, "catagonizing."

I also admire the gentleman from Iowa. I do doubt if there is any Member who follows legislation with more diligence than the gentleman from Iowa. But just a moment ago he thought he was using a bad term when he talked about a freetrader. I do not plead guilty to being or not being a freetrader or of being or not being a protectionist, but I will say this: I am not really concerned about these words. They do not frighten me. If advocating the trade-agreements program, which is a program of reciprocity——

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman.

Mr. GROSS. I thought the gentleman pleaded guilty of being a freetrader a few moments ago.

Mr. BOGGS. Will the gentleman please listen to me? If this is pleading guilty, then I plead guilty. If advocating the trade-agreements program, which protects 4 million American jobs and provides markets for American industry and agriculture; which has also been advocated by the United States Chamber of Commerce and the National Association of Manufacturers, the President of the United States, by most of the great industrial leaders of this country, by the labor organizations, and which passed the House just recently by a vote of 317 to 92—if that means I am a freetrader, then I plead guilty.

Because, believe you me, I am for the trade-agreements program. I was for it last week and last year and as long as the people of my District honor me with the privilege of serving here, I intend to be for it.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. BYRNES of Wisconsin. Does the gentleman believe that section 6 of Trade Agreements Act should be carried out and also that the escape-clause provision under section 7 of the Trade Agreements Act should be carried out?

Mr. BOGGS. That is one of those "Do you beat your wife" questions?

Mr. BYRNES of Wisconsin. I just asked you whether you believe they should be carried out.

Mr. BOGGS. Certainly, I believe that and I believe they are being carried out. The President of the United States under the provisions of the act has full discretion in that respect, as the gentleman from Wisconsin well knows.

Mr. BYRNES of Wisconsin. He does not under section 6.

Mr. BOGGS. Mr. Chairman, I decline to yield further.

Mr. Chairman, I do not understand how someone who is opposed to the trade-agreements program should use this opposition as a basis for being opposed to this bill. Apparently, the gentleman from Iowa was opposed to the trade-agreements program because of a knitting mill in his District. I have no complaint about that. If his knitting mill makes it necessary for him to be against the trade-agreements program, that is all right with me. But why should he be against this program?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Chairman, one of the best expositions of this bill, I thought, was made a few moments ago

by the gentleman from Missouri [Mr. CURTIS]. He pointed out the economic considerations involved in a tariff and the economic considerations involved in this type of approach. There is nothing new about this. There is nothing radical about this. If anyone will examine our economic system, he would know that this method has been employed time and time again in our free-enterprise economy. The gentleman from Missouri, I gather, reached the conclusion that he preferred the tariff approach to this approach. He gave certain data to which I do not subscribe as chairman of the subcommittee upon which the gentleman served. When you impose a tariff, you do a whole variety of things. In this particular instance, in the case of the sliding-scale excise tax recommended by the administration last year and turned down by the Committee on Ways and Means, what would you have done? No. 1, you offended all of our friends abroad. Now I know some people feel we would be just as well off without any friends. I do not. I have not come to that conclusion. If anyone has any doubt about it, talk to the people in Peru. This had much to do with the demonstrations involving the Vice President of the United States upon his visit there this year. The gentleman from Missouri went to Canada last October with some of the rest of us on the subcommittee. He talked to the present Prime Minister of Canada, Mr. Diefenbaker. He talked to the party leaders of both parties in Canada. The gentleman from Missouri heard about lead and zinc in Canada.

Subsequently the gentleman from Michigan and I went to Peru, and we went to Chile; we heard about copper, we heard about lead and zinc. So this is just something you cannot disassociate from our friends abroad, much as you would like to. It is a fact which exists.

What about the tariff approach? Not only do you offend all these people, but also the cost is much greater, because the cost then must be paid on every pound consumed.

Who is the biggest customer for these metals and minerals? The Defense Department which buys much of them, so far as the Government is concerned. A tariff would therefore cost the Government of the United States, by paying the increased cost, more than every penny which is authorized in this bill. In addition to that, however, from a cost point of view, every consumer who buys 1 pound of any one of these metals would be required to pay the whole cost.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. GROSS. What is this, a subsidy for the Defense Department?

Mr. BOGGS. This is an effort to satisfy as best we can our commitments here and abroad and to maintain an industry which even the gentleman from Iowa admits is an essential industry.

Mr. GROSS. I am saying that this must be a subsidy, and I am asking the distinguished gentleman from Louisiana if it is a subsidy for the Defense Department.

Mr. BOGGS. The gentleman from Louisiana admits that it is a subsidy if the prices drop below certain levels.

Mr. GROSS. For the Defense Department.

Mr. BOGGS. For the mines and workers. Let me pass to other arguments which have been advanced here in the last several days: It is that certain other segments of the economy possibly might need similar treatment.

It seems to me that we are always called upon to stand on our own feet. It seems to me that if there are other industries, other groups which are entitled to consideration, then they should not scuttle this program which is recognized as necessary.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Chairman, the bill, S. 4036, to stabilize production of copper, lead, zinc and tungsten presents some difficult problems for the Members of the House. One serious question which troubles me greatly has been touched upon during the debate on the measure. That has to do with the flight of capital from the United States to foreign nations for investment there.

I realize that there are many reasons for private capital investing abroad. Three of them arise from actions of Congress itself. They are our high tax rate, our reciprocal trade legislation and our foreign aid program. The first two almost compel private capital to go abroad. The third encourages it.

It has been pointed out during this debate that the bulk of imports of copper, lead and zinc from abroad come from mines owned and operated by American capital. Because of lower wage rates and costs in foreign lands these imports can undersell our own minerals. As a consequence, the United States mining industry can't compete and is threatened with closure. To keep the industry in production it is proposed by the pending measure that we subsidize it to the extent of perhaps $500 million. The basis for the proposal is chiefly that critical defense minerals are involved and that in the interests of national defense we must keep our own mines in operation so that we need not depend entirely upon foreign nations during an emergency. The House may decide that this must be done.

Involved in this matter, however, is a more far-reaching problem. How many of our industries, because of high taxes and reciprocal trade legislation, will move abroad? In 1949 our Committee on Merchant Marine and Fisheries heard testimony to the effect that imports of foreign fish products had caused some United States establishments in New England to close up. It was predicted that they would move to Canada. This they have now done, and are sending their products into this country to compete with those of their former associates in New England. The fishing industry in that area is in such dire straits because of these imports that there is some question whether it can long survive.

The same thing is occurring in the plywood industry. Last year 656 million square feet of plywood was imported into this country. Foreign plywood can easily undersell domestic plywood because of lower wages and costs. Now, because they can no longer compete, some American plywood people are either building or will build plywood plants abroad in such countries as Australia, Turkey, South America, and Japan. They will produce for the American market and will offer further competition to the remaining United States plywood plants.

We know that the American automobile industry has built plants abroad. How many other United States industries are undergoing or will undergo similar experiences, I do not know. It is reasonable to assume there are many. Whatever the number, United States jobs are lost and the United States economy adversely affected. I urge Congress to make a thorough study of the forced flight of United States capital which is invested in industries abroad and then competes for United States markets.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on the pending bill and all amendments thereto close at 4:30.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. SAYLOR. Mr. Chairman, reserving the right to object, I am going to object because if the gentleman will limit debate and get down to the amendments we will be through before that time.

The CHAIRMAN. Does the gentleman object?

Mr. SAYLOR. Mr. Chairman, I object.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close at 4 o'clock.

Mr. HALEY. Mr. Chairman, I object.

Mr. ROGERS of Texas. Mr. Chairman, I move that all debate on the pending bill and all amendments thereto cease at 4 o'clock.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 3, line 2, strike out the word "such", and insert "shipment to producer's processing plant for."

Page 3, line 6, strike the subsection designation "(a)."

Page 3, line 9, strike out the word "for", and insert "in."

Page 8, line 17, strike out the word "produced", and insert "sold."

Page 8, following line 18, insert a new section reading as follows:

"SEC. 202. Payments may be made to any producer in accordance with the provisions

of this title without regard to the provisions of section 106 of this act."

Page 8, line 19, renumber "SEC. 202." as "SEC. 203."

Page 9, following line 19, insert a new title reading as follows:

"TITLE IV

"SEC. 401. The Secretary of the Interior is hereby authorized and directed to establish and maintain a program of incentive payments to domestic producers of beryl, chromite and columbium-tantalum in order to promote mining and development research for these minerals, as provided in this title.

"SEC. 402. (a) The production incentive payments authorized by this title shall be made for the following minerals newly mined from deposits located within the United States, its Territories and possessions, in the amount and subject to limitations herein specified:

"(1) For beryl concentrates (10 percent BeO basis), $70 per short ton, with premiums and penalties as set forth in the regulations issued pursuant to this act, for not to exceed an aggregate of 1,000 short tons annually. No incentive payment shall be made in a calendar year on a quantity in excess of 150 short tons produced by any one producer and originating in any one mining district from properties controlled by such producer.

"(2) For commercial grade, metallurgical chromite (46 percent basis), $35 per long dry ton, with premiums and penalties as set forth in the regulations issued pursuant to this act, for not to exceed an aggregate of 50,000 long dry tons annually. No incentive payment shall be made in a calendar year on a quantity in excess of 10,000 long dry tons produced by any one producer and originating in any one mining district from properties controlled by such producer.

"(3) For commercially acceptable columbium-tantalum concentrates (basis 50 percent contained combined pentoxides), $2.35 per pound of contained combined pentoxides with ratios of Ta_2O_5–Cb_2O_5, premiums and penalties as set forth in regulations issued pursuant to this act, for not to exceed an aggregate of 50,000 pounds annually. No incentive payment shall be made in a calendar year on a quantity in excess of 10,000 pounds produced by any one producer and originating in any one mining district from properties controlled by such producer.

"(b) The incentive payment programs shall not be initiated until the termination of existing purchase programs of the Federal Government for these materials, respectively, set forth in regulations issued under authority of the Strategic and Critical Materials Stockpiling Act (53 Stat. 811), as amended; the Defense Production Act of 1950 (64 Stat. 798), as amended; and the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (70 Stat. 579).

"(c) No incentive payment shall be made pursuant to the provisions of this title except upon presentation of evidence satisfactory to the Secretary that the material has been produced and sold to a consumer, mill or processing plant, or dealer in chromite, beryl, or columbium-tantalum ores or concentrates in accordance with regulations issued under this act.

"SEC. 403. The provisions of this title shall take effect on the first day of the first quarter next following the date of enactment of this act, and shall terminate on June 30, 1963."

Page 9, line 20, strike out "Title IV", and insert "Title V."

Page 9, line 21, renumber "SEC. 401." as "SEC. 501.".

Page 10, line 5, renumber "SEC. 402." as "SEC. 502.".

Page 10, line 8, renumber "SEC. 403." as "SEC. 503.".

Page 10, line 17, add a new sentence reading as follows:

"In the event that a producer further processes ores or concentrates a sale shall be deemed to have occurred when such ores or concentrates are shipped to the processing plant.

Page 11, line 7, strike out "103 and 201", and insert "103, 201 and 402".

Page 11, line 8, following the word "determine" insert "what constitutes a mining district and".

The committee amendments were agreed to.

The Clerk read as follows:

Committee amendment: Page 11, line 20, strike out all of section 404 through page 12, line 19, and insert in lieu thereof the following:

"SEC. 504. There are hereby authorized to be appropriated from any funds in the Treasury not otherwise appropriated, such sums as may be necessary, not to exceed $650 million, to carry out the provisions of this act."

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas to the committee amendment: Page 15, line 11, strike out "$650 million" and insert in lieu thereof "$458 million."

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The Clerk read as follows:

Page 12, line 20, renumber "SEC. 405." as "SEC. 505."

Page 12, line 22, renumber "SEC. 406." as "Sec. 506." strike out the words "The Secretary shall make an annual report with respect to operations under this act as soon as practicable after July 1 of each of the years 1959 to 1963 inclusive" and insert in lieu thereof "The Secretary shall make semiannual reports with respect to operations under this act not later than March 1 and September 1 of each year."

Page 13, line 4, renumber "SEC. 407." as "SEC. 507."

Amend the title so as to read: "An act to stabilize production of copper, lead, zinc, acid-grade fluorspar and tungsten and to promote mining and development research for beryl, chromite and columbium-tantalum from domestic mines."

The committee amendments were agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania, Mr. SAYLOR.

Mr. SAYLOR. Mr. Chairman. I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: Page 4, after line 18, insert: "*Provided*, no producer shall receive stabilization payments on any sales in any one quarter in excess of the quantity specified in this section."

Mr. SAYLOR. Mr. Chairman, the members of the committee have stated that it was their desire to make sure that this legislation would help small producers, and they adopted the preceding section 103 (b) which limits the amounts that may be produced in any one quarter. Now, all my amendment does is to say that the language that is contained in that section means what it says and that any producer, shall be limited to those amounts in section 103 (b).

Now, to show you how loosely this bill is drawn this amendment has a strange and startling effect. The present cost of the bill as estimated by the Department of the Interior for lead, zinc, fluorspar—acid grade—and tungsten trioxide is $296 million. If this amendment is adopted to make sure that each producer shall only be paid for 5,000 tons of lead and zinc, fluorspar and tungsten, this means that 95 percent of the production will go to small producers, and the payments, instead of being $296 million as specified in the bill, will be reduced to no more than $73,520,000, or a net saving of $222,480,000.

Now, unless this is to be a bonanza for several of the large mineral producers and if the committee means that this is a matter of defense and that they actually need small mines for defense and increased production then let us see to it that the payments go to small mines and do not go to a handful of big producers.

In 1956, 659 mines—95 percent of mines—produced less than 5,000 tons each of lead and zinc for a total production of 238,000 tons, or 27 percent of total domestic production of 895,000 tons.

If stabilization payments were limited to production of up to 5,000 tons annually for each mine—which would cover full production of 95 percent of the mines—the 5-year cost, for lead and zinc, would be $73.5 million instead of $296 million under the bill which sets no maximum on the amount which can be paid each producer.

5-year period

	Bill		Tons	Proposed limitation to cover 95 percent of mines cost	Saving (additional amount that would go to large producers) only 5 percent of mines
	Tons	Cost—Interior estimate			
Lead	1,750,000	$136,500,000	475,000	$32,050,000	$104,450,000
Zinc	2,775,000	159,500,000	715,000	41,470,000	118,030,000
Total	4,525,000	296,000,000	1,190,000	73,520,000	−222,480,000

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I will be happy to.

Mr. ROGERS of Texas. I was so interested in the gentleman's argument that the committee will accept his amendment.

Mr. SAYLOR. I am delighted to hear that, but I am more interested, if the amendment is accepted and we go to

conference, that you stand up and fight for it then?

Mr. ROGERS of Texas. Of course, that is going to depend on what transpires. That is a bridge we will cross when we get to it. I am not making any commitment to anyone in this House as to what is going to happen in the future, even as to adjournment. I want to say this, if the gentleman wants us to accept his amendment, we will be very glad to do so.

Mr. SAYLOR. I will be happy to have it accepted, and I hope that if the gentleman is one of the conferees—and I feel sure that he will be—he will see that this amendment is kept in the bill.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. This amendment raises a question in my mind as to whether or not you are attempting to do something for the people who work in the mines, who are employed in the mines, or whether you are striving to do something for the mine owners.

If the gentleman is trying to do something for the people who are employed in the mining industry, then it seems to me he is defeating his purpose because his amendment is too restrictive.

Mr. SAYLOR. This amendment is not restrictive. It just says that the section 103 (b) actually means what it says. If the gentleman will read it, he will see that that is all the proviso assures.

Mr. SMITH of Mississippi. My question applies to section 32 as well as the gentleman's amendment.

Mr. SAYLOR. Then the gentleman had better ask the committee what they are trying to do.

Mr. SMITH of Mississippi. I understand that the gentleman from Pennsylvania is a member of the committee.

Mr. SAYLOR. I am a member of the committee, but I am opposed to the bill. I am trying to improve the bill a little so that if it does pass we will have something we can live with, and not be a windfall to the large operators.

Mr. SMITH of Mississippi. There is a serious question in my mind whether the gentleman's amendment will do something for that.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOLAND: On page 1, line 10, strike out the words "and tungsten trioxide."

On page 2, line 4, strike out the words "and tungsten trioxide."

On page 2, strike out all of lines 22 and 23.

On page 3, strike out all of lines 16 and 17.

On page 4, line 18, strike out "and tungsten trioxide, three thousand short-ton units."

On page 5, beginning on line 3, strike out all of section 104 down to and including line 22.

On page 6, strike out all of line 3.

On page 6, line 11, strike out "tungsten trioxide, fifty-five thousand short-ton units."

On page 8, beginning with line 14, strike out all of paragraph (d) down to and including line 18.

Mr. BOLAND. Mr. Chairman, I wonder if the chairman of the committee will accept this amendment?

Mr. ROGERS of Texas. I cannot accept it, because it is too long and involved. But let me ask the gentleman a question. What is the general purport of it?

Mr. BOLAND. The general purport of it is to strike out price support for tungsten in this bill—just tungsten; that is all.

Mr. ROGERS of Texas. We could not accept that.

Mr. BOLAND. I have no illusions about the passage of this bill. There have been too many shotgun weddings over the past 3 days which assure that this bill will be passed. All I want to do is to make it more acceptable, perhaps, to the American people.

I have listened to this debate during the past couple of days. I have been here every minute while this debate has been going on. There has been no justification made for tungsten in this bill. Today, in the heat of all the arguments that have been made by the proponents of this bill, all of them have been leveled at lead and zinc. And I think at times they have made a good case and I congratulate them on the case that they have made. But there have been no arguments made here in favor of tungsten.

It has been said that this is a national defense bill, that this is necessary for the security of the United States. If that is so, it certainly does not apply to tungsten because in the stockpile which the United States Government has—and no one can deny that with reference to tungsten this bill is a stockpile bill—we have 177 percent of our needs. All of the testimony developed by the Senate, and I am sure some of the testimony developed by the House Committee on Interior and Insular Affairs, points up the fact that the stockpile is big enough for at least 19 years. Some of the members of the committee who are carrying the ball for this bill have said that this was a national defense bill and that a failure to vote for this would weaken our defense posture. With reference to tungsten nothing could be further from the truth.

The record is clear, and so clear that all who run can see.

Do you know that we have enough tungsten in the stockpile, even using the present average of 25 pounds for every jet engine necessary for our national defense——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that the gentleman be allowed the time that was allotted to me.

The CHAIRMAN. Without objection, the time allotted to the gentleman from Rhode Island is transferred to the gentleman from Massachusetts.

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent that I may be allowed to revise and extend my remarks at this point in the RECORD.

Mr. MILLER of Nebraska. Reserving the right to object, Mr. Chairman, I do not believe it has been the rule of the House to transfer time.

The CHAIRMAN. The Chair has already ruled that the gentleman can transfer his time to the gentleman from Massachusetts.

Mr. BOLAND. You have had all the time here the past couple of days.

Mr. MILLER of Nebraska. I have not taken any time.

Mr. BOLAND. The committee has.

The CHAIRMAN. The Chair had not known of the objection of the gentleman from Nebraska at the time he ruled.

Mr. MILLER of Nebraska. I was on my feet objecting, because it is against the rules of the House to transfer time.

The CHAIRMAN. Was the gentleman on his feet at the time the gentleman from Rhode Island made the request?

Mr. MILLER of Nebraska. Yes; I was.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I do this only to yield at this time to my distinguished friend from Massachusetts [Mr. BOLAND]. I just wish to say that if there was ever a move made to help defeat this bill, that objection to giving my time to Mr. BOLAND should be it. If the bill is defeated, the gentleman from Nebraska can take credit for defeating it.

Mr. BOLAND. I thank the gentleman from Rhode Island. I am surprised the gentleman from Nebraska should try to foreclose me from stating the facts which I intend to present to the Committee.

There is enough tungsten in the stockpile now, even at the present average of 25 pounds per jet engine, to build 2,300,000 airplane engines; or, we have enough tungsten in the stockpile now to last 192 years for the purpose of building jet engines.

What about shielding atomic aircraft? Something has been said about that, that tungsten is necessary for that; and it is. It is a great metal. But even if 10 tons of tungsten were used in a single aircraft, we have enough in surplus alone to build 5,750 atomic aircraft. No one knows how soon or how far in the future our Nation will accomplish a breakthrough in the atomic aircraft field. We all hope that it will be soon. But no matter what the time, the national reserve of the tungsten stockpile is large enough to supply the needs of this project—and is way beyond the needs.

Much will be made here by the supporters of the bill that we are crippling our security if this bill fails or if tungsten is knocked out of the proposal. This just is not so. Every last Member

of this House is interested in maintaining a strong defense structure and no Member wants or desires to weaken it. But there is a limit beyond which we should not go. And we are now far beyond that limit with respect to the critical material that is essential to supply the new and modern sinews of war. That metal is tungsten. We have more than enough for jet engines and atomic aircraft shields.

Mr. Chairman, here is a real chance to save $35,250,000. That is the amount of the subsidy that will be awarded under this proposal for tungsten. The proponents will come up here and say that it is only a pittance, a small amount. It is only seven million and a couple of hundred thousands dollars a year for the next 4 years. But the fact of the matter is that it adds up to $35,250,000.

Is that all it is going to cost the people of America? Is that all, as we have been assured, it is going to cost? Of course this is not it at all, because in the Senate hearings, when this bill was before the Senate, the Secretary of the Interior, Mr. Fred Seaton, was testifying and he said in response to a question by the distinguished senior Senator from Nevada that he would think that legislation which would increase the stabilization price in the years to come would be good legislation. Those were the remarks of the Secretary of the Interior, Mr. Seaton. Under this bill, the stabilization price for tungsten is $36 per short ton. I want the Members of the House to know that is the highest range for tungsten since 1953. This is one metal that is not essential at this time. This is one metal that should be knocked out of this bill.

Mr. HAGEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAGEN. Mr. Chairman, I speak in opposition to the amendment of the gentleman from Massachusetts [Mr. BOLAND] which would exclude tungsten from the benefits proposed by this legislation. I speak as the representative of a district which has many tungsten mines.

The principal justification for the subsidies proposed in this bill is that they relate to commodities which are vital to our defense program in time of peace and to a war program in time of war to the extent that the possibilities of interruption of supply dictate the maintenance of a domestic source of supply. A further premise is the fact that domestic mines once shut down are hard to reopen in timely fashion if salvageable at all and the fact that discovery of needed additional supply sources depends upon continuous activity which will exist only with a sufficient price incentive.

In my opinion tungsten is the most military of the metals described in this bill. The description of its uses contained in the report of the committee compared to the uses of the other metals dealt with in this legislation and described in such report will demonstrate that conclusion. It is used in temperature resistant alloys, as an ingredient of cutting tools and in the fabrication of armor piercing shells and electronic devices.

Currently all domestic production is shut down with the exception of a small supply secured as the byproduct of molybdenum mining and one small separate operation. Domestic tungsten mines are generally small. There are over 700 producers.

The proponent of this amendment states that we have huge oversupplies of tungsten trioxide secured as the result of a Government stockpiling operation. It is true that we have stockpiled supplies, but it cannot be demonstrated that these are oversupplies. With the rapid development of our electronic needs and the increased uses for temperature resistant alloys in guns, missiles, and aircraft it would be foolish to state that we were oversupplied.

A further point of significance is that the bulk of tungsten is produced in the United States, Bolivia, Korea, and Red China. No supplies are available from Red China nor will they be so available. In the event of emergency, the hope of supplies from Korea would be remote indeed. Bolivian supplies would be only a slightly less insecure prospect.

In view of the needs of our Defense Establishment and the proven need of a Government program to sustain tungsten mining in this country I would respectfully urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, I rise in opposition to the amendment. I want to say now I had no objection to the transferring of time in the regular order, but for any Member to come on the floor of the House and transfer their time without standing in the well of the House, that is the reason I objected. If anybody else wants to transfer their time to me and stand in the well, I will be glad for them to do that.

Mr. Chairman, now as to tungsten. I would like to call your attention to tungsten, where tungsten can be found, and where it now comes from; 95 percent of the tungsten of the world is located in Russia, Red China, Korea, and Bolivia. We get our needs from Korea and Bolivia. At one time this country had 200 small tungsten mines, but not today. They are closed. We have 15 percent that comes from this country. There is one captive mine in Alabama that is now partially closed. What is tungsten used for? It is one of the higher melting metals, in the higher ranges of melting facilities used in guided missile cones that go out into outer space and come back; yes, alive or not alive, destroyed or intact. And the 192-year supply of tungsten in this country is fantastic. That is not the case.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I decline to yield.

Mr. Chairman, I refuse to yield?

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. ASPINALL. Is it not true that 75 percent of the consumption of tungsten which we used last year, according to the estimates, came from outside the United States and not from Red China or from Russia but from production outside the United States?

Mr. MILLER of Nebraska. The gentleman is correct. Most of it came from Bolivia and Korea. I am sure the Members of the House would not want the industry in this country to be dependent upon getting tungsten from Korea, Bolivia, or any other country.

Having a good supply of tungsten on hand is like having a good fat bank account. The amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BOLAND].

The question was taken; and on a division (demanded by Mr. GAVIN), there were—ayes 52, noes 42.

So the amendment was agreed to.

Mr. COAD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COAD: On page 9, strike out lines 1 through 19.

Mr. COAD. Mr. Chairman, the amendment I have offered simply takes out the title which provides for the supports for copper. Mr. Chairman, I voted for the rule providing for the consideration of this bill by the House. A few moments ago I voted not to strike out the enacting clause. But, Mr. Chairman, I have been in attendance faithfully during the past 3 days and I have not heard anyone who has made a case for copper under the provisions of this bill. I believe those who are for this bill and those who are against this bill can both vote for this amendment. We have heard a great deal about copper. We have heard what has been happening on the stock market in the last few days concerning the price of copper stocks.

I know that the dividends which have been paid on copper stocks in the last several years have not indicated whatsoever that they are suffering and that they need assistance. We know that there is already in effect through the Interior Department a stockpiling program for copper that amounts to $82,500,000.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. COAD. I cannot yield.

We know that under the provisions of this bill this is only a support program to add to the profits of the copper industry, those who are already in command of a copper program that is not now suffering.

If we believe in this bill, and I have voted to bring it in here and I voted not to strike out the enacting clause, if we want to help this bill then we will vote to take out this section on copper. I do not believe there is anyone who can really

justify this title being in this bill in the form in which it is written.

Mr. EDMONDSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not have a pound of copper in my district, but I know that there is justification for the copper portion of this bill. I know, for example, that the copper company that is showing the big gains on the stock market that we have heard a lot of talk about is a copper company that is against this bill, that appears to be more interested in its foreign production than its mines in the United States.

Mr. METCALF. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. METCALF. I regret very much that I have not any time in which to answer the gentleman from Iowa that I have not taken any time on the floor but I have consistently extended my remarks in the RECORD.

The Anaconda Copper Co., which is in my district, has consistently lost. Their consolidated statement has been such that if they had not had Anaconda Aluminum Co. and their lumber company operations, they would have lost all their profit. They are closing down mines in Montana, mines more than a mile deep. Those mines are flooded; the machinery is rusted, and those mines will be lost forever if this $150,000 purchase does not remain in this bill.

This copper is money in the bank, and I will wager that if this bill passes—and it is only an authorization bill—if this bill passes and this title remains in the bill, the price will go above 27½ cents; this surplus will all vanish from the market, the mines will open, and the Government will not have to buy a single pound of copper.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. UDALL. The only facts before the House on the copper situation come from the Office of Defense Mobilization which has stated only this week that we have only 75 percent of the amount currently calculated as needed for an adequate copper stockpile. This fact has not been controverted by anyone during the 3 days of this debate.

Mr. EDMONDSON. Furthermore, we used a lot more copper in a single year of World War II than we have in our maximum stockpile objective for copper at the present time. For the sake of the country we must look ahead to the future and keep the copper mines in production in this country. The only reason we have seen additional investments in foreign mines is because we have made it so attractive for people to invest in foreign countries that they prefer to invest there rather than in production in our own country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. HAYS of Ohio) there were—ayes 28, noes 63.

So the amendment was rejected.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Chairman, I want to make a correction, if I can. The statement was made here that there was only about one tungsten mine in the United States. When the tungsten subsidy was killed by the Congress after it had cost us $220 million since 1951, there were 122 mines producing tungsten in 1 State, Nevada. In fact it is well known that tungsten is "coming out of our ears."

Mr. HAYS of Ohio. Mr. Chairman, I yield to the gentleman from Georgia [Mr. FLYNT] for the purpose of offering an amendment.

Mr. FLYNT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLYNT: On page 15, after line 11, insert a new section to be appropriately numbered reading as follows: "SEC. . No payment shall be made under this act to any producer which shall declare any dividends or transfer any funds to a surplus account, during the calendar or fiscal year in which it applies for or receives any payment hereunder."

And renumber the remaining sections.

Mr. RHODES of Arizona. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RHODES of Arizona. Mr. Chairman, the amendment is not germane to the bill.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard?

Mr. FLYNT. Mr. Chairman, may I say that the amendment is as germane to the bill as the provision in the bill which precedes the point at which the amendment is offered, providing a time limit on the disbursement of payments under the act. My amendment would simply provide and place a limitation on eligible producers who can participate under the proceeds of the act. I may say further, its purpose is to prevent speculation and the profits from speculation at the cost of the taxpayers who shall pay the $650 million provided in this legislation.

The CHAIRMAN (Mr. EVINS). The Chair is prepared to rule. The Chair has examined the amendment, which has been read, and overrules the point of order.

Mr. HAYS of Ohio. Mr. Chairman, if the proponents of this legislation are sincere about companies being in distress, they ought to accept this amendment without any further argument.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. No. I want the author of the amendment to say something about it.

Mr. ASPINALL. He should have stated that ahead of this.

Mr. FLYNT. Mr. Chairman, I thank the gentleman from Ohio for yielding to me for the purpose of offering this amendment and for the opportunity of speaking briefly on it.

Mr. Chairman, this amendment will show this bill for exactly what it is, a $650 million windfall to the large producers who will undoubtedly receive the major benefits from it. If this amendment is adopted it will provide that the bulk of the funds carried in this bill will go to prevent unemployment and put people back to work in an essential industry in this country.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Would it be possible for a mine to operate at a profit and to receive payments under the gentleman's amendment?

Mr. FLYNT. I will answer the gentleman's question by saying that the answer would depend on the situation in each particular case; but I, for one, do not want to vote $650 million of tax money to promote speculation in the New York stockmarket. I just do not believe that it is a proper expenditure of tax money, and I do not believe it is morally right.

On yesterday the gentleman from Ohio [Mr. KIRWAN] and others either read extracts from news that came in on the ticker in the Speaker's lobby or otherwise commented on the fact that certain mining stocks rose on yesterday and that the rise was attributed to belief that the administration-sponsored minerals bill would pass. Along with every Member of this House, I want American industries and enterprises to prosper and flourish, but I do not believe that it is good legislation to provide windfalls to selected groups at the expense of public funds.

The estimated $14-billion deficit for fiscal 1959 is already much too big, and I do not believe that the additional $650 million which this bill would provide should be added to the staggering deficit that already confronts us.

One final point is that this amendment is necessary if relief is to be provided where relief is either necessary or desirable from the standpoint of the public interest. The sponsors and advocates of the bill have said that it is designed to benefit interests which are shrinking or suffering. This amendment would have the effect of guaranteeing that kind of help by restricting expenditure of Federal funds to companies and areas where relief is genuinely needed.

This amendment would put teeth into the bill to provide for employment and prevent forced shutting down of mine operations. It would channel the funds provided for in the bill into the direction where such funds are truly needed, rather than indiscriminately where larger and more profitable producers would seek and obtain the lion's share or the major portion of the funds provided.

It is possible that the amendment will not cure the many defects and deficiencies which appear in the bill, but it would certainly make it a better bill than it is in its present form.

I urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. FLYNT].

The question was taken; and on a division (demanded by Mr. LENNON) there were—ayes 64, noes 50.

Mr. ROGERS of Texas. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROGERS of Texas and Mr. FLYNT.

The Committee again divided, and the tellers reported that there were—ayes 79, noes 59.

So the amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. KILGORE].

Mr. KILGORE. Mr. Chairman, I offer an amendment.

Amendment offered by Mr. KILGORE: Strike out the words "acid-grade fluorspar," from the title.

On page 1, line 8, strike out the words "acid-grade fluorspar (fluorspar", strike out all of line 9, and strike out the words "dry weight basis)," in line 10.

On page 2, lines 3 and 4, strike out the words "acid-grade fluorspar."

On page 2 strike out line 20, and on line 21 strike out the words "point of shipment."

On page 3 strike out line 14 and the word "fluorspar;" on line 15.

On page 3, line 16, strike out "(4)", and replace with "(3)."

On page 4 strike out line 17 and the word "tons;" on line 18.

On page 6, line 2, strike out the words "fluorspar (acid-grade), $13.00 per short ton."

On page 6, line 10, strike out the words "fluorspar (acid-grade), five thousand", and the word "tons;" on line 11.

On page 16, in the second line below line 3, strike out the words "acid-grade fluorspar."

Mr. KILGORE. Mr. Chairman, I ask unanimous consent to explain the amendment in lieu of its being read.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KILGORE. Mr. Chairman, in the interest of conservation of time of the Committee I have asked that I might explain the amendment rather than it being read, because it is a complicated amendment but simple in its application. This amendment would strike from the bill acid-grade fluorspar wherever it may appear. It appears in some 9 or 10 places in the bill. The adoption of the amendment would take out from under the proposed subsidy in this bill any subsidy for acid-grade fluorspar.

Mr. Chairman, I would like to say these things about acid-grade fluorspar by way of distinguishing the condition that this industry finds itself in as compared to the situation that has been described to this committee for several days with respect to the other mining industries.

Acid-grade fluorspar is being produced in this country at a higher rate now than it was the year before and at a higher rate than it was produced in any prior year in the history of its production.

The price at which it is selling today is only 7 percent lower than was the price at the height of the Korean conflict.

If there is any considerable unemployment in this industry today it cannot exceed some 500 or 600 persons.

I became considerably interested in acid-grade fluorspar by reason of the fact that about 50 to 70 percent of all known world deposits of fluorspar are in Mexico and there is imported into the United States through my district, at least a considerable portion of the acid-grade fluorspar used in this country. When examining into these questions I learned these facts about increased production, satisfactory price, and the absence of any considerable unemployment in the industry, the belief on the part of everybody that the demand for fluorspar would go up, and these additional facts that I think are quite interesting.

This bill would not in any manner affect 60 percent of the acid-grade fluorspar production in the United States because it is from captive mines. This production would go on even if you had a downturn, I should assume.

That would mean that with this legislation we are talking about only 40 percent of the production of acid-grade fluorspar in the United States if we assume that 100 percent of the production sought to be bolstered by this bill would cease if the fluorspar part of this legislation is not passed.

Everyone agrees that fluorspar is quite significant to many phases of national defense and that the utilization of it will continue to increase. The Secretary of Interior has indicated that he wants to stabilize domestic production at about 180,000 tons annually. Domestic production last year was 190,000 tons. It is believed that capacity production of domestic acid-grade fluorspar does not greatly exceed 200,000 tons. This means that in the absence of major new deposits in the United States, and it should be be pointed out in passing that there have been no such deposits discovered since World War II, that a large part of our needs must be fulfilled from imports.

In this respect we are fortunate that Mexico can supply those needs. The supply route can be over land within Mexico and over land in the United States or within the inland waterways in the United States. This would make it appear that the maintenance of our trade relationship with Mexico so that we can continue to purchase acid-grade fluorspar from that country would be most important to national defense. It would appear then that without the subsidy sought to be provided in this bill for acid-grade fluorspar that this country can maintain a domestic industry and can maintain a trade relationship with a friendly foreign country to augment our needs of this strategic material, and over a safe supply route.

Mr. Chairman, I urge the adoption of the amendment.

Mr. GRAY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois in opposition to the amendment.

Mr. GRAY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas [Mr. KILGORE]. This is a bad amendment and should be defeated. The gentleman has offered this amendment to protect the importers of fluorspar from Mexico. Since the gentleman's district borders on the side of Mexico and I know he has workers in his district handling these imports, I cannot blame him for offering the amendment. However, let me call to the attention of the House that foreign imports have already choked off 90 percent of the domestic market for fluorspar. What do we want to do, give them all of the market? If you adopt this amendment that is precisely what you will do eventually. We have a stockpile program that will run only until December 31 of this year on acid-grade fluorspar. After that our mines will be forced to close unless we can pass this bill or get other remedy.

If our mines are forced to close we will be dependent upon Mexico, Italy, Spain, and Germany for this strategic material in case of an emergency.

In the limited time I have I would like to tell you a little about the important role flourspar is playing in our defense effort.

Acid grade fluorspar is essential in peacetime as well as wartime. Without it we cannot produce aluminum, atomic energy, hydrofluorine acid, fluorine for the chemical industry as well as many, many other essential products. The Atomic Energy Commission's report to Congress made it perfectly clear that a supply of acid grade fluorspar was just as essential to the atomic energy program as was a supply of uranium.

Dr. Wernher von Braun, the leading light in our missile and rocket program, had this to say about fluorine: "It is impossible for us to have too much fluorine if we are to successfully maintain our missile and rocket program necessary to defend this country against aggression."

I ask the Members of this House if they want to jeopardize this small but vital industry by failing to include fluorspar in this minerals program. From the temperament expressed here this afternoon it appears that the opponents of this measure will attempt to adopt all amendments in order to weaken the bill and eventually cause its defeat. I hope you will take a good look at the need to preserve our domestic mining industry and support the legislation before us without all these crippling amendments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. KILGORE].

The question was taken; and the Chairman being in doubt, the Committee divided and there were—ayes 91, noes 51.

Mr. GRAY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, I yield to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, a few minutes ago the gentleman from Ohio [Mr. KIRWAN], said there were 120 tungsten mines operating in Nevada. There were a year or two years ago, but they are all closed now.

There is only one tungsten mine now, a captive mine in Alabama, that is under partial operation.

Mr. RHODES of Arizona. All I want to say, Mr. Chairman, and I am not going

to impose any more on the good nature of the Committee because I think all has been said on this bill that can be said, is what I said before: This is a defense bill. This is not an unemployment bill or a relief bill for anybody. This is a bill which will save a very basic industry for the defense of the country.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, I just want to say to my good friend that all has not been said that could be said about this bill. There is still a lot to be said.

I call the attention of my friend from Texas, who spoke about this legislation going to conference, to the fact—that we are not so certain—about its going to conference until the votes are recorded; so I think the gentleman's statement is premature.

They ask us what the bill will do or what the bill is about.

Here is a statement and it comes from an authoritative source:

> This proposal calls for a program of incentive payments designed to maintain a small domestic production of minerals as an adjunct to Government research programs. The payments will provide an incentive to domestic producers to advance both research and exploration for these highly strategic commodities.

That is what the bill does. This is not stockpiling in any sense, so they say, however, it is an incentive to stockpile more of these minerals that have been referred to here today. Really, this is a discriminatory piece of legislation. It is going to cost the American taxpayers between 500 and 700 million dollars. It is discriminatory in favor of the lead and zinc industry. We have just as many difficulties in the pottery industry of Ohio and in the textile industry of the New England States, and in the coal mining regions of Pennsylvania and they are entitled to and should be given just as much consideration as the lead and zinc industry. Why should these minerals receive preferential treatment? But, let us give careful thought to our vote today. Here is an opportunity to save $500 million to $700 million. We are facing a deficit next year of $12 billion or $13 billion. Here is a chance to save some money for the taxpayers back home. The man who by the sweat of his brow must earn the money to pay the taxes to meet the cost of such unnecessary programs as proposed here today. Let us give Mr. Taxpayer a little consideration in your final vote today. I sincerely trust that this legislation will be voted down.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, we are coming to the close of a debate that has been very heated and a debate which, I think, is very well for the House of Representatives to have gotten into. The first thing I want to say is this. This bill is an administration bill. It was handed to our committee by the Secretary of the Interior. We worked on it long and hard hours to put it into shape because we felt it was vital to the interest of this country. Now we are moving into an age, as I told you before, of high heat resistant metals. You struck tungsten out of this bill. Let me tell you what you have done. Over 50 percent of the tungsten in the world is owned by Russia and Red China. Now, of course, it is not bad at all to let Russia and Red China get ahead of us on that. So also let them get ahead of us on columbium and let them get ahead of us on tantalum that we have to import 99 percent of what we use. And let them get ahead of us on beryl and everything else—just so long as you do not infringe on some fellow's particular district. I tell you this is a bill for America. It has America written all over it. When you vote against this bill, you are not voting against some deficit or something like that, but you are voting against America. That is the reason the administration sent it up here.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. JENNINGS. As I understand it, this bill contains nothing for the manganese industry; is that correct?

Mr. ROGERS of Texas. There is a manganese program in effect and when the time comes and we need to work on that, we will work on it, and if it had been necessary to include it in the bill, we would have put it in because it is very important.

Mr. JENNINGS. Does the gentleman not also agree that we do need a long-range program on manganese because it is the most strategic of all the strategic metals and we are only producing 15 percent of the manganese in this country, which is so vitally needed.

Mr. ROGERS of Texas. We need a long-term program on all of these minerals. But, this is the only thing we were left with after the administration told us that they would give us a long-term proposition, they did not do it. Then they did not do it on the Reciprocal Trade Agreements Act. I am not going to stand up here as a Member of the Congress and sell our vital industries down the drain simply to help some importer in some foreign country. I am not going to do it.

Mr. SISK. Mr. Chairman, I arise in support of this mineral stabilization bill because I believe it to be the minimum requirement for a basic industry. Failure to act favorably on this legislation at this time condemns one of our most basic industries to almost certain death. I think this legislation has been very adequately explained and so I shall not attempt to enter into the technical details of the problem. I am of course primarily concerned with the plight of chrome producers and tungsten mines in my own area. At the present time they are closed down, at a great loss not only to mine owners, to the employees of the mines, but in my opinion to the detriment of all Americans. As has been explained, we are not proposing this bill as a welfare measure or as an antidote to unemployment, yet at the same time information given at the committee hearings would indicate that this stabilization program could effect the welfare of hundreds of thousands of people and ultimately the security of all of us. We are faced again with the situation where a segment of American industry is being sacrificed on the altar of diplomacy, in an effort to assist our foreign policy. I have supported reciprocal trade, believing in the necessity of that type of program. However, we must take offsetting measures to protect our own people and our own industries, else we lose the economic strength we are attempting to sustain. Contrary to the statements, Mr. Chairman, of some of the opponents of this program, it does not represent a windfall for any one person or any single group of people, but as has been explained, the legislation is rather to offer primary assistance to the small owner and the small producer of basic minerals. I plead with you, my colleagues, to support this legislation and give this program a chance.

Mrs. PFOST. Mr. Chairman, the gentleman from New York [Mr. PILLION] said on the first day of debate on this bill that he did not know what this bill would do or what it was intended to do.

Let me tell you that it is intended to insure the jobs and incomes of some 22,000 people in one county in the Congressional District I represent. Shoshone County is a one-industry county—a lead-zinc county. Its entire economy is built around the payrolls of the lead-zinc mines and smelters. At stake here today is not just the jobs of the men in the mines and the smelters, and the security of their families, or the economic stability of the mining companies—at stake here today is the security of every person and every family in the county.

This bill does not provide a subsidy for foreign-mined ores. It provides a subsidy only for domestic-mined ores.

Some Members have said this is a bill to provide subsidies for the big companies. This is not a big company bill.

It sets a quarterly limitation on the amount of ore on which a subsidy may be paid. This means that the bill will be particularly helpful to small- and middle-sized operators.

Mr. Chairman, I am sure it is not the intention of this Congress to allow our domestic mines and metals industries to wither on the vine and die.

Nor is it the intention of this body, I am sure, to deny our American citizens the opportunity of earning their livelihood in our domestic mines so that workers in other countries may be assured a job in their mines.

Much of the expansion in foreign metals production has been financed by the United States Government. This means that money has been taken out of the pocket of the American miner to finance a development which is now taking his job from him. No wonder there is bitterness in Shoshone County, in my State of Idaho, today.

The mine companies and the mine workers have not been able to get any relief from the flood of cheaply-mined foreign ores coming into this country under any existing law or through any existing administrative channel. Domestic mines can produce all but 30 per-

cent of our consumption of lead and zinc. Yet, because we do nothing to protect our domestic industry, 70 percent of our domestic consumption is coming from imports.

In my opinion, Congress should now pass this bill because it is the only fair thing to do. But aside from the equities in the matter, we should pass it because minerals are vital elements in the security and economic welfare of our country. Should overseas supplies be diminished or cut off in a defense crisis, adequate domestic sources of lead and zinc would become crucial to our national survival.

Mr. Chairman, I shall cast my vote for S. 4036. I am not willing to bequeath to future generations, as a monument to the folly of this Congress, a long valley of ghost towns in northern Idaho, and other lead-zinc producing areas in this country.

Mr. DENT. Mr. Chairman, I join in supporting the minerals subsidy bill now before us.

I do this with the hope and belief that by so doing some consideration will be given the coal industry. Thus we may strike the first blow at the depressing recession in both the bituminous and the anthracite coal fields, not alone in Pennsylvania but in every State where coal is of major importance to the general welfare of the people.

I have tried along with others to have Congress pass a coal research bill, which must come within the very near future or the whole coal economy may well suffer irreparable harm.

The future needs for fuel, regardless of oil, gas or nuclear energy, will largely depend upon coal for fulfillment.

Coal has been and for the foreseeable future will remain, the number one fuel of the heavy productive industries.

With a fairly complete knowledge of the needs of the coal industry, I appeal to the membership to give serious and favorable consideration to this amendment.

Even if we do not achieve our aim of passing a coal commission bill at this session I shall support the minerals subsidy bill because it starts our thinking in the right direction.

Sooner or later we must give the same consideration, in times of need, to the mining industry that we are giving to agriculture, wool growing, shipbuilding, and other activities that are supported by public funds. Sooner or later the coal industry will be recognized.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 4036) to stabilize production of copper, lead, zinc, acid-grade fluorspar, and tungsten from domestic mines, pursuant to House Resolution 689, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

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

The SPEAKER. The question is on the passage of the bill.

Mr. SAYLOR. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 159, nays 182, answering "present" 1, not voting 87, as follows:

[Roll No. 188]

YEAS—159

Addonizio
Albert
Allen, Calif.
Allen, Ill.
Anderson, Mont.
Anfuso
Arends
Aspinall
Ayres
Baker
Baring
Barrett
Bass, Tenn.
Beckworth
Belcher
Bennett, Mich.
Berry
Boggs
Bolling
Boyle
Breeding
Brooks, Tex.
Brown, Mo.
Burleson
Byrne, Pa.
Canfield
Carnahan
Celler
Chelf
Chenoweth
Christopher
Clark
Coad
Cooley
Corbett
Dawson, Ill.
Dawson, Utah
Dellay
Dent
Diggs
Dixon
Dollinger
Dooley
Edmondson
Elliott
Everett
Evins
Fino
Fisher
Flood
Fountain
Frazier
Fulton
Garmatz
Granahan
Gray
Green, Pa.
Gregory
Griffiths
Gubser
Hagen
Halleck
Hays, Ark.
Healey
Hemphill
Holifield
Holland
Holmes
Holtzman
Horan
Ikard
Jackson
Jarman
Jennings
Jones, Ala.
Judd
Karsten
Kearns
Kee
Kilgore
King
Kluczynski
Knox
Knutson
Krueger
Landrum
Lesinski
Libonati
Loser
McFall
Machrowicz
Madden
Magnuson
Mailliard
Marshall
Martin
Merrow
Metcalf
Miller, Nebr.
Mills
Montoya
Morgan
Morris
Moss
Moulder
Multer
Nix
Norrell
O'Brien, Ill.
O'Hara, Ill.
Osmers
Patman
Patterson
Perkins
Pfost
Poage
Porter
Price
Reece, Tenn.
Rees, Kans.
Rhodes, Ariz.
Roberts
Rodino
Rogers, Colo.
Rogers, Mass.
Rogers, Tex.
Santangelo
Saund
Scrivner
Scudder
Shelley
Sieminski
Sisk
Smith, Kans.
Smith, Miss.
Spence
Steed
Sullivan
Teller
Thompson, N. J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Udall
Ullman
Vorys
Walter
Watts
Weaver
Widnall
Wier
Wigglesworth
Willis
Withrow
Wolverton
Wright
Yates

NAYS—182

Abbitt
Abernethy
Adair
Alexander
Alger
Andersen, H. Carl
Andrews
Ashmore
Auchincloss
Bailey
Baldwin
Bass, N. H.
Bates
Becker
Bennett, Fla.
Betts
Blatnik
Boland
Bolton
Bonner
Bosch
Bow
Bray
Broomfield
Brown, Ga.
Brown, Ohio
Broyhill
Bush
Byrd
Byrne, Ill.
Byrnes, Wis.
Cannon
Carrigg
Cederberg
Chamberlain
Chiperfield
Church
Collier
Cramer
Cretella
Cunningham, Iowa
Cunningham, Nebr.
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Davis, Ga.
Delaney
Dennison
Denton
Devereux
Dingell
Donohue
Dorn, N. Y.
Dorn, S. C.
Dowdy
Dwyer
Eberharter
Fallon
Fascell
Feighan
Fenton
Flynt
Fogarty
Forand
Ford
Forrester
Gary
Gathings
Gavin
Grant
Green, Oreg.
Griffin
Gross
Gwinn
Haley
Harden
Hardy
Harris
Harrison, Va.
Harvey
Hays, Ohio
Heselton
Hess
Hiestand
Hoeven
Holt
Huddleston
Hull
Hyde
Johansen
Jonas
Kean
Keating
Kelly, N. Y.
Kilday
Kirwan
Kitchin
Lafore
Laird
Lane
Lankford
Lennon
Lipscomb
McDonough
McGovern
McIntosh
McMillan
Mack, Ill.
Mack, Wash.
Mahon
Matthews
May
Meader
Michel
Miller, Md.
Moore
Morano
Mumma
Murray
Natcher
Neal
Nicholson
Nimtz
Norblad
O'Hara, Minn.
O'Konski
Ostertag
Passman
Pelly
Philbin
Pillion
Poff
Polk
Quie
Rabaut
Ray
Reed
Reuss
Rhodes, Pa.
Riehlman
Riley
Robeson, Va.
Robison, N. Y.
Robsion, Ky.
Rogers, Fla.
Rooney
Rutherford
Sadlak
St. George
Saylor
Schenck
Scott, N. C.
Seely-Brown
Selden
Sikes
Siler
Simpson, Ill.
Smith, Calif.
Smith, Va.
Springer
Staggers
Taber
Talle
Teague, Calif.
Tewes
Thomas
Tuck
Utt
Van Pelt
Van Zandt
Vinson
Vursell
Westland
Wharton
Whitener
Whitten
Williams, Miss.
Wilson, Calif.
Wilson, Ind.
Younger
Zablocki

ANSWERING "PRESENT"—1

O'Brien, N. Y.

NOT VOTING—87

Ashley
Avery
Barden
Baumhart
Beamer
Bentley
Blitch
Boykin
Brooks, La.
Brownson
Buckley
Budge
Burdick
Clevenger
Coffin
Colmer
Coudert
Davis, Tenn.
Derounian
Dies
Doyle
Durham
Engle
Farbstein
Frelinghuysen
Friedel
George
Glenn
Gordon
Hale
Harrison, Nebr.
Haskell
Hébert
Henderson
Herlong
Hill
Hillings
Hoffman
Hosmer
James
Jenkins
Jensen
Johnson
Jones, Mo.
Kearney
Keogh
Kilburn
Latham
LeCompte
McCarthy
McCormack
McCulloch
McGregor
McIntire
Macdonald
Mason
Miller, Calif.
Miller, N. Y.
Minshall
Mitchell
Morrison
O'Neill
Pilcher
Powell
Preston
Prouty
Radwan
Rains
Rivers
Roosevelt
Scherer
Schwengel
Scott, Pa.
Sheehan
Sheppard
Shuford
Simpson, Pa.
Stauffer
Taylor
Teague, Tex.
Thompson, La.
Vanik
Wainwright
Williams, N. Y.
Winstead
Young
Zelenko

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Johnson of Wisconsin against.

Mr. Morrison for, with Mr. Zelenko against.

Mr. Thompson of Louisiana for, with Mr. Farbstein against.

Mr. Buckley for, with Mr. Winstead against.

Mr. Keogh for, with Mr. Colmer against.

Mr. Durham for, with Mr. Bentley against.

Mr. Roosevelt for, with Mr. Taylor against.

Mr. Engle for, with Mr. Hosmer against.

Mr. Miller of California for, with Mr. Frelinghuysen against.

Mr. Doyle for, with Mr. Beamer against.

Mr. Mitchell for, with Mr. Scherer against.

Mr. Glenn for, with Mr. Pilcher against.

Mr. Kilburn for, with Mr. Preston against.

Mr. Hill for, with Mr. Simpson of Pennsylvania against.

Mr. Friedel for, with Mr. Rivers against.

Mr. George for, with Mr. Sheehan against.

Mr. Scott of Pennsylvania for, with Mr. Henderson against.

Mr. McCarthy for, with Mr. Derounian against.

Mr. Ashley for, with Mr. Wainwright against.
Mr. Jensen for, with Mr. Stauffer against.
Mr. Gordon for, with Mr. Vanik against.
Mr. Coffin for, with Mr. Herlong against.
Mr. Boykin for, with Mr. O'Brien of New York against.
Mr. Burdick for, with Mr. Coudert against.
Mr. Hillings for, with Mr. Rains against.

Until further notice:

Mr. Teague of Texas with Mr. Hale.
Mr. Young with Mr. Avery.
Mr. Dies with Mr. Baumhart.
Mr. Davis of Tennessee with Mr. Harrison of Nebraska.
Mrs. Blitch with Mr. Hoffman.
Mr. Barden with Mr. McGregor.
Mr. Macdonald with Mr. Miller of New York.
Mr. O'Neill with Mr. Minshall.
Mr. Brooks of Louisiana with Mr. McIntire.
Mr. Shuford with Mr. Mason.

Mr. REUSS changed his vote from "yea" to "nay."

Mr. O'BRIEN of New York. Mr. Speaker, I voted "No." I have a live pair with the gentleman from Alabama [Mr. BOYKIN]. If he were present, he would vote "yea." Therefore, I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 121. Concurrent resolution authorizing a change in the enrollment of the joint resolution (S. J. Res. 135) providing for the construction by the Department of the Interior of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumption uses.

CONSERVATION OF THE RARE HAWAIIAN NENE GOOSE

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4249) to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. ARENDS. Mr. Speaker, reserving the right to object; will the gentleman tell us what this bill does?

Mr. BONNER. Mr. Speaker, the purpose of the bill is to authorize a program of research, propagation, and management for the Hawaiian Nene goose. At the present time, there are only about 50 geese at large in the entire Territory of Hawaii, and their continued existence is threatened in the absence of a program for their management. Up to the present, voluntary efforts by private individuals and very small grants by the Territory of Hawaii have served to keep the species from following the passenger pigeon into extinction. Existing funds that might be used are not available because of regulations of the Fish and Wildlife Service and, in the absence of this authorization, necessary steps for the propagation of the species cannot be undertaken.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That whereas there are less than 50 Nene geese in the wild state in the Territory of Hawaii, and this unique, native species of waterfowl is threatened with imminent extinction, the Secretary of the Interior is hereby authorized and directed to promote a program of research, propagation, and management necessary to effect the restoration of this threatened species in its natural habitat.

SEC. 2. The sum of $15,000 per annum is hereby authorized to be appropriated each year for a period of 5 years to carry out the purposes of this act.

Mr. BURNS of Hawaii. Mr. Speaker, S. 4249 and H. R. 11584 are identical bills to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose—Branta sandvicensis—which is now considered one of the rarest species of waterfowl in the world.

I want to take advantage of this opportunity to commend the chairman and members of the Merchant Marine and Fisheries Committee of the House for their expeditious and gracious consideration of this bill and its prompt reporting to this House. I want to also acknowledge the kind courtesy of the senior Senator from Washington, the Honorable WARREN MAGNUSON, for his introduction of the Senate bill which was promptly considered by the Interstate and Foreign Commerce Committee of the other body which the Senator from Washington is chairman. The diligence and great interest of Chairman MAGNUSON and the members of his committee are gratefully acknowledged.

By action of the Territorial Legislature in 1955 the Nene, or Hawaiian goose, was named the official bird of Hawaii.

The history of the effort to preserve the vanishing species of wildlife in the United States is one of too little too late. The Nene was abundant at one time on the slopes of Mauna Loa and Hualalai in Hawaii and Haleakala in Maui.

Over the past several decades this magnificent waterfowl has declined seriously in numbers due to several factors, including indiscriminate hunting in past years, changes in land use, and the increase of predators, such as mongooses, wild pigs and dogs. The bird was formerly a migratory one but became at some time in the distant past a resident of Hawaii.

Today, as a result of extensive efforts, there are less than 50 birds in the wild state. Two captive flocks are in existence, one owned by Mr. Herbert C. Shipman, of Hawaii, and the other by the Wildfowl Trust, Slimbridge, Gloucestershire, England. This latter flock was started from a male and 2 females in 1950.

In 1955, with the help of interested conservationists in Hawaii and on the mainland, grants to the total amount of $8,000 to finance an ecological survey were secured through the Yale University Bishop Museum Fellowship, Pan American Section of the International Committee for Bird Preservation, the Guggenheim Foundation, and the McInerny Foundation. Dr. William H. Elder, professor of zoology at the University of Michigan, conducted the study and made a four-step recommendation.

The Legislature of Hawaii and the Territorial administration have made material contributions of effort and money to the preservation of the Nene and its reestablishment. Since July 1, 1949, to June 30, 1958, $22,865 has been expended through the fish and game division of the board of agriculture and forestry. The budget request for the 1958–59 biennium is $17,000.

Within the last month an agreement was made with the Bishop estate and C. Brewer & Co., owners of the land where the Nene is found in the wild state, for the establishment of a sanctuary which will be maintained and controlled by the fish and game division of the Territorial government. The two owners of the land are allowing the use of their property without compensation. Hawaii has done its part with the means at its command. The Federal assistance is needed so that competent personnel can be assigned to the task of permanently restoring the Nene and seeing the job through. This can be done by enactment of S. 4249 and H. R. 11584.

The Wildlife Management Institute, the National Parks Association, the National Audubon Society, the Wildfowl Trust of England, the Federation of Western Outdoor Clubs, the Izaak Walton League of America, among others, have expressed their support of the bills. The Department of the Interior, Fish and Wildlife Service, has recommended enactment of the bills, and the Bureau of the Budget interposes no objection.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

OPERATING ASSIGNMENT OF THE NUCLEAR SHIP "SAVANNAH"

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, 2 years ago there was enacted a bill, which I introduced in the spring of 1955, to authorize the construction of an atomic merchant ship powered by a specially designed advanced type of reactor. This first great application of nuclear power to shipping was to be a practical merchant vessel of combination passenger and cargo design capable of providing shipping services on routes essential for maintaining the flow of the foreign

commerce of the United States. The authorization took the form of an amendment to title VII of the Merchant Marine Act of 1936, since it was intended that the ship would be in furtherance of our national maritime policy as laid down by the Congress in that act.

The creation of the ship was to be a joint project with the Atomic Energy Commission responsible for the nuclear reactor and the Department of Commerce responsible for design and construction of the vessel itself and all of its other equipment and machinery.

This important project is now under way. She was christened the Nuclear Ship *Savannah* at her keel-laying in Camden, N. J., on National Maritime Day, May 22, of this year. She is scheduled to be launched next year and be ready for operation in 1960.

The *Savannah*, in her construction and operation, will be the laboratory in which the American merchant marine in the nuclear age will be developed. Upon completion it is contemplated that she will operate to various areas throught the world in demonstration of the peaceful uses of the miracle power of atomic energy.

We are fortunate that through the effective operation of the Merchant Marine Act of 1936, to foster the development and encourage the maintenance of an American-flag, citizen-owned merchant marine, there are long-established and experienced operators serving essential trade routes with wholly owned and operated American-flag passenger and freight vessels serving Western Europe, the Mediterranean, the east and west coasts of South America, the Far East, Australia, Africa, and around the world.

Thus, there are logically available many companies ready, able, and willing to perform their share in their partnership with the Government in carrying out our national policy. Among them are major companies whose very names bespeak of our country: United States Lines, American Export Lines, and American President Lines.

In view of the foregoing, therefore, I was greatly disturbed—I might even say I was shocked—when it was announced by the Maritime Administration and the Atomic Energy Commission 2 or 3 weeks ago that States Marine Corporation of Delaware has been selected as the general agent for the operation of the nuclear ship *Savannah*, under a negotiated operating agreement.

At this point I want to make it perfectly clear that my reaction to the announcement implies no criticism of States Marine as an operating steamship company. Nor do I suggest that the proposed assignment of the vessel is not within the letter of the law.

On the basis of information which has come to my attention, there are, however, certain aspects of this proposition which I consider to be highly questionable.

First, it is the intent of the 1936 act that the American merchant marine shall be owned and operated under the United States flag by citizens of the United States. Provisions of the shipping laws implement this intent by strict requirements regarding citizenship. Further to assure the very highest degree of American control, the 1936 act provides that it shall be unlawful for any contractor receiving an operating differential subsidy, or for any charterer of vessels under that act, or any holding company, subsidiary, affiliate, or associate of such contractor or such charterer, or any officer, director, agent, or executive thereof, directly or indirectly to own, charter, act as agent or broker for, or operate any foreign-flag vessel which competes with any American-flag service determined to be essential under the act.

It is my understanding States Marine Lines operates about 15 American-flag ships of its own, plus 24 more through its wholly owned subsidiary, Isthmian Lines, Inc. Some 40 to 50 American-flag ships are said to be operated under charter. And an additional 4 or 5 are operated through a berth agency with Bloomfield Steamship Company. But the States Marine fleet of 122 vessels includes somewhere between 30 and 40 foreign-flag ships, operated through foreign connections and affiliations which makes it presently ineligible to receive operating subsidy or charter vessels under the 1936 act. In the operation of both its American and foreign-flag ships, this company uses foreign shipping firms as its agents abroad, and in turn acts as United States agents for them.

According to Fortune Magazine, in South Africa, for example, States Marine, headed by Henry Mercer of New York, helped set up a company for an old friend, former British Air Marshal Harris. As the Fortune article says:

> Mercer was instrumental in getting some ships from the United States Maritime Commission for the South African company, and the two firms whack up 50/50 such cargo as they can corral that is headed either east or west between the United States and South Africa.

Only by resorting to the broad authority in the Federal Maritime Board to use general agents to operate vessels owned by the United States for experimental or testing purposes, can the assignment of the nuclear ship *Savannah* to States Marine rather than to an American operator without foreign connections be legally justified.

While flexibility of authority is undoubtedly desirable in connection with the development, trial and testing of vessels for experimental purposes, no facts have come to my attention which would justify the assignment of a vessel having the significance of the nuclear ship *Savannah* to an operator who because of extensive foreign-flag affiliations cannot meet the tests laid down in the 1936 act, when there are fully-qualified wholly-owned American steamship companies available to perform this important function.

In this connection, it is my understanding that an interagency operator selection board of the Maritime Administration and the Atomic Energy Commission was appointed to review and analyze the replies of the seven operators indicating an interest in operating the *Savannah*. It is further my understanding that this Board unanimously recommended American President Lines, Limited, as first choice and United States Lines Company as second choice, on the basis of the many factors involved, but with particular reference to basic trade routes and extent of experience with passenger operations. Moreover, these two companies have already made substantial studies in connection with nuclear propelled vessels. Unfortunately, I cannot vouch for the accuracy of the conclusions which I have been told were contained in the report of the interagency board, because I have been unable to obtain a copy of the report. I have requested the Maritime Administrator to furnish me with a copy of the board's report with the background justifications for the final selection of an operator. This has been denied me.

Nonetheless, it is a well-known fact that States Marine does not now, and never has, engaged in the operation of passenger vessels, although I believe the Isthmian subsidiary carries some passengers on its 12-passenger freighters. I am at a loss to understand the decision that has been made.

The publicity attending the announcement of the assignment of the vessel states that in the handling of future passenger travel, Matson Navigation Co. would act with States Marine. Again I cannot understand why other qualified American passenger operators should have been passed over in favor of a company that had indicated no interest in operating the vessel.

The picture becomes even more cloudy and confusing when it is realized that the able and distinguished new Chairman of the Atomic Energy Commission, Honorable John A. McCone, is a man with extensive shipping interests. Mr. McCone's shipping companies are Joshua Hendy Corp., and Panama Pacific Tankers which are engaged directly or through subsidiaries in the shipping business as owners, charterers and operators of ships under both foreign and American flag. The Hendy vessels are employed in the distribution of chemicals, crude oil and refined petroleum products, and iron ore and bauxite. At the time of his nomination for the Atomic Energy Commission post, Mr. McCone was engaged in a very active partnership with Mr. Mercer, the head of States Marine Lines. According to the August 1958 issue of Fortune:

> With Mr. Mercer's support, Mr. McCone had plunged ahead with a plan to make Joshua Hendy one of the most important seagoing ore carriers. Its trade prospered. It was hauling iron ore from Venezuela and Peru, bauxite from Jamaica, and chemicals in the intercoastal trade.

The nomination hearings before the Senate Section of the Joint Committee on Atomic Energy on July 2 of this year do not go into detail except to show that Mr. McCone has divested himself of his control of the two shipping corporations to the extent of placing his stock in them in an irrevocable trust with the trust department of the California Bank of Los Angeles. I have no concern with the arrangements made by Mr. McCone to meet the technical requirements of the law in regard to the difficult problem of avoiding conflicts of interests

faced by so many able and successful businessmen when called to public service. However, the facts concerning the intimate business relationships which have existed between Mr. McCone and Mr. Mercer raise certain obvious questions when we seek to find the answer to the apparently illogical assignment of the nuclear ship *Savannah* to States Marine Lines by the Department of Commerce and the Atomic Energy Commission.

Another recent development seems to shed further light on a picture that becomes more complicated as it is examined. As recently as August 14, 1958, the president of Matson Orient Line, Inc., an applicant for operating subsidy from United States Atlantic ports to the Far East, announced that Matson Navigation Co. and Isthmian Lines, Inc., will each acquire a 50-percent ownership of Matson Orient. Matson Navigation and Isthmian will buy 100 percent of the common stock of Matson Orient, Inc., for $8½ million, with which Matson Orient then proposes to purchase three vessels from each Matson Navigation and Isthmian with which to commence its new service and will have $1 million left over as working capital. The officers and directors of Matson Orient Line are also officers or directors of one or more of Matson Navigation Co., Isthmian Lines, Inc., and States Marine Corp. Perhaps this new development explains why Matson Navigation Co., which expressed no interest in operating the *Savannah*, should nevertheless be designated to act with States Marine in the handling of future passenger travel.

Mr. Speaker, even though I have no reason to believe that any law has been violated by the decision of the Secretary of Commerce to select States Marines Lines as operating agent for the nuclear ship *Savannah* in preference to exclusively American-flag lines, which to me are seemingly more logical and qualified, the known circumstances in this matter are of great interest to me and I feel that they must be to the Members of Congress generally.

I do not know whether there was any undue pressure from any source that caused this situation to be brought about; but I can assure you that I intend to follow the future course of arrangements relative to the development and operation of our first nuclear merchant ship with even more intense interest than I heretofore have since I introduced the original authorizing legislation.

There is not now, and I doubt if there ever has been, any Member of this Congress more devoted to the cause of developing and maintaining a strong American-flag merchant marine. The Merchant Marine Act of 1936 is an excellent law if administered properly and carefully. But if it is not, I fear that we might again find ourselves confronted with the disgraceful situation that brought about the Black investigation of 1934 and 1935, with its disclosures of complicated corporate subterfuges and favoritism diverting the purposes of the then existing law which Congress had passed in the hopes of developing an adequate, stable, and efficient merchant marine to serve the needs of the commerce and defense of this country.

Mr. Speaker, I will watch with interest to see who plucks the plum.

SUPPLEMENTAL APPROPRIATIONS, 1959

Mr. CANNON submitted the following conference report and statement on the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2686)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 36 and the amendment of the House thereto, and numbered 114, to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,500,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 36.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
GERALD R. FORD, Jr.,
FRANT T. BOW,
Managers on the Part of the House.

CARL HAYDEN,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
CLINTON P. ANDERSON,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the further conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER VII

Independent offices

National Aeronautics and Space Administration

Amendment No. 36: Reported in disagreement.

CHAPTER XIII

United States Information Agency

Payment to Informational Media Guaranty Fund

Amendment No. 114: Appropriates $2,500,000 instead of $5,000,000 as proposed by the Senate.

CLARENCE CANNON,
JOHN J. ROONEY,
J. VAUGHAN GARY,
JOHN TABER,
GERALD R. FORD, Jr.,
FRANK T. BOW,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, I move to suspend the rules and agree to the conference report on the bill (H. R. 13450) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The Clerk read the conference report.

Mr. CANNON. Mr. Speaker, this report is the result of the further conference with the other body on the supplemental appropriation bill for 1959.

On yesterday the House and the Senate disposed of all other differences on the bill. The report now before the House disposes of the two remaining amendments—Nos. 36 and 114.

Amendment 36 originally provided that in the future, no appropriation could be made to the National Aeronautics and Space Administration unless first authorized by law hereafter enacted. The House on yesterday refused to subscribe to that provision. The Senate further insisted. In the pending report, the managers reach agreement on language limiting the life of the provision to appropriations for any period up to June 30, 1960. Since appropriations for fiscal 1959 are already adopted, the provision will have no practical effect until the next Congress, at which time there will be opportunity to further consider the matter.

Amendment 114 inserted $5 million for further payment to the informational mediums guaranty fund under supervision of the United States Information Agency. The House had not considered the item and on yesterday, refused to concur. The Senate further insisted. The pending report proposes $2,500,000 for the item, a compromise of one-half.

Mr. Speaker, the managers would of course have preferred to sustain the will of the House, but as with most proposed legislation, when the other body continues to insist, the only practical solution is compromise. On both amendments, we believe we secured a reasonable compromise.

In conclusion, Mr. Speaker, and by way of summary, the final appropriation totals for the bill in relation to the budget estimates and the House and Senate versions are as follows:

Budget estimates (including some not considered by House)	$4,081,154,221
House bill	3,131,844,797
Senate bill	3,866,382,978
Conference total (final)	3,697,305,478
Conference total compared to budget estimates	−383,848,743

Mr. Speaker, the final total is a reduction of nearly 10 percent below total budget estimates. And to repeat briefly the statement of yesterday, this bill is more of a regular annual bill than a supplemental bill. It is only incidentally a supplemental bill. Nearly 85 percent of the conference total represents the regular annual appropriations for several agencies and activities. And of the abnormally large increase over the House bill, approximately 90 percent represents amounts not considered by the House when the bill was first here.

The SPEAKER. The question is on suspending the rules and agreeing to the conference report.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment 36: Page 22, line 19, insert: "No appropriation may be made to the National Aeronautics and Space Administration unless previously authorized by legislation hereafter enacted by the Congress."

Mr. CANNON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 36, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, as amended by the House amendment thereto, insert:

"No appropriation may be made to the National Aeronautics and Space Administration for any period prior to June 30, 1960, unless previously authorized by legislation hereafter enacted by the Congress."

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, I wish to yield to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, this is the matter we discussed and voted on yesterday where the vote in the House was 236 to 126 to reject the Senate amendment which would have required that from here on in the National Space Agency would have to come to the Congress and get an annual authorization as well as an annual appropriation.

Subsequent to our action in the House the matter went back to the Senate, and the Senate by a vote of 86 to nothing insisted upon their provision in the bill. As a consequence the issue again went to conference. The Senate conferees started out by insisting upon their position, but they gradually modified it until they were willing at one point to make it a 3-year extension of their language or a 3-year abrogation of the basic Space Agency law.

I think the House conferees by getting a concession from the Senate conferees have accomplished considerable under this new language. Only for fiscal year 1960—that is one more year—must there be an annual authorization prior to an appropriation.

It is not what I wanted, because I personally feel that the basic law is sound, but we all know that when you go to conference you have to achieve what is practical; and, in my opinion, the House conferees prevailed to a very substantial degree.

Mr. O'BRIEN of New York. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. O'BRIEN of New York. May I say I think the conferees worked out a very fair compromise, and I am sure that the Members on this side who are on the Space Committee go along with you.

Mr. FORD. I thank the gentleman from New York.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. KEATING. I want to commend the gentleman for the fight he put up for sound essential practice, and I want to urge that this 1-year delay be not made a permanent arrangement. I think it is a very serious interference with matters vitally affecting our national defense, and I can only hope and pray that during this next year we will not be hamstrung in trying to do what we need to do by having to go through four committees to get it done.

I think it would be much preferable to have stood on our position, as I know the gentleman from Michigan does, but I realize also that we must make some concessions in order to get legislation.

Mr. FORD. It is my opinion that this 1-year trial run will prove the unsoundness of following the Senate position.

Mr. KEATING. I am sure it will.

Mr. McDONOUGH. Mr Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. McDONOUGH. I just want to compliment the gentleman on the fight he has made. It is a substantial piece of legislation for which he is arguing. The original bill probably authorized this, and this, as I said the other day, is a trial.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to say to the gentleman from Michigan that I feel this is a step backward from the original authorization language which was adopted by the House and reported by the Space Committee. I believe this new Agency in the next year will spend all of its time justifying authorizations and appropriation requests before the United States Congress instead of getting on with the vital work this country needs to do in the field of space activity.

Mr. FORD. My views coincide with those of the gentleman from Wisconsin. But we were faced with a practical problem and I think we did the best we could in extending the Senate language for 1 year to prove the unsoundness of the Senate position.

Mr. CANNON. Mr. Speaker, the only addition to the Senate provision is the inclusion of the phrase "for any period prior to June 30, 1960." The effect of it, of course, as I said, is to leave the whole matter for the next Congress. The Congress will be free to further consider the matter in the next session.

Mr. Speaker, I move the previous question on the motion.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

APPOINTMENT OF THE ADJUTANT GENERAL OF PUERTO RICO

Mr. KILDAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13666) to amend title 32 of the United States Code to permit the appointment of the adjutant general of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. KILDAY]?

Mr. ARENDS. Mr. Speaker, reserving the right to object, will the gentleman explain what this does?

Mr. KILDAY. Mr. Speaker, at the present time the adjutant general of Puerto Rico is required to be appointed by the President of the United States. This bill would simply permit the Governor of Puerto Rico to appoint the adjutant general of Puerto Rico.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 3, section 314 (b) of title 32 of the United States Code is amended by striking from the first and second sentences thereof the words "Puerto Rico," and the preceding commas.

Mr. KILDAY. Mr. Speaker, I insert at this point in the RECORD a letter addressed to the Honorable CARL VINSON, chairman of the Committee on Armed Services, signed by Hugh M. Milton II, Acting Secretary of the Army, as follows:

AUGUST 21, 1958.

Hon. CARL VINSON,
Chairman, Committee on Armed Services, House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H. R. 13666, 85th Congress, a bill "To amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico." The Secretary of Defense has delegated to the Department of the Army the responsibility for expressing the views of the Department of Defense thereon.

The purpose of the bill is to remove the present legal requirement that the Adjutant General of Puerto Rico shall be appointed by the President. This would permit the Governor of Puerto Rico to appoint the adjutant general of the Commonwealth as provided by its laws.

The Department of the Army, on behalf of the Department of Defense has no objection to the above-mentioned bill. However, it should be noted that the bill is substantially identical to section 2 of H. R. 10906, 85th Congress, a bill to provide that the National Guard of Puerto Rico shall be subject to the same provisions as apply to the National Guard of each of the States, as to which a similar report was made to your committee on August 18, 1958.

The enactment of this legislation will cause no increase in the budgetary requirements for the Department of Defense.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget advises that there is no objection to the submission of this report to the Congress.

Sincerely yours,

HUGH M. MILTON II,
Acting Secretary of the Army.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MINNESOTA STATE FAIR AND CENTENNIAL EXPOSITION

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 11889), to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at St. Paul, Minn., to be admitted without payment of tariff, and for other purposes, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, after line 6, insert:

"SEC. 7. Paragraph 1798, Tariff Act of 1930, as amended (U. S. C., title 19, sec. 1201, par. 1798), is further amended by redesignating subparagraph (h) as subparagraph (i), and by inserting a new subparagraph (h) to read as follows:

"'(h) Automobiles rented by any resident of the United States while abroad may be imported into the United States by or on behalf of such resident for the transportation of such resident, his family and guests, and such incidental carriage of articles as may be appropriate to his personal use of the automobile without payment of duty, for such temporary periods as the Secretary of the Treasury by regulation may prescribe. Any automobile exempted from duty under this subparagraph which is used otherwise than for a purpose herein expressed or is not returned abroad within the time and manner as the Secretary may prescribe by regulation, or the value of such automobile (to be recovered from the importer), shall be subject to forfeiture to the United States.'"

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, in the form in which it passed the House of Representatives, the purpose of H. R. 11889 was to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be admitted without payment of tariff.

The Senate added one substantive amendment to this bill. The purpose of this amendment, according to the report of the Senate Finance Committee, is to permit residents to bring into the United States, without payment of duty or posting of bond and for temporary periods only, automobiles rented abroad. Under present law residents on a short trip back into the United States from adjacent countries with automobiles rented abroad must either pay duty on the rented vehicle or place it under bond.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REED] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. REED. Mr. Speaker, I have concurred in the request that the House agree to the Senate amendment to this legislation. As passed by the House H. R. 11889 provided for the duty-free entry of articles for exhibition at the Minnesota State Fair and Centennial Exposition in St. Paul, Minn. The Senate has provided an amendment to this legislation which would permit residents of the United States to bring into the United States for temporary periods automobiles rented abroad without the requirement of a duty payment or the posting of a bond. With respect to the Senate amendment it is provided that the Secretary of the Treasury shall issue regulations to provide for the manner in which this entry privilege shall operate. It is my expectation that those regulations will make it clear that such entry of rented vehicles shall only be allowed in connection with incidental crossings and will not be the means for the establishment of a pattern of operating in the United States automobiles that have been rented in a foreign country.

GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. CARNAHAN. Mr. Speaker, I move to suspend the rules and concur in Senate Concurrent Resolution 109, as amended.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that consideration should immediately be given by the General Assembly of the United Nations to the development, within its permanent structure, of such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

The SPEAKER. Is a second demanded?

Mr. VORYS. Mr. Speaker, I demand a second.

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CARNAHAN. Mr. Speaker, I yield such time as he may require to the gentleman from Texas [Mr. PATMAN].

HOW TO OBTAIN FINANCING UNDER THE SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. PATMAN. Mr. Speaker, today an important new small-business measure has taken its place among the Federal statutes. The President only a few minutes ago signed the small business investment bill which both the House and the Senate passed on August 7.

We have already received a great number of inquiries from people all over the country—small-business people and others—who are interested in forming a small-business investment company which this act provides for.

The staff of our Small Business Committee has prepared an explanation of this act, what it authorizes and how the provisions of the act will work. This is in the form of questions and answers that any small-business man can understand. It appeared in the CONGRESSIONAL RECORD in a speech I made several days ago.

I am inserting this in the RECORD because I know it will be useful to the other Members in answering questions from their constituents about how the new small-business-financing program will work.

I hope that our committee will have printed copies of this statement available if the Members of the House should find that the statement is useful.

Mr. CARNAHAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the resolution now under consideration is House Concurrent Resolution 373, substituted for Senate Concurrent Resolution 109. This resolution expresses the sense of the Congress that consideration should immediately be given by the General Assembly of the United Nations to the development, within its permanent structure, of such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

The resolution in its present form represents the culmination of a long period of study by the Committee on Foreign Affairs and by a number of Members of the House of Representatives who do not belong to the Committee on Foreign Affairs who have shown a marked interest in a United Nations force. During the 85th Congress resolutions expressing approval of the concept of a United Nations force have been introduced by the following Members of the House: Hon. ROBERT HALE; Hon. EDNA F. KELLY of New York; Hon. CHESTER E. MERROW; Hon. HENRY S. REUSS; Hon. STUYVESANT WAINWRIGHT; Hon. PETER FRELINGHUYSEN; Hon. PETER W. RODINO, Jr.; Hon. HUGH J. ADDONIZIO, and Hon. JOHN D. DINGELL, as well as by myself. These resolutions have been considered by the Committee on Foreign Affairs.

The committee has also given close attention to the experience of the United Nations with the United Nations Emergency Force in the area of the border between Israel and Egypt, as well as the operation of the United Nations Observation Group in Lebanon.

Because of the great interest in the matter of a United Nations force shown by Members of the House of Representatives and by the public generally, the Subcommittee on International Organizations and Movements, of which I have the honor to serve as chairman, held hearings on July 24 and July 25 of this year at which testimony was received from officials and individuals who are particularly well informed on this matter.

On the basis of its study of recent developments and with careful consideration to the recommendations of the

experts who testified before the subcommittee, the Committee on Foreign Affairs drafted House Concurrent Resolution 373 in its present form.

The resolution indicates the desire of the Congress that permanent arrangements be made so that a United Nations observation and patrol force may be brought into service promptly whenever future circumstances make such action desirable. The resolution does not make specific recommendations as to the nature or organization of the force except to make clear that a force limited to observation and patrol functions is contemplated. The Committee on Foreign Affairs believes that favorable action by the Congress on this resolution will give encouragement to the United States delegation to the United Nations and to other nations of the world who recognize the value of such a force in the world of today.

Approval of this resolution does not involve any major financial commitment on the part of the United States. The present United Nations Emergency Force in the area of the Israel-Egyptian border consists of between 5,000 and 6,000 men and costs the United Nations $25 million per year to maintain. This cost is assessed among all the 81 United Nations members at the regular scale of assessments. The United States share is 32.51 percent. It was my privilege to serve as a member of the United States delegation to the United Nations General Assembly last year, and as a result of my observations at that time, I am convinced that the overwhelming majority of the nations of the world do not want the United States to assume too large a share of the responsibility for financing any United Nations force. These nations recognize that unless a United Nations force represents the entire United Nations membership it cannot perform its function. If such a force should come to be regarded as being dominated by the United States its usefulness would be greatly diminished.

My experience at the United Nations last fall also convinced me that there is no perceptible sentiment among the nations of the world today in favor of a United Nations army large enough and strong enough to withstand armed aggression. This resolution specifically indicates approval of an observation and patrol force. I do not believe that the world situation is such that a United Nations force could or should attempt anything more. So far as I have been able to observe, the overwhelming majority of the governments represented at the United Nations share this view.

The purpose of this resolution is to give encouragement so that necessary immediate action can and will be taken. I share the belief of many, that had the United Nations been prepared to act more quickly in Lebanon, the crisis there might have been prevented from reaching an acute stage. If the United Nations is ready to act immediately in the future when a crisis threatens, such action may have a profound effect upon the people of the world and the security of the United States. I hope that this resolution will be approved by an overwhelming majority.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Would it be at all possible, under the provisions of this resolution, to examine whether or not Soviet Russia should withdraw her troops from Poland and Hungary?

Mr. CARNAHAN. That would be a matter which could be considered by the United Nations if they took up the consideration of this subject.

Mr. FLOOD. Would there be any inclination in your committee, in view of the action taken on this resolution, and commendably so, to examine even at this late hour a resolution I just introduced this week to indicate the feeling of this House that the American delegation should be so instructed with reference to Poland and Hungary?

Mr. CARNAHAN. If there were time, I assure the gentleman we would be glad to consider the resolution.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Ohio.

Mr. FEIGHAN. In view of the context of this resolution, with reference to the question asked by the gentleman from Pennsylvania, in December of 1956, I believe, the United Nations passed a resolution demanding that the Russians get out of the enforced occupation of Hungary. I was wondering, in view of the fact that the Russians did not do so and would not even permit a United Nations inspection team to go into Hungary, if it would not be more appropriate if we, the Congress, went on record requesting the Department of State to ask our Ambassador Lodge to present a resolution to the United Nations to the effect that the Russians should get out of Hungary and, in the event that they would not, they should be expelled from the United Nations.

Mr. CARNAHAN. I would answer the gentleman that the question of expelling a member of the United Nations is a question that would be considered by the General Assembly of the United Nations.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from Georgia.

Mr. FLYNT. Does this mean that American youth could be conscripted or drafted under selective service to serve in the United Nations police force?

Mr. CARNAHAN. Not unless the force would be made up of units committed by the member nations and a unit was committed by the United States.

Mr. FLYNT. Would that be possible?

Mr. CARNAHAN. Under this resolution, in our report we recommend that no forces from the big powers be admitted as members of the force.

GENERAL LEAVE TO EXTEND

Mr. VORYS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD on this resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Massachusets.

Mr. NICHOLSON. I would like to ask if this would be a permanent force to be sent anywhere in the world by the United Nations?

Mr. VORYS. No. It is generally not contemplated that it would be that sort of force, as far as fighting is concerned. I shall have more to say about the nature of the force in a few minutes.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from California.

Mr. BALDWIN. Can the gentleman tell me what kind of vote in the United Nations would be required to direct this force to go to some particular area?

Mr. VORYS. I imagine a majority vote in the Security Council, including all of the permanent members, or a two-thirds vote in the General Assembly.

Mr. Speaker, at this time I yield 7 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I want to commend the Committee on Foreign Affairs for the resolution they have brought out; that is, by comparison with the resolution that was adopted by the other body. It is my hope that if adopted the conferees will insist upon the House version.

However, it is impossible for me to understand the necessity for any resolution on this subject. I should like to ask the question as to why under articles 43, 44, and 45 of the United Nations Charter, there is not complete authority to establish, if necessary, a United Nations police force. Can the gentleman from Missouri [Mr. CARNAHAN] or the gentleman from Ohio [Mr. VORYS] tell me why we should be confronted with a resolution of this nature at any time?

Mr. CARNAHAN. The United Nations has the authority granted under the charter, as the gentleman says. This resolution is only a guide to our delegates to the General Assembly of the United Nations.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. VORYS. There has been a complete breakdown under articles 43 to 47 to attempt to set up a United Nations force. I think that they had something like 253 meetings and finally went out of business because, as you can imagine, of Russian objections.

Mr. GROSS. This is what I think about the United Nations Charter, articles 43, 44, and 45, and the establishment of a police force: Alger Hiss, who was one of the chief architects of the charter, deliberately left out any provision for financing a U. N. police force. It is my opinion that this resolution is before us today for the purpose of saying indirectly: "Just go ahead and organize a United Nations police force and the American taxpayers will put up

the money for it." And we certainly have been doing a good job of putting up the money.

The gentleman from Missouri [Mr. CARNAHAN] says the assessment for this outfit would be on a basis of a United States contribution of 32 percent plus, is that right?

Mr. CARNAHAN. Thirty-two and fifty-one one-hundredths percent.

Mr. GROSS. But the gentleman from Missouri did not mention the voluntary contributions that American taxpayers have made to the existing United Nations Emergency Force.

Mr. CARNAHAN. The expenses of the force for the current year are assessed against all of the members on the scale of assessment.

Mr. GROSS. And the Russians and their satellites have not paid one thin dime of their assessments, have they?

Mr. CARNAHAN. Whether or not they pay their assessment is something we have nothing to do with.

Mr. GROSS. No, and a good many others have not, but we stepped right up with a voluntary contribution. We put up $13 million out of approximately $15 million in total voluntary contributions.

I heard the President of the General Assembly of the United Nations, the gentleman from New Zealand, on television last Sunday. He seemed very much in favor of the establishment of a permanent police force, but he did not say anything about New Zealand's helping to finance it. How much did New Zealand put into the voluntary contribution to the present emergency force? The munificent sum of $27,950 while Americans were being taken for $13 million.

Other nations are not carrying their share of the load on the basis of either voluntary contributions or assessments. We are holding the sack. What this resolution is designed to do is say that we approve a United Nations police force, and we put up the money.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I should like to ask the gentleman 2 or 3 very quick questions: Is it not true that American forces were part of an emergency United Nations force in the Korean war?

Mr. GROSS. Yes; and Americans sustained 90 percent of the casualties and all the financing of that war.

Mr. JOHANSEN. Is it not true that there are American soldiers and airmen who served in that combat who are still prisoners of the Red Chinese?

Mr. GROSS. That is my understanding.

Mr. JOHANSEN. May I ask the gentleman if it is his judgment that if any of the members of this proposed emergency force are captured in line of duty the United Nations will go to their rescue?

Mr. GROSS. Of course not.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Connecticut.

Mr. MORANO. The gentleman cited the instance of New Zealand paying such a small amount to contribute to the upkeep of this United Nations emergency police force. It is quite possible that any country that had a unit in the emergency force would have a lower assessment by reason of the fact they did have that unit in it.

Mr. GROSS. I was not talking about an assessment; I was talking about a voluntary contribution.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. JUDD. Will the gentleman tell the House whether the United States has a unit in the U. N. expeditionary force now maintaining peace on the border between Israel and Egypt?

Mr. GROSS. No.

Mr. JUDD. That is correct.

Mr. GROSS. The gentleman can get his own time to enlarge on that. It is not the U. N. force that is maintaining peace between Israel and Egypt or anywhere else.

Mr. JUDD. I merely want to point out that actually the money we have contributed to the support of that U. N. force is infinitesimal in comparison with what it is costing us to have our own troops in Lebanon, and our own position in that part of the world would be much stronger, I believe, if the forces in Lebanon were U. N. units, rather than just United States units.

Mr. GROSS. Pull the Sixth Fleet out of the Mediterranean and see how much effect your wonderful U. N. organization has on the situation.

Mr. Speaker, in the hearings before the Foreign Affairs Committee on this resolution I discovered a word that is very interesting.

I believe it was spoken by a gentleman by the name of Johnson who was testifying and he said that if the Communist states persisted in their refusal to pay their assessments to the U. N. emergency force there would certainly be a "shortfall" of funds.

From here on out let us not talk about a Treasury deficit. Let us adopt this new word that has been coined by the internationalists and make our own deficit a little more palatable by calling it just a "shortfall."

Mr. Speaker, there is no necessity for this resolution. There is ample authority in the United Nations Charter for the establishment of a police force. I repeat that the real purpose of this resolution is to say indirectly that Uncle Sap will pay the bills even though the cash drawer is becoming more bare every day.

Mr. CARNAHAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, this resolution expresses the approval of the Congress of the idea that a United Nations force suitable for such purposes as observation and patrol should be on hand whenever situations exist that threaten international peace and security.

I believe that all of us have been impressed with the effective service which has been rendered by the United Nations Emergency Force in the area of the border between Egypt and Israel. There are many who believe that had a United Nations observation and patrol force been on call when the crisis in Lebanon began to develop, conditions in the Middle East might not have reached the acute stage which exists there today.

The resolution is general in its terms and avoids specific recommendations. A subcommittee of the Committee on Foreign Affairs, under the able chairmanship of the gentleman from Missouri [Mr. CARNAHAN], held 2 days of hearings on the general problem of a United Nations force at which expert testimony was received. During the course of these hearings a number of the problems to be solved and obstacles to be overcome if a United Nations force is to be established were pointed out. Most of these problems and obstacles will have to be worked out slowly within the United Nations as a result of negotiation among the 81 governments concerned.

Approval of this resolution does not commit the Congress to anything but the approval of the general idea of a limited observation and patrol force. The available evidence indicates that there is no discernible sentiment within the United Nations in favor of the creation of a United Nations army capable of withstanding armed aggression in a shooting war. The reasons for not having such an army are discussed in detail in the committee report on the resolution. None of the larger nations in the world under the conditions that prevail today wants to see an armed force established under United Nations control which might conceivably be used against its own interests.

Approval of this resolution does not involve any commitment on the part of the United States to underwrite the major part of the cost of a United Nations observation and patrol force. It is pretty generally agreed among the nations of the world that any United Nations force to be effective must represent and be supported by the United Nations as a whole. If such a force were to be financed primarily by the United States or any other of the larger nations or even any limited group of nations, there would be the danger that a force so financed was subservient to its financial backers.

In my judgment, an expression by the Congress that the United Nations act promptly to take those measures which can be taken immediately to make an observation and patrol force readily available would give encouragement not only to our own delegation to the United Nations but to other United Nations members who are favorable to the concept of such force. I hope the resolution will be overwhelmingly approved.

Mr. CARNAHAN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Speaker, I am in favor of this resolution, but I should like to say I would be a lot happier about it and the whole procedure at the United Nations if the State Department had asserted themselves as they were urged to do by certain members of our committee.

In this meeting in the General Assembly, they should have said to the Soviet Union, "If you want us to pull our troops out of Lebanon we might be in a mood to do that about the same moment you start pulling your troops out of Poland and Hungary." But now we let ourselves get on the defensive. We did not say anything about their shortcomings. As the Scripps-Howard papers said in an editorial in yesterday's papers across this Nation, we suffered a defeat. Why we were not more aggressive in holding up to the world that the great aggressors, the aggressors for a long period of time, and those continuing to be the aggressors are the Soviet Union, I do not know, but we just seem not to do that.

I merely took this time to point out that certainly the members of the Committee on Foreign Affairs had advised the State Department that we felt this way about it, and it is no fault of ours if they have not done this in the United Nations.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. JUDD. I agree that we should take advantage of every opportunity to put the Soviet Union on the defensive because of its outrageous behavior in keeping its aggressive forces in Hungary. But I do not believe it would have been wise for our State Department to have done what the gentleman has urged, because if we were to say at the United Nations, "We will pull out of Lebanon if you Russians pull out of Hungary," it might appear that, in a sense, we were saying that we are in Lebanon improperly, the same as they are improperly in Hungary, whereas we are not in Lebanon improperly. We are in Lebanon at the request of the democratically elected Government of Lebanon, while the Russians invaded Hungary against the wishes of both its government and its people.

Mr. HAYS of Ohio. I do not want to get into an argument on semantics with the gentleman, but it should have been worded in some way to have brought to the attention of the world that these people who are so sanctimoniously calling us aggressors are murderers and aggressors of the worst sort. We passed up an opportunity even to mention it.

Mr. JUDD. And we should still do what the gentleman suggests.

Mr. VORYS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we are helping to make history by the vote on this resolution today.

Our President, in his great speech in the United Nations, said "I believe this assembly should take action looking toward the creation of a standby United Nations Peace force—in existence, ready for call by countries fearful for their security."

The Senate was ahead of him. They have already passed a resolution advocating such a force. The least the House can do is to stand behind him, and the Senate, by passing this resolution overwhelmingly.

This is not as strong as the Senate version. We do not commit ourselves to a force substantially like the present United Nations Emergency Force of approximately 6,000 on the Israeli-Egyptian border, which cost us over $13 million the first year. We do not commit ourselves to any plan. We do not submit any plan. Neither did the President. Our hearings developed, as pointed out in our report, that a permanent United Nation's fighting force to deal with major aggression, is not a possibility now. I happen to think that all that is needed now is a permanent headquarters planning staff for calling up and giving logistic support to limited national contingents capable of observation and patrol, from smaller nations willing and able to supply such contingents, when the Security Council or the Assembly calls for action. But I also think that it would be unwise for the United States officially to propose, or sponsor, or underwrite, any particular plan at this time. There are many complications, as explained in our excellent committee report. This is a time for quiet and careful study, and group evolution of a plan, rather than for either of the great powers to invite a prestige and propaganda battle by a specific proposal.

Therefore, although our resolution is cautious, and general in its terms, it is timely, not timid. It calls for immediate consideration of the problem, without attempting to dictate the solution.

Contrary to what some have feared or claimed, we make no commitment as to payment, but I am sure that our share of financing any observation and patrol force within the terms of our resolution would cost us less than our Lebanon expeditions, less than a world war.

Let us face it: When a threat to international peace occurs with Communist encouragement, and a country calls for help, we have just three alternatives; first, handle it ourselves, as we did in Lebanon; second, forget it, and let the Communists take over; or, third, have a United Nations force to handle it.

We do not want to do it all ourselves; we are not going to stand by and do nothing; the only thinkable alternative for us is a United Nations peace force. The Assembly has heard from the Senate and the President; the House must speak up today, and pass this resolution.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from California.

Mr. McDONOUGH. Who will be the commander in chief? And who will direct these forces? And on whose order will they move into any particular area where international peace is threatened?

Mr. VORYS. That would have to be worked out, as we point out in our resolution. We certainly would not have a permanent commander in chief. Nor would we make the Secretary General commander in chief. It has to be worked out on the basis of the situations as they arise.

For instance, it was quite clear in our hearings that while a number of the smaller nations would be willing tentatively to train and have prepared contingents to serve, none of the United Nations would be willing at this time in world history to commit a contingent in advance that would go into action in any and every emergency that might arise.

Mr. McDONOUGH. Does the gentleman believe that this force, if it is once brought into being, would be on immediate call and be as quickly assigned to an important duty as the Marines were in Lebanon?

Mr. VORYS. Oh, no. It might be possible if the logistics were well planned in advance. The sort of question the gentleman is bringing up is what caused us to recommend immediate study of this matter.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Is not the organization ready to do these things now under the charter, to raise a task force or whatever it may be called, a police force, or something? They have the right to do it now without any resolution from the United States Government.

Mr. VORYS. You might say they did it in Korea, they did it in the Israeli-Arab situation. What is needed is a little more advance planning so that it can be done promptly and so that in emergency situations we can have plans that will work without tying the hands of this country or others in advance.

GENERAL LEAVE TO EXTEND

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent that all Members who have spoken during this debate may have the right to revise and extend their remarks, and that all Members may have 5 legislative days within which to extend their remarks on this resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, House Concurrent Resolution 373 expresses the sense of Congress that the General Assembly of the United Nations should develop within its permanent structure such organization and procedures as will enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security.

The Committee on Foreign Affairs has voted unanimously in favor of this resolution.

If such a United Nations force had been established at the time of the Lebanon crisis in all probability it would not have been necessary for us to land troops in Lebanon or the British in Jordan. The course of recent events in the Middle East might have been materially altered. Such a force was used effectively at the time of the Suez crisis in 1956.

Experience demonstrates that in the future situations may develop which will require on short notice the services of such a United Nations force; and the ability to have such a force ready to act quickly may determine the difference between peace and war.

This resolution does not prescribe the exact nature of such a force or its precise function but it does reflect the desire of Congress that the United Nations support whatever action is necessary to enable suitable United Nations forces to be used promptly for observation and patrol where international peace and security are threatened.

In my judgment if this is done it will be an important step toward maintaining world peace.

Mr. KEATING. Mr. Speaker, this is a timely and important resolution. I am strongly in favor of it. Strong approval by Congress of the principle of an international police force will demonstrate to the world this Nation's unswerving dedication to peace and our willingness to explore all means for preserving peace. It will back up the President's endorsement of this idea.

Perhaps never before in the history of the world was there greater need for calm, objective, and broadminded thought on this possible avenue for helping to achieve a more just and secure international order. It is a time which demands that all nations of good will demonstrate their ability to see the broader picture and to contribute wholeheartedly to all efforts to prevent war and promote world harmony. I think it is extremely important that we approve this resolution to show the whole world that the United States does have the breadth of vision and the sincere desire necessary to preserve mankind from destruction.

Right here in our own hemisphere we have witnessed an example of how cooperative efforts in international security can pay large dividends in terms of friendly relations and absence of warfare. All the peace-loving nations of the world would do well to examine with care the experience of the nations of South America in carrying out their self-imposed system of inter-American policing.

Operating through a collective defense pact, commonly known as the Rio Treaty, and through the machinery of the Organization of American States, this policing program has been in large measure both effective and generally acceptable. By means of voting sanctions, of dispatching investigating committees, and of careful use of military observers, the nations of Latin America have successfully nipped in the bud a number of potentially incendiary situations among nations of this area.

One reason the Rio Treaty has operated so successfully is that it provides a flexible system of inter-American policing which tailors the means to the situation. The fact that sanctions can be imposed up to and including the use of collective armed forces has had the effect of eliminating the danger of aggression among the neighbors of this section of the world. In addition, the Americas have coordinated their policies to defend themselves against any extrahemisphere threat. Since the end of World War II no other nations in the world have enjoyed the freedom from fear of aggression from their neighbors and the world as have the Americas.

When the United Nations was organized in 1945 procedures similar in many respects to the inter-American system were envisaged for maintaining peace. The U. N. idea, based on certain fundamental principles, provided procedures for peaceful settlement and for arriving at decisions to enforce the peace. This idea also anticipated the creation of forces to maintain the peace when the use of force became necessary.

It soon became apparent, however, that there was a fundamental division within the United Nations between nations which cherished their independence and desired a stable international order, and the power ambitions and aggressive ideology of the Soviet bloc. This expansionist combination succeeded in subverting and taking over a long list of independent governments. The result was that political consensus, the necessary base for any international policing action, was absent in the world community. Attempts to create world collective security by agreement among the great powers were thus doomed to failure from the start.

However, repeated efforts were made to gain approval of some sort of worldwide army to help maintain order and security. Whenever fighting has started or is threatened in some sector of the world, agitation has begun afresh for the creation of a U. N. army to be dispatched to the scene to calm the troubled situation. These proposals always revive whenever—as in the instance of Korea, Hungary, Egypt, or the present Middle East crisis—the need becomes too obvious and too urgent to ignore.

One extremely useful precedent has been provided in the case of the United Nations Emergency Force, which has done so much to maintain stability and peace in areas of acute tension between Egypt and Israel. The relative success of this force in patrolling the uneasy cease-fire has drawn praise from many governments. Its long-range value, however, can best be measured in terms of the use to which the time gained will be put to solve the complex problems afflicting that area, and the use to which we can put the experience gained by this adventure in international policing.

The 13 years of experience in the United Nations has demonstrated conclusively that politically speaking, it is a house divided. A gulf separates those nations which believe in the U. N. Charter principle of independence and those which in practice deny that principle—which really believe in a Communist world hegemony, controlled and directed from Moscow and Peking. The Soviet Union has demonstrated it will do all within its power to exclude from its captive domain any international policing action, even to the extent of barring an investigating committee, such as in the case of Hungary in 1956.

Most recently, of course, the Soviet conspiracy has blocked efforts to organize and dispatch a U. N. peace force to the troubled Middle East, in an effort to calm the potentially explosive situation there. However, this barrier to world unanimity on an international police force should not discourage us. We should not regard the opposition of the Soviet Union to these peace efforts as an insurmountable barrier. We should press forward with all the vigor at our command to gain support for this principle from all men of good will who sincerely desire peace. On the other hand, I believe we are completely justified in questioning the motives of those nations of the world who, by their intransigent attitude, have repeatedly blocked attempts to create the international force which may well represent a key to the future peace of the world.

The United States most recently through the President's General Assembly address, has repeatedly demonstrated its willingness to participate in an international army for peace. That willingness can be decisively reaffirmed by our approval of House Concurrent Resolution 373 today.

Certainly recent developments in the Near East provide sufficient demonstration of the tremendous need for some sort of a peace force. It should, of course, be under the control of the United Nations, ready to move instantly in case of an international emergency at the request of a member government which believes itself threatened by outside aggression.

In a world contracted by speedy communications, in a world in which even the smallest nations possess the terribly destructive weapons of modern war, any international disturbance—however localized—can spread like a plague and thus present a real threat to world stability. The only feasible answer to this challenge to the peace of the world is to provide a U. N. force capable of so spreading a U. N. mantle over an embattled state as to inhibit—if not directly to prevent—a coup d'etat, infiltration by indirect aggression, or other untoward pressures from outside the Nation, such as we have witnessed recently in the Near East.

A U. N. police force need not be a huge, all-powerful army. It might not number more than 50,000 or 60,000. It might perhaps be found best to establish a firm nucleus at all times centered under one command, with other forces in the individual countries, available upon call.

It is my firm conviction that the smaller nations of the world must form the backbone of any international force. This will prevent the bigger powers running the risk of being dragged into a nuclear conflict which could doom all mankind.

Such an international police army could not—and should not—fight wars. It could not prevent isolated assassinations planned by outside aggressors such as we have recently witnessed.

But a permanent U. N. police force can serve as an effective deterrent to hostilities, could be a focus for the moral opinion of the world, and could serve numerous practical uses in observation, patrol, and guard duty between potentially hostile states.

Certainly, in the light of the dangers inherent in man's vast technological and material progress, we must search with imagination and foresight for the an-

swers to the enigmas of world peace. Today we have too little of either—at a time when we stand in desperate need of both.

There has been sufficient study and experience concerning an international police force. There is plenty of evidence to show how great a factor it could be in preserving peace. No nation of good will can in good conscience oppose the creation of such a force.

The time is running short. Each new crisis brings us closer to the potential horrors of a World War III. The next international brush fire may set off that worldwide conflagration if the nations of the world do not rise to the occasion.

A permanent United Nations police force provides a new, decisive means by which the nations of the world which sincerely believe in peace can provide the machinery to quarantine regional conflicts and thus better insure their solution. The resolution before us provides a tangible means for this body to signify support of this key means to preserve the peace of the world.

I want to commend the committee for its diligence in reporting out this measure at this most pertinent time. I urge its resounding approval by this body. By our action today we will place the people of America squarely behind the goal of a permanent United Nations peace force—one of the strong sure hopes for the peace for which all men of good will hope and pray.

Mr. O'HARA of Illinois. Mr. Speaker, I wish to remark that we have just listened to one of the last speeches in this Chamber of the distinguished gentleman from Ohio [Mr. VORYS], who in two decades of service on the Committee on Foreign Affairs has made a contribution to his country that will be remembered in history. I am supporting the resolution sponsored and so eloquently presented by the gentleman from Missouri [Mr. CARNAHAN], but I am supporting it all the more ardently because its passage is urged by the gentleman from Ohio in one of his last appearances in the well of the House.

Mr. REUSS. Mr. Speaker, there could not be a better time for the House to express itself in favor of a United Nations police force, as envisaged by House Concurrent Resolution 373. Because of President Eisenhower's constructive program for the Middle East advanced before the United Nations General Assembly last week, Congressional backing needs to be expressed. In a statement before the House Committee on Foreign Affairs on July 24, 1958, in support of a United Nations police force, I said:

The duties of such a force would be as much moral as military. It could police a disputed area as does the present United Nations emergency force in Egypt and Israel. It could act as a border patrol as does the present United Nations observation group in Lebanon. By being in existence beforehand, it could avoid hasty improvisation after damaging unilateral action has been taken.

The resolution is particularly timely because a United Nations police force could be the cornerstone of a more constructive policy for the Middle East. Immediately, I would hope that U. N. Secretary General Dag Hammarskjold's proposal to augment the observation group now in Lebanon is speedily implemented to prevent infiltration of the borders of Lebanon, and that our United States forces can be withdrawn. But a permanent United Nations police force is necessary so that further action to maintain order in the Middle East, or elsewhere, could be taken under the moral authority of the United Nations.

A permanent United Nations police force should be accompanied by two other United Nations policies which it is high time we supported and brought into being—a United Nations Middle East Development Authority, to channel economic aid to the Middle East on a basis that involves a community of countries both on the giving and receiving end; and a United Nations Commission to regulate and keep down the flow of arms into the Middle East, from whatever source.

We should accompany this U. N. action for a police force, for arms control, and for economic aid in the Middle East, by making clear that we recognize the need and desire of the Arab world for a place in the sun, and that instead of fighting Arab nationalism we hope to channel it constructively. We should make clear that the oil wealth of the Middle East need present no problem—they need to sell it to the West, and the West needs to buy from them. To the extent that its benefits can be spread through all the countries of the Arab world, and through all ranks of Arab society, so much the better. Our continued determination to defend Israel from attack need in no way detract from our determination to meet the basic Arab desire for dignity and progress. If this new policy requires us to concentrate less on rulers and more on the masses of people, that, too, seems in keeping with the American tradition.

Mr. Speaker, I hope that House Concurrent Resolution 373 will pass by an overwhelming vote.

The SPEAKER. The question is on suspending the rules and passing Senate Concurrent Resolution 109 as amended?

The question was taken; and the Chair announced that in the opinion of the Chair two-thirds had voted in the affirmative.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The doorkeeper will close the doors, the Sergeant-at-Arms will notify absent members, and the Clerk will call the roll.

The question was taken; and there were—yeas 299, nays 20, answering "present" 1, not voting 109, as follows:

[Roll No. 189]

YEAS—299

Abbitt
Abernethy
Adair
Addonizio
Albert
Alexander
Allen, Calif.
Allen, Ill.
Andersen, H. Carl
Anderson, Mont.
Andrews
Anfuso
Arends
Ashmore
Aspinall
Auchincloss
Ayres
Bailey
Baker
Baldwin
Baring
Barrett
Bass, N. H.
Bass, Tenn.
Bates
Becker
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blatnik
Boggs
Boland
Bolling
Bolton
Bonner
Bosch
Bow
Boyle
Bray
Breeding
Brooks, Tex.
Broomfield
Brown, Ga.
Brown, Mo.
Brown, Ohio
Broyhill
Budge
Burleson
Bush
Byrd
Byrne, Ill.
Byrne, Pa.
Byrnes, Wis.
Canfield
Cannon
Carnahan
Carrigg
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Chiperfield
Church
Coad
Collier
Cooley
Corbett
Cramer
Cretelia
Cunningham, Iowa
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Dawson, Ill.
Dawson, Utah
Delaney
Dellay
Dennison
Dent
Denton
Devereux
Diggs
Dingell
Dixon
Donohue
Dooley
Dorn, N. Y.
Dwyer
Edmondson
Elliott
Everett
Evins
Fallon
Fascell
Feighan
Fenton
Fino
Fisher
Flood
Fogarty
Forand
Ford
Fountain
Frazier
Fulton
Gary
Gathings
Gavin
Granahan
Grant
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Gwinn
Hagen
Haley
Halleck
Harden
Hardy
Harris
Harrison, Va.
Haskell
Hays, Ark.
Hays, Ohio
Heselton
Hiestand
Hoeven
Holland
Holmes
Holt
Holtzman
Horan
Huddleston
Hull
Hyde
Ikard
Jackson
Jarman
Jennings
Jonas
Jones, Ala.
Judd
Karsten
Keating
Kee
Kelly, N. Y.
Kilday
Kilgore
King
Kirwan
Knox
Knutson
Lafore
Laird
Lane
Lankford
Lesinski
Libonati
Lipscomb
Loser
McDonough
McFall
McGovern
McIntosh
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Mahon
Mailliard
Marshall
Martin
Matthews
May
Meader
Merrow
Michel
Miller, Md.
Miller, Nebr.
Mills
Montoya
Moore
Morano
Morgan
Morris
Moss
Moulder
Multer
Mumma
Murray
Natcher
Neal
Nimtz
Nix
Norblad
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
O'Konski
Ostertag
Patman
Patterson
Pelly
Perkins
Pfost
Philbin
Pillion
Poage
Poff
Polk
Porter
Price
Quie
Rabaut
Ray
Reece, Tenn.
Reed
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Riley
Roberts
Robeson, Va.
Robison, N. Y.
Robsion, Ky.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Rutherford
Sadlak
Santangelo
St. George
Saund
Saylor
Schenck
Scherer
Scrivener
Scudder
Seely-Brown
Selden
Sheppard
Sieminski
Sikes
Siler
Simpson, Ill.
Sisk
Smith, Miss.
Smith, Va.
Springer
Staggers
Sullivan
Taber
Talle
Teague, Calif.
Teller
Tewes
Thompson, N. J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Tollefson
Trimble
Tuck
Udall
Ullman
Van Zandt
Vorys
Vursell
Walter
Watts
Weaver
Westland
Wharton
Whitener
Widnall
Wier
Wigglesworth
Willis
Wilson, Calif.
Wilson, Ind.
Withrow
Wolverton
Wright
Yates
Younger
Zablocki

NAYS—20

Davis, Ga.
Dorn, S. C.
Dowdy
Flynt
Forrester
Gross
Hemphill
Johansen
Kitchin
Krueger
Landrum
Lennon
Nicholson
O'Hara, Minn.
Scott, N. C.
Smith, Calif.
Smith, Kans.
Utt
Van Pelt
Williams, Miss.

ANSWERING "PRESENT"—1

Alger

NOT VOTING—109

Ashley
Avery
Barden
Baumhart
Beamer
Bentley
Blitch
Boykin
Brooks, La.
Brownson
Buckley
Burdick
Christopher
Clark
Clevenger
Coffin
Colmer
Coudert
Cunningham, Nebr.
Davis, Tenn.
Derounian
Dies
Dollinger
Doyle
Durham
Eberharter
Engle
Farbstein
Frelinghuysen

Friedel	Keogh	Prouty
Garmatz	Kilburn	Radwan
George	Kluczynski	Rains
Glenn	Latham	Rivers
Gordon	LeCompte	Roosevelt
Gregory	McCarthy	Schwengel
Hale	McCormack	Scott, Pa.
Harrison, Nebr.	McCulloch	Sheehan
Harvey	McGregor	Shelley
Healey	McIntire	Shuford
Hébert	McMillan	Simpson, Pa.
Henderson	Macdonald	Spence
Herlong	Machrowicz	Stauffer
Hess	Mason	Steed
Hill	Metcalf	Taylor
Hillings	Miller, Calif.	Teague, Tex.
Hoffman	Miller, N. Y.	Thomas
Holifield	Minshall	Thompson, La.
Hosmer	Mitchell	Vanik
James	Morrison	Vinson
Jenkins	Norrell	Wainwright
Jensen	O'Neill	Whitten
Johnson	Osmers	Williams, N. Y.
Jones, Mo.	Passman	Winstead
Kean	Pilcher	Young
Kearney	Powell	Zelenko
Kearns	Preston	

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Hess.
Mr. Keogh with Mr. Taylor.
Mr. Buckley with Mr. Coudert.
Mr. Dollinger with Mr. Baumhart.
Mr. Healey with Mr. Hosmer.
Mr. Friedel with Mr. Kean.
Mr. Garmatz with Mr. Glenn.
Mr. Preston with Mr. Osmers.
Mr. Pilcher with Mr. Simpson of Pennsylvania.
Mrs. Blitch with Mr. Henderson.
Mr. Morrison with Mr. Minshall.
Mr. Thompson of Louisiana with Mr. McGregor.
Mr. Brooks of Louisiana with Mr. Derounian.
Mr. Teague with Mr. Frelinghuysen.
Mr. Young with Mr. George.
Mr. Colmer with Mr. Harrison of Nebraska.
Mr. Winstead with Mr. Hale.
Mr. Whitten with Mr. Sheehan.
Mr. Coffin with Mr. Hoffman.
Mr. Doyle with Mr. Jensen.
Mr. Miller of California with Mr. Kearns.
Mr. Roosevelt with Mr. Kilburn.
Mr. Engle with Mr. Stauffer.
Mr. Shelley with Mr. McIntire.
Mr. Farbstein with Mr. Hillings.
Mr. Zelenko with Mr. Bentley.
Mr. O'Neill with Mr. Miller of New York.
Mr. Macdonald with Mr. McCulloch.
Mr. Machrowicz with Mr. Harvey.
Mr. Kluczynski with Mr. Beamer.
Mr. Rivers with Mr. Avery.
Mr. Boykin with Mr. Scott of Pennsylvania.
Mr. Clark with Mr. Prouty.
Mr. Durham with Mr. Mason.
Mr. Eberharter with Mr. Wainwright.
Mr. Holifield with Mr. Kearney.
Mr. Ashley with Mr. Brownson.
Mr. Herlong with Mr. Clevenger.
Mr. Johnson with Mr. James.
Mr. McCarthy with Mr. Hill.
Mr. Rains with Mr. Williams of New York.
Mr. Davis of Tennessee with Mr. Cunningham of Nebraska.
Mr. Barden with Mr. Jenkins.
Mr. Vanik with Mr. Schwengel.
Mr. Vinson with Mr. Radwan.
Mr. Steed with Mr. Burdick.
Mr. Thomas with Mr. Latham.
Mr. Metcalf with Mr. LeCompte.

Mr. REES of Kansas changed his vote from "nay" to "yea."

Mr. UTT changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

S. 3021

Mr. WALTER. Mr. Speaker, I ask unanimous consent that the bill (S. 3021) for the relief of Stanislawa Wojczul be recommitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONSIDERATION OF INDEPENDENT OFFICES APPROPRIATION BILL TOMORROW UNDER SUSPENSION OF THE RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker tomorrow to recognize for a motion to suspend the rules and pass the independent offices appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HOUSE LEADERSHIP FAILURE TO PERMIT CONSIDERATION OF ADEQUATE ANTIRACKETEERING LABOR LEGISLATION BEFORE ADJOURNMENT SHOULD RESULT IN THE PRESIDENT'S CALL OF A SPECIAL SESSION OF CONGRESS TO MEET THIS CRITICAL LEGISLATIVE PROBLEM

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this opint in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, much has been said and written about the Kennedy-Ives bill and the refusal of the House to be stampeded into accepting the politically inspired, take-it-or-leave-it, labor dictated and labor whitewash of racketeering within the unions.

I favor strong antiracketeering labor legislation that fully carries out the recommendations of the McClellan committee and incorporates the labor reform recommendations the President has made unsuccessfully to Congress for years. The Kennedy-Ives bill does neither but rather is a surrender to the demands of Walter Reuther, and would amount to the condonation of the atrocities of such unscrupulous labor bosses as Jimmy Hoffa.

The shortcomings of the bill, which was brought up under a rule that permitted only 40 minutes of debate on a 48-page bill after the bill had been held by the Democrat Speaker on his desk without opportunity for committee consideration for 40 days and 40 nights, and under a rule that excluded amendments to strengthen the bill, are so numerous that no conscientious legislator could swallow it.

Some of the inadequacies are:

First. That the bill did not carry out the labor reform recommendations of the McClellan committee and thus would not have gotten rid of the Hoffas and the racketeering in unions.

Second. That the bill had no enforcement sanctions on unions that retain officers who file false or misleading financial reports to the Secretary of Labor.

Third. That the bill failed to provide for democratic elections by union members on matters vital to them.

Fourth. It tried to preempt the whole field of State labor laws, completely overturning States rights and responsibilities in this field, and overburdening the NLRB with work not administered in the States.

Fifth. It did not outlaw organizational or racketeer picketing even in cases when the parties to a dispute did not want such picketing.

Sixth. It did nothing to tighten up inadequate secondary boycott provisions of the present law.

Seventh. It placed management under penalty of $10,000 fine for any action that might be construed as favoring the employee when the timing of such action coincided with union attempts to organize his employees, thus denying employees of many benefits otherwise obtainable.

Eighth. It provided for no penalties for improper union leadership activities by only requiring reporting and disclosure of such activities to the Secretary of Labor, with no power in the Secretary to penalize improper activities.

Ninth. It failed to provide for guarantee of trust funds against labor leader raiding by setting such funds up as trust funds.

From this, it can be clearly seen that the bill needed strengthening and clarification, particularly in the light of the fact that the Senate debated the bill for 5 days and added 28 amendments on the floor, none of which had been studied and carefully prepared after adequate hearings.

I refuse to be a party to the liberal Democrat-Labor conspiracy to fool the people of this country who have arisen in righteous and rightful indignation over the racketeering disclosures before the McClellan committee into settling for this whitewash of labor racketeering approach. Surely, to pass this milktoast bill this session would prevent effective legislation.

I cannot too strongly urge the leadership of the House to permit the Members of Congress who are devotedly interested in strong antiracketeering legislation to vote on a bill this session, under a rule that permits full debate and needed strengthening amendments. To deny Members the opportunity to so legislate is to deny the millions of Americans who have not been taken in by the Reuthers, the ADA and the liberal prolabor Democrats by their propaganda drive to pass a weak whitewash bill, the Kennedy-Ives bill, their right to be represented in Congress.

I call upon the House leaders to exercise responsible leadership and to report the Senate bill under an open rule this session. If the leadership refuses to do this, I am prepared to and intend to use every persuasive effort to prevail on the President to call a special session to consider this matter at the earliest possible date.

CODE OF MILITARY LAW

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8943) to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code, with Senate amendments thereto, and ask unanimous consent to dispense with the reading of the Senate amendments or their printing in the RECORD, and that the Senate amendments be concurred in.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to dispensing with the printing of the Senate amendments in the RECORD?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana to concur in the Senate amendments?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VENUE IN TAX REFUND SUITS

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9817) relating to venue in tax refund suits by corporations, together with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, lines 1 and 2, after "business" insert "or principal office or agency."

Page 2, lines 2 and 3, after "business" insert "or principal office or agency."

Mr. KEATING. Mr. Speaker, reserving the right to object, will the gentleman explain what this bill is?

Mr. WILLIS. This bill has to do with jurisdiction in tax refund cases. The gentleman will remember that there is confusion under present law as to where an action may be brought for tax refunds by corporations. The bill as we passed it would have required that the venue be in the district where the principal office or business was conducted. The Senate amendment simply adds the phrase "or agency."

Mr. KEATING. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ILLUSTRATIONS OF CERTAIN UNITED STATES AND FOREIGN OBLIGATIONS AND SECURITIES

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9370) to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes, together with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, line 13, after "illustrations" insert ", except those of stamps."

Page 2, line 16, strike out "stamp or other."

Page 2, line 18, after "their" insert "final."

Page 2, line 20, strike out "except" and insert "but not."

Page 2, line 21, after "purposes" insert "except philatelic advertising."

Page 3, line 15, after "to," insert "uncanceled."

Page 3, line 16, strike out "canceled or."

Mr. KEATING. Mr. Speaker, reserving the right to object, will the gentleman explain the Senate amendments?

Mr. WILLIS. The effect of the Senate amendments generally is as follows:

The purpose of the first and second amendments is to continue in effect the situation under existing law whereby foreign stamps may be illustrated for certain purposes and under certain conditions without limitation as to the size of the illustrations. Illustrations of United States stamps would also be permitted in the same manner. With respect to the latter, illustrations at the present time are limited under regulations issued pursuant to the section being amended to a size less than three-quarters or more than 1½ the size of the genuine stamp. Representations have been made to this committee by philatelists and stamp dealers that postage stamp albums, catalogs, and other literature now in existence contain illustrations of foreign postage stamps in exact size as permitted under existing law, which publications would become subject to forfeiture if the bill became law in the form that it passed the House. Therefore, these amendments are designed to correct that situation. Moreover, the amendments to paragraph (1) of the first section of the bill would remove the existing size restrictions with respect to the illustration of United States stamps, inasmuch as there appears to be no logical reason to retain this restriction. The Treasury Department has indicated it has no objection to these amendments.

The purpose of the third amendment is to make clear that it would not be necessary to destroy negatives and plates used in making the illustrations that would be permitted until after their final use. The committee has been informed that plates used to make stamp albums, for example, are used several times over during a period of time and the amendment would remove any possible doubt as to whether that practice can be continued.

The purpose of the fourth and fifth amendments is to permit the filming of stamps for advertising purposes. Postage stamp dealers have pointed out that without these amendments, they would be unable to show pictures of their products, that is, postage stamps, in advertising on such mediums as television. Since a special exception is made under existing law which permits illustrations of stamps in connection with advertising in printed publications, it would appear logical to permit such use in other mediums which have been developed since the original enactment of the prohibitions.

The purpose of the sixth and seventh amendments is to limit the definition contained in section 3 of the bill to uncanceled stamps of foreign governments whether or not demonetized. One of the principal practical effects of section 3 of the bill as referred to this committee would have been to prohibit completely colored illustrations of foreign postage stamps. Philatelists and stamp dealers have made strong representations to the committee that the complete prohibition of colored illustrations would have a highly adverse effect upon the stamp industry, particularly in the promotion of the sale of stamps through the use of colored illustrations of stamps. The Treasury Department, at whose instance this legislation was introduced, has contended, on the other hand, that United States and foreign postage stamps should receive uniform treatment under the laws of the United States and that whether or not an act is criminal under our laws should not depend on the law or act of a foreign government. These amendments are a compromise between those two positions, and one of its principal practical effects would be to permit the use of colored illustrations of canceled stamps of foreign governments. Under the amendments to section 3, it would not be necessary for the Treasury Department to resort to the law or acts of a foreign country, as it would be possible to determine the legality of a reproduction by whether or not it was cancel on its face. The amendments proposed to the new section 15 of title 18, United States Code, will have the effect of removing canceled foreign stamps from the purview of section 504 and, therefore, it will be possible to freely illustrate canceled foreign stamps in color for any legitimate purpose.

The purpose of the proposed legislation, as amended, is to—

(1) Permit black and white illustrations of revenue stamps of the United States for philatelic and numismatic purposes;

(2) Permit black and white illustrations of United States and foreign paper money and other obligations and securities for educational, historical, and newsworthy purposes; and

(3) Permit motion picture films, microfilms, and slides of United States and foreign postage and revenue stamps, paper money, and other obligations and securities, except films in connection with advertising. The proposed legislation would also amend existing law to make clear that uncanceled foreign postage and revenue stamps are obligations and securities of foreign governments

within the meaning of the counterfeiting statutes of the United States.

The Department of the Treasury submitted a draft of this proposal and recommended its enactment. That Department will have initial responsibility for the administration of these provisions.

Section 1 of the bill is divided into two parts. Paragraph (1) will permit the printing, publishing, or importation of black and white illustrations of postage, revenue stamps, and other obligations and securities of the United States and of a foreign government, bank, or corporation for philatelic, numismatic, educational, historical, or news-worthy purposes in articles, books, journals, newspapers, or albums; but not for advertising purposes except illustrations of stamps and paper money in the advertising of legitimate dealers in stamps or coins or of publishers or dealers in philatelic or numismatic articles, books, etc.

Such illustrations may not, except as to stamps, be of the same size of the matter which they illustrate but must be of a size either less than three-fourths or more than 1½ in linear dimension of each part of such stamp, obligation, or security. The negatives and plates used in making the illustrations must be destroyed after final use.

Paragraph (2) permits the making or importation, except for advertising purposes, of film, microfilms, etc., for use on a screen or telecast of postage or revenue stamps and other obligations and securities of the United States and of a foreign government, bank, or corporation. No reproductions may be made from such films, etc., under this paragraph without the permission of the Secretary of the Treasury.

Section 2 of the bill is a drafting provision and amends the chapter analysis of chapter 25 of title 18 of the United States Code to reflect the change made in the catchline to the revised section of the code set out in section 1 of the bill.

Section 3 contains a definition of the term "obligation or other security of any foreign government" so as to include uncanceled stamps of foreign governments whether or not demonetized.

Section 4 of the bill, like section 2, is a drafting provision, and amends the chapter analysis of chapter 1, title 18 of the code to reflect the catchline of the new section 15 of title 18 as set forth in section 3 of the bill.

Mr. KEATING. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a conference report on the bill S. 3420, to extend and amend the Agricultural Trade Development and Assistance Act of 1954.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that the Committee on the Post Office and Civil Service may have until midnight tonight to file a report on the bill S. 1411 to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

SCIENCE CLUBS FOR BOYS AND GIRLS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 13191 to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science.

The Clerk read the title of the bill.

Mr. BALDWIN. Mr. Speaker, reserving the right to object, has the gentleman cleared this with the gentleman from Minnesota who objected to this bill last evening?

Mr. WRIGHT. I have cleared it with the leadership and with the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, I might say that I did not object to the bill last night. I asked that the bill be put over until today for consideration.

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman one question. This provides for an annual appropriation of $50,000. Does the gentleman think this will go on indefinitely? Can we have some assurance from the gentleman that this appropriation of $50,000 will not be sought indefinitely?

Mr. WRIGHT. It is not anticipated that this will be an indefinite authorization. It is only an authorization, and, of course, the appropriations will have to be approved individually. It is anticipated by the committee that this charter for the future scientists of America will be about the same as the farm clubs of America and there will be no need to continue this.

Mr. GROSS. It is anticipated that within a reasonable time the appropriation will cease?

Mr. WRIGHT. That is true.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. WRIGHT]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to strengthen future scientific accomplishment in our Nation by assisting in the development of a body of boys and girls with a special interest in science, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1959, and for each fiscal year thereafter, such sums, not in excess of $50,000, as may be necessary to enable the Commissioner of Education to encourage, foster, and assist in the establishment in localities throughout the Nation of clubs which are composed of boys and girls who have an especial interest in science.

SEC. 2. (a) The Commissioner of Education shall carry out his duties under the first section with a view to the ultimate chartering by the Congress of a corporation, similar to the Future Farmers of America, which will seek to—

(1) develop an interest in science on the part of the young people of America.

(2) provide an opportunity for the exchange of scientific information and ideas among members of the clubs,

(3) encourage the promotion of science fairs at which members of the clubs may display their scientific works and projects, and

(4) develop an awareness of the satisfactions to be derived through a career devoted to science.

(b) The Commissioner of Education may utilize any of the personnel and facilities of the Office of Education in carrying out this act.

Mr. WRIGHT. Mr. Speaker, the Nation has been shocked and alarmed by the recent disclosures that Russia not only is closing the scientific gap which long existed between our two countries but, in terms of graduates in the scientific and technological fields, actually is outstripping us.

This bodes ill for the future. It indicates that, unless we can discover means to stimulate and encourage the development of the inherent intellectual capacities of our youth, another generation may awaken to a world in which complete scientific mastery will lie in the hands of a godless colossus.

It could be fatal for unchallenged scientific supremacy to fall to such a nation, devoid of the humanities and the sense of decent restraint which, in the interest of the future of mankind, must be the inseparable companions of scientific discovery.

It therefore devolves upon us to discover and develop the means, within the framework of our traditional Democratic society, to accelerate scientific inquiry among our youth to the end that we may keep pace and either retain or regain the leadership in this vital field.

This bill is an attempt to discover one such efficacious approach.

THE PROBLEM

Verifiable reports have made us aware of enormously increased emphasis upon basic scientific studies in the Soviet public schools and of rapidly increasing numbers of scientists and engineers being graduated annually by Soviet colleges. One major aspect of this achievement, when compared with our own situation, is the deadly serious manner in which the Russian teenager has been induced to regard his studies. The reports disclose that the Soviet student in the secondary schools is frequently studying until late at night and 6 days each week to master the 4 years of advanced mathematics, physics, chemistry, and so forth, which are required of him.

While it is true that these schools are regimented, totalitarian, and humorless, we would make a serious mistake to underestimate their efficiency. It is by means of these mental sweatshops that Russia has, in just 30 years, emerged from almost 75 percent illiteracy—about equal to Indochina—to one of the two

really great powers on earth. The illiteracy rate in the Soviet Union today is estimated to be between 2.5 percent and 5 percent which does not compare badly with our own rate of about 2.5 percent today.

We would not imitate their basic educational system which is shaped solely in the interest of the State and in complete disregard of the needs of the individual child, but only at our peril would we ignore the basic fact that Russia has made the rewards of intellectual accomplishment so attractive that her youth are working with extreme diligence to keep up with an extraordinarily difficult curriculum. They have managed to provide incentives which induce all their children to stretch their intellectual capacities to the utmost.

As of the present moment, our reservoir of technicians and scientists is larger than theirs, but while our public schools appear to be decelerating in this field and emphasizing such things as ballroom dancing and driver education, the Russians are gaining by leaps and bounds. In the past year, Soviet college graduates in the technical, scientific, and engineering fields exceeded ours by almost 2 to 1:

THE AIM

Our aim in light of this situation must be twofold. First, we must manage to stimulate and encourage more studious application to scientific studies in our public schools and to do this within the basic framework of our democratic school system.

Secondly, we must contrive a means of locating the gifted students with inclinations in this direction at a relatively early age and provide an early method of challenging their latent interests and channeling their energies into projects and courses of constructive study.

We would lose the fundamental thing we seek to protect if we were merely to mimic the Soviet method of dangling material financial reward in the faces of relatively impoverished students and ordering them to exert their utmost energies. To achieve these aims in the traditional American way, we must cause the scientifically inclined student to want to achieve by creating a program in which he can experience the thrill of achievement and find prestige in the eyes of his contemporaries.

THE METHOD

In devising a workable method to realize this aim, it seems to me that we can build upon our own experience. In the Vocational Agriculture program, we have successfully challenged and stimulated many hundreds of thousands of American youngsters to achievement which they otherwise would not have attained.

In essence this proposal is simple. It would provide for the scientifically adapted students in all the communities throughout our Nation the same essenial type of program which was provided for the depression stricken farm youngsters in our agriculture communities as early as 1936 by the Vocational Agriculture and Home Economics legislation.

The Vocational Agriculture program has worked with considerable success through some 10,000 secondary schools in the small cities and agricultural areas throughout the United States. It has given the farm-oriented youngster a pride in self-improvement, a sense of belonging, and a program in which he and his friends may work together and experience the real fun of accomplishment on after-school projects which they themselves have selected with the approval of their vocational agriculture instructors.

In this way, this familiar program has stimulated youthful achievement and demonstrated the actual pleasure of accomplishment to the youthful mind by lifting this level of activity above the often dull and prosaic level of classroom assignments. Under this program, local clubs have been sponsored in which teenage youngsters have found acceptance in the eyes of their fellow students by outstanding accomplishment. Fairs have been sponsored at which the students from different schools have proudly displayed their projects. At these fairs a sense of healthy interscholastic competition has been developed, and the youngsters have known the thrill of representing their schools in such competitions.

That the program has found acceptance with the students themselves is known by anyone who has had close associations in the rural communities of our nation and seen the youngsters proudly wearing the packets and displaying the emblems which they have won by their own achievements.

I would envision a similar program to avail the nation of the scientific interests of our youth by similarly encouraging local clubs of Future Scientists of America—FSA—along the general pattern that the Future Farmers of America—FFA—have so successfully developed.

If interscholastic competitions should result at science fairs throughout the nation, studious youngsters might begin to know the thrill and the incentive which today impel most American boys to want to develop skill and mastery in such sports as football, basketball, etc.

To put it simply and perhaps a bit facetiously, I believe we need to develop a climate in which "cheer leaders for slide rule teams" would not be so far-fetched a notion as it would appear to be today.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

D. A. WHITAKER AND OTHERS

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9950) for the relief of D. A. Whitaker and others, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 4, after line 6, insert:

"Nothing contained in this act shall be construed as an implication of liability on the part of the Government of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

HARRY N. DUFF

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1695) for the relief of Harry N. Duff, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 10, after "act." insert "The enactment of this act shall not be construed as any inference of liability on the part of the Government of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

VALIDATING OVERPAYMENTS OF PAY AND ALLOWANCES MADE TO CERTAIN OFFICERS OF THE ARMY, NAVY, NAVAL RESERVE, AND AIR FORCE

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3366) to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 8 and 9, and page 2, line 1, strike out "received compensation from that hospital (including meals and living quarters in kind)."

Page 2, line 1, after "such" insert "compensation."

Page 2, line 5, after "as" insert "such compensation."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

VIVIAN D. GIESEY

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3287) for the relief of Vivian D. Giesey.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. POFF. Mr. Speaker, reserving the right to object, may I inquire of the

gentleman if the Department report on this bill is favorable or unfavorable?

Mr. LANE. I may say to the gentleman from Virginia that this comes in with the approval of the Civil Service Commission. This is a rather unique case and they have placed their stamp of approval on it.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That (a) the Civil Service Commission is authorized and directed to pay, out of any money in the civil service retirement and disability fund, to Vivian D. Giesey, an annuity equal to the annuity which she would have received under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, if her husband, William C. Giesey, had continued to serve as an employee of the United States until his death on September 29, 1954, and had retired on that date, the said William C. Giesey having served as an employee of the United States for approximately 20 years until he was separated from Federal employment on July 31, 1954.

(b) There shall be deducted and withheld from the annuity authorized under the first section of this act an amount equal to the amount of any refund of contributions which have been made on account of the death of the said William C. Giesey.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TOWN OF PORTSMOUTH, R. I.

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2836) for the relief of the town of Portsmouth, R. I.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the bill, 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 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 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.

Mr. LANE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANE: On page 1, line 6, strike out the following: "the amount due such town from the Public Housing Administration as."

Page 1, line 11, strike out the following: "in excess of 10 percent thereof."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A BILL TO PROVIDE FOR THE DENIAL OF PASSPORTS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, an editorial in this morning's Washington Post purported to analyze a bill on the denial of passports sponsored by the gentleman from Ohio [Mr. VORYS] and myself.

The bill clearly sets forth in section 5 a Congressional finding that the international Communist movement is dedicated to weakening and ultimately dominating the United States; that it constitutes a clear, present, and continuing danger to the security of the United States; and that its agents and supporters use passports to promote the objectives of international communism. For these reasons the bill provides that passports may be denied, and I repeat, may be denied, to such individuals.

Recent court decision noted the lack of legislation authorizing the Secretary of State to deny passports to Communists or Communist supporters. This bill is designed to fill that gap.

The editorial refers to the bill as dubious legislation. Are the objectives of the Communists dubious? Are the means by which they seek to achieve these objectives dubious?

Those who helped perfect this bill were fully mindful of the rights of individuals as well as the security of the United States. The bill lists three categories of persons to whom the Secretary of State may deny a passport: (1) a member or former member of the Communist Party; (2) an individual who is affiliated with the Communist Party; (3) an individual who knowingly engages or has engaged since 1948 in activities intended to further the international Communist movement.

Note, however, that two important qualifications are in the bill. First, it must be determined that the activities or presence abroad of the individuals listed in these three categories would be harmful to the security of the United States. Second, the denial of the passport, as I have already indicated, is not mandatory. The Secretary is authorized to deny passports.

The date 1948 was included because it was that year that Czechoslovakia fell to the Communists. That event made clear to everyone, including most editorial writers, the real nature of the Communist conspiracy. Finally, the bill provides for an administrative review before a passport can be denied. If the passport is denied, the bill provides for a court review.

The issue involved in drafting legislation of this type may be expressed rather simply, namely, to balance the rights of the individual against those of the country to protect itself not from some theoretical attack but from a very real and evident danger.

If the editorial writer thinks there is no such danger, he will undoubtedly write followup editorials advocating the elimination of United States Information Agency, a heavy reduction in our military expenditures and in our Mutual Security Program.

The purposes, the guaranties, and the restrictions in this bill are clear. The editorial writer, not the bill, has fuzzy restrictions.

DR. ERNEST S. GRIFFITH

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD, to be followed by the remarks of the gentleman from Oregon [Mr. PORTER], the gentlewoman from Oregon [Mrs. GREEN], and the gentleman from Connecticut [Mr. MORANO].

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I rise to pay tribute to Dr. Ernest S. Griffith, who will retire this fall as Director of the Legislative Reference Service, Library of Congress. Dr. Griffith leaves the Hill to assume the deanship of the School of International Service at American University. We heartily congratulate him as he transfers his courageous leadership to another highly responsible position, but we are deeply sorry to lose his keen judgment and tireless energies in behalf of the Congress.

Dr. Griffith came to the Legislative Reference Service in 1940 and the high recommendations which preceded him were not overstatements. His value to the Members of the House and Senate, their office and committee staffs, steadily increased as he pushed forward to fulfill the obligations of LRS to the Congress.

I recommend that each Member of this body read with discernment the memorandum which Dr. Griffith prepared on the achievements, problems, potential, and recommendations of the Legislative Reference Service. This document was printed on July 1 by the Committee on House Administration. There is much food for thought in Dr. Griffith's valedictory. Throughout this report, and likewise throughout his career with us, he has placed emphasis on the fact that Congress is the key decision-making institution of the Nation.

Dr. Griffith was born in Utica, N. Y., the son of George and Elizabeth Stacey Griffith. His father died when he was seven and his schoolteacher mother directed her efforts to give her family the best of knowledge and the highest ideals.

It was from an atmosphere of honesty, scholarly thought, and love for his fellow man that Dr. Griffith entered Hamilton College, where he received the A. B. degree. He was appointed a Rhodes scholar and received his Ph. D. degree from Oxford University. Dr. Griffith spent 5 years in Great Britain, acting as warden of the university set-

tlements, Liverpool, England, while he was obtaining his Oxford education.

Ernest Griffith became associate professor of political science at Syracuse University. After a period as visiting professor of government at Harvard University, he returned to Syracuse as dean of its lower division, and also taught comparative government. He was called to Washington, D. C., in 1935 to become dean of the American University Graduate School. He continued to teach political science.

After coming to the Library of Congress as Director of the Legislative Reference Service in 1940, Dr. Griffith did not cut himself off entirely from his love for the teaching profession. He has been a lecturer at Swarthmore College, and at New York, Oxford, Birmingham, and Manchester Universities, as well as the Universities of Oslo and Swansea.

His interests and activities have directed him to hold membership in many professional associations. Among these are the American Political Science Association, National Municipal League, American Society of Public Administrators, and the National Academy of Economics and Political Science.

Other affiliations include the Wilderness Society, Phi Beta Kappa, Phi Kappa Phi, Delta Upsilon, the Methodist Church, the Authors' Club, and the Potomac Appalachian Trail Club. I am told he enjoys the reputation of a record-holding mountain climber.

It would be impossible to mention the numerous articles which Dr. Griffith has written and published. Among the books on government to his credit are: The Modern Government in Action (1942); Congress: Its Contemporary Role (1951); and The American System of Government (1953). He is editor and coauthor of Research in Political Science (1948), and coeditor of the Congressional Anthology (1955).

It was in 1946 that the Congressional Reorganization Act increased appropriations for the service which Dr. Griffith headed. It was then that the work of LRS began to draw public attention. Back in 1915 the Service had fewer than 12 persons on its staff and a budget of only $25,000. In 1947 Dr. Griffith directed his staff of 150 in the answering of 23,382 requests. I need not tell you that the number of requests now handled by the Service is much beyond that 1947 figure. It is my understanding that, from July 1957 through June 1958, 68,879 requests were processed.

It is particularly apparent to the membership of the House Committee on Administration that Dr. Griffith commands the respect of both Democrats and Republicans. He has exerted every effort to give impartial information to the Congress.

The handling of large problems of national and international scope and overseeing the operations of LRS have never been regarded by Dr. Griffith as a burden. He has carried his heavy responsibilities with an astounding amount of enthusiasm. I personally have always found Ernest Griffith courteous, efficient, prompt, and thorough. His immediate and intelligent responses to governmental problems have been most gratifying. He is known to the members of the House Administration Committee as a counsel of unusual qualifications.

I consider it an honor to have known and worked with Dr. Griffith and extend to him and his fine family sincere best wishes for the future.

Mr. PORTER. Mr. Speaker, I am particularly happy on this occasion to join with my colleagues in paying tribute to Dr. Ernest S. Griffith, who has served faithfully as Director of the Legislative Reference Service since 1940. He leaves a fine heritage of factfinding to his successor, Dr. Hugh Elsbree.

Few public servants are entitled to the degree of tribute that we extend to Dr. Griffith—and few there are who more justly deserve it. He has led a most active life in behalf of good government. He is an honest and courageous man. He has brought added dignity to the Congress of the United States in his dealings with us.

Mrs. GREEN of Oregon. Mr. Speaker, Dr. Griffith's fine and consistent service to the Congress as Director of the Legislative Reference Service during the past 18 years deserves special recognition. He has greatly increased our opportunities to serve this Nation, through his leadership of the Legislative Reference Service and his desire to listen and understand the problems facing each individual Member of Congress. We are constantly facing changes—changes all over the world. Dr. Griffith has always been aggressive in seeking out ways in which the Legislative Reference Service could help us in finding the right and just solution to these many complex problems. We wish him continued success at American University and give him our deep thanks.

Mr. MORANO. Mr. Speaker, in a free society there is no escape from responsibility. The responsibility of an elected representative in the Congress of the United States is heavy, and through the years makes more and more demands on the individual Member. Dr. Griffith's willingness to help us lighten our loads deserves our sober appreciation. We shall miss his assistance and his ardent aid in behalf of good government.

MORE AND MORE IT LOOKS LIKE KENNEDY IN SIXTY

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I respectfully call to the attention of all my colleagues in the House a recent article which appeared first in the New York Times and then was reprinted in many of the country's outstanding newspapers, including my own home newspaper, the Providence Journal.

It is an article written by James Reston, a newsman held in the highest esteem by all his associates, and by all in public life in Washington. It is a thoughtful and well-reasoned article pointing out the great strides which Senator JOHN F. KENNEDY of Massachusetts has made toward the Presidency of the United States. He already has won enthusiastic support for the presidential nomination by the Democratic Party, and I am confident the vast majority of the American voters will be genuinely thrilled to have the opportunity to vote for this brilliant young man to be their President at a time when we need youth and vigor and intelligence to guide our country through its manifold difficulties, at home and abroad.

KENNEDY'S PROGRESS

(By James Reston)

WASHINGTON.—JOHN FITZGERALD KENNEDY, the Lochinvar of Back Bay, is riding off with quite a few honors at the end of his first term in the Senate.

Even his competitors in the Senate for the 1960 Democratic Presidential nomination—there is one in almost every seat—concede that he has made more progress in this session than any other Democratic candidate.

Washington is rough and unscientific about these things, but at the end of every session it has a way of sensing who has gone up during the session and who has declined. The pros seem to be summarizing it this weekend about as follows:

Up, Democratic: KENNEDY, Senator LYNDON JOHNSON, of Texas, and Senator HUBERT HUMPHREY, of Minnesota.

Down, Democratic: Senator ESTES KEFAUVER, who is temporarily out of new issues, and Senator STUART SYMINGTON, who was expected to exploit his excellent defense record better than he has.

Incidentally, it may be significant that even those professionals who were saying privately 2 years ago that Adlai E. Stevenson, of Illinois, was finished, are now guessing that there will be so many new candidates in 1960 that he may very well get a third nomination after the newer candidates kill each other off in the first 10 ballots.

On the Republican side, the main development seems to be the rise of Vice President NIXON in relation to the decline of Senator WILLIAM F. KNOWLAND. It is noted here that Mr. NIXON has been extremely quiet recently, apparently on the theory that there is nothing he can say about Sherman Adams or the Middle East that will be both truthful and helpful to his candidacy.

The only significant change in the picture, however, is in the position of Senator KENNEDY. Senator JOHNSON'S sense of the big issue and his uncanny gift of parliamentary maneuver are undoubtedly the greatest personal achievements of the session, but health and geography are against him. Senator HUMPHREY'S record on disarmament and his perceptive criticism of the administration's Middle East policy have enhanced his reputation, but his popularity still lies on the left, and the mood of the country is far from radical.

Hence the relative progress of Senator KENNEDY. When he arrived in the Senate in 1953 he established himself as the rookie of the year and this was about the way he was regarded until the Democratic convention of 1956.

The pros, who are older and therefore allergic to rookies, thought he was too young—35 when he came in, 41 now—and some of them even thought he was too pretty. Also he read, and even wrote, books, and spoke to people at Harvard—all of which encouraged the professionals to wonder whether he was tough enough for the big time.

The Democratic liberals were skeptical. Some of them criticized his wealth—as if he were responsible for that—and others, like Mrs. Franklin D. Roosevelt, were unhappy

about his silence on the McCarthy issue. Even when he won the Pulitzer Prize for writing a book on senatorial heroes, called Profiles in Courage, it was noted that he never mentioned McCarthy and the liberal gag was that he had more profile than courage.

None of this amused Senator KENNEDY, who doesn't have the toughest skin in town, but he endured. He won the support of LYNDON JOHNSON in the Democratic convention, almost got the Vice Presidential nomination there; and took his licking gracefully before a vast television audience. Then he came back here and went to work.

In the first session of the 85th Congress he made a speech about Algeria which Democratic foreign policy experts such as Dean Acheson thought was naive and even silly. But in the second session he was much more effective.

He took on the tough job of drafting and piloting a labor bill through the Senate. He made an exhaustive personal study of the problem. He fought and won a battle with George Meany of the AFL–CIO on his bill. He took on and licked Secretary of Labor Mitchell in the process, and while all this failed to prevail against the massive prejudice of several powerful groups in the House, he did get it through the Senate and won the unanimous respect of his colleagues in the process.

In the field of foreign affairs, he came up with an imaginative India aid bill, outmaneuvered the State Department on a controversy over revising trade with the Iron Curtain countries, and last week made one of the most effective speeches of the session in criticism of the administration's foreign and defense policies.

Incidentally, it is significant that when Senator HOMER CAPEHART of Indiana condemned this speech as giving aid to the enemy, Senators on both sides of the aisle defended Senator KENNEDY in a way they would have hesitated to do a couple of years ago.

Meanwhile, he has been moving out into the country in a conscious and well-planned campaign to meet the Democratic State political leaders. And en route he has been calmly talking about the question of his Roman Catholic religion and its relation to the presidency.

In short, Senator KENNEDY is on the make; he makes no pretense about it, and he dismisses out of hand the suggestion that he is young enough to wait for some other presidential campaign.

He has been lucky, in that he has come to the center of the stage when the cast of presidential characters is not the best in the history of the Republic. He has arrived, too, when political leaders, analyzing President Eisenhower's political success, are impressed with the power of personality in an age of television campaigning.

So he is not for waiting until some other year, when newer and perhaps tougher competition will arrive. He is swinging for the fences now, and by general agreement his batting average in this session has been pretty good.

RETIREMENT OF HUBERT B. SCUDDER

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. MCDONOUGH] is recognized for 60 minutes.

Mr. McDONOUGH. Mr. Speaker, I have asked for this time for the purpose of giving the members of the California delegation and the other Members of the House, especially the Committee on Public Works, an opportunity to express their views concerning one of the members of our delegation who is retiring, Mr. HUBERT SCUDDER. This is the third attempt I have made to obtain this time, but due to the pressure of legislative business it has been difficult to obtain it. But, I feel that we have a certain amount of obligation in saying a word in behalf of one of our colleagues who has chosen to retire.

Mr. Speaker, HUBERT SCUDDER has given 46 years of his life to public service. He began his public career as superintendent of utilities in his hometown. He served on the city council and was elected mayor of his city. He has a record in World War I of having served from November 1920 until the end of the war in the coast artillery. Following that he served 16 years in the California State Legislature with credit to himself and to the State of California, and having devoted himself to interests that were beneficial to the economy of the State, he was considered by the governor and appointed real estate commissioner for the State of California. Following that he served up to the present time, 16 years, in the Congress of the United States, and all of us who know him, know him to be a gentle gentleman, the type of man whom we can always approach, whom we can obtain advice from. He has served with great credit on the Committee on Public Works and also as a member of the Republican Policy Committee.

Mr. Speaker, I am sure there are many Members here who desire to express themselves concerning his retirement, and I yield now to the gentleman from California [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, I certainly want to join in paying my word of tribute and respect and admiration for the distinguished gentleman from California [Mr. SCUDDER]. I have had the privilege of serving with him since he came to the Congress. We occupied adjoining offices in the Old House Office Building. I am sure that I, like many others, have been impressed by the conscientious nature of his service, and I am sure that his ability will be missed not only on the great committee of this body on which he served but also in the body at large. I join with his other friends and colleagues in wishing him the fullest measure of success and happiness in the years to come.

Mr. McDONOUGH. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I would like very much to join with those who are paying tribute today to Congressman SCUDDER, of California. I believe I speak for the entire Ohio delegation when I say to you that we feel that we are losing a very able Member of the House of Representatives in his retirement. It has been my pleasure to serve with HUBERT SCUDDER on the House Republican Policy Committee for a number of years where his wisdom and his advice and his good common sense has contributed greatly not only to the benefit of his party but to the benefit of the entire Congress and the country as a whole.

I join in wishing him Godspeed, a happy retirement and a lengthy and healthy life.

Mr. McDONOUGH. Mr. Speaker, I thank the gentleman for his contribution. Before I yield to the gentleman from California [Mr. YOUNGER] let me say that this ceremony today is not for the purpose of writing an obituary. It is not the end of anything; it is the beginning of something. In my opinion, it is the beginning of an opportunity for HUBERT SCUDDER to enjoy a certain type of freedom, independence, and liberty that he has been denied as a public servant for 46 years. From here on, HUBERT SCUDDER can tell Mr. So-and-So out in his district to go jump in the lake if he does not like his opinion. He can also be very independent as to where he goes and when he comes, without any criticism from his neighbors. It is the type of freedom I know he will enjoy for many years of good health. I just wanted to make the point clear that this is not the end of anything; it is the beginning of something.

Mr. Speaker, I yield to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, I should like to join my colleagues from California in paying tribute to our colleague, Mr. HUBERT SCUDDER, who is retiring from Congress voluntarily this year. I want to pay a personal tribute, because when I came here with the 83d Congress there was no one who was more helpful to me as a freshman, with advice and counsel, than Mr. SCUDDER. He was always ready to advise, to tell me the ways of the House, and I owe a great debt of gratitude for all the things he did for me as a freshman.

I hope he has a long life of pleasure; traveling and doing the things that I know he wants to do. Forty-six years in public service is a long time, and I know of no one who has served with greater integrity in the public interest than Mr. SCUDDER.

Mr. McDONOUGH. I thank the gentleman.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Speaker, all of us will deeply miss HUBERT SCUDDER. He has had not only a distinguished career in this body as an able and conscientious Member of Congress, but he is, certainly a kindly, fine, high principled gentleman in every sense of the word.

Mr. McDONOUGH. I thank the gentleman.

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from Mississippi.

Mr. SMITH of Mississippi. Mr. Speaker, on behalf of the Democratic members of the Committee on Public Works, on which our colleague, HUBERT SCUDDER, has served for a number of years, I want to express our deep regret that he is leaving Congress.

Also I wish to express our appreciation of the many happy hours of fellowship we have had on the committee and for

the contributions which Mr. SCUDDER has made to our deliberations. I want to wish him and his lovely wife every good thing in the years to come.

Mr. McDONOUGH. I thank the gentleman.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield to my colleague from California.

Mr. BALDWIN. Mr. Speaker, it has been my privilege during the last 4 years to serve on the Committee on Public Works with HUBERT SCUDDER. Coming into the committee as a new member, I found HUBERT was of tremendous aid and assistance to me in providing guidance and giving me an understanding of the work of the committee.

I have also had the privilege, as a member of the committee, during a recess to visit HUBERT SCUDDER's district and to see something of the projects then under construction in that district. HUBERT SCUDDER has a very large district, one of about 400 miles of seacoast, with many harbor and flood-control problems. He has served his district extremely well.

I have seen him time and time again in the committee, work to see that his district was properly taken care of from the standpoint of harbor developments and flood-control projects. At the same time he has shown a deep understanding and appreciation of the needs of all parts of the country. It has been a privilege to serve with him. He has been an inspiration to me. I wish him and his lovely wife a great deal of pleasure in the years ahead.

At the request of Mr. BALDWIN, the gentleman from New York [Mr. BUCKLEY], chairman of the Committee on Public Works, the gentleman from Maryland [Mr. FALLON], and the gentleman from California [Mr. MAILLIARD] were granted permission to extend their remarks at this point in the RECORD.

Mr. BUCKLEY. Mr. Speaker, I am highly honored today to join in the well-deserved tribute being paid to my colleague, HUBERT B. SCUDDER, of California, on the occasion of his retirement from the Congress.

It is a special privilege to be here today, particularly because of the fact that I am chairman of the House Public Works Committee of which HUBERT SCUDDER has served with distinction for the last four terms in Congress.

During his 8 years of service I have found HUBERT SCUDDER to be an intelligent hard-working member of the committee. He has contributed greatly to the legislation that the committee has brought to this floor over the last 8 years. All of the members of the committee on Public Works have found HUBERT to be a worthy representative, not only of his district but also of his State and of the Nation.

Above and beyond his duties in the Congress, we have found HUBERT SCUDDER to be a man of the finest character who has greeted one and all with a cheerie word and has tried in his every day life to be a real friend to his fellowman. May I again express my well wishes to HUBERT SCUDDER on his retirement and wish to HUBERT and his wife all the best that life may hold in the years to come.

Mr. FALLON. Mr. Speaker, it gives me great pleasure to join in the tribute being tendered today to HUBERT B. SCUDDER, who has announced that he is retiring from the Congress at the close of this session. During the last four Congresses, the 82d, 83d, 84th, and 85th, it has been my pleasure to serve side by side with HUBERT SCUDDER on the Committee on Public Works. During this period I have had an opportunity to observe him, not only as a legislator, but also as a man. In both categories I am happy to say that he is A-1. HUBERT SCUDDER proved during his years on the Public Works Committee that he was a conscientious hard worker, devoted public servant interested not only in the welfare of the district that he represented, but the country as a whole. His contributions to the committee were valuable; his sincerity made him an effective member; and the record shows that his accomplishments were many. As a man I have found him to be a fine, kindly gentleman always ready with a good word and one who took an interest in all things that make for a well-rounded life.

HUBERT SCUDDER has served his district, his State, and his country well during his 10-year service in Congress. May I wish to HUBERT SCUDDER and his lovely wife all the best that life may hold in future years and as he leaves this Congress, I am sure that he goes with the best wishes of all those who have known him.

Mr. MAILLIARD. Mr. Speaker, I want to join in paying respect to our friend, the gentleman from California's First District, HUBERT SCUDDER. I was born in his district and, with other members of my family, still own a sheep ranch in that district. In some ways I have considered myself his constituent, as well as his friend and colleague.

We wish our distinguished friend the best of everything in the years ahead, as he concludes many decades of devoted public service to the people of California.

Mr. HOSMER. Mr. Speaker, I wish to join with Members of the California delegation in paying tribute here to our beloved colleague from California, HUBERT B. SCUDDER.

In the adjournment rush, we become so involved with a multiplicity of problems, big and small, that we may neglect matters of real importance—such as saying what one feels about a friend who will not be serving in Congress next year. For that reason, I am pleased to join with my colleagues in saluting Mr. SCUDDER who, during his 10 years as Representative from the First Congressional District of California, has rendered a real service both to our State and to the Nation. During my 6 years in Congress his friendship and kindly advice have been deeply appreciated. He will be missed by all who have had the privilege of knowing him. My best wishes go with him.

Mr. SMITH of Mississippi. Mr. Speaker, I am pleased to join today in the tributes being paid HUBERT SCUDDER upon his retirement from Congress.

It has been my pleasure to serve with him for 8 years on the Committee on Public Works. He has always been an indefatigable worker, devoted to the concept of working for the best interest of his country as a United States Representative.

I have had the pleasure of visiting with HUBERT in his district, and I know of the great regard that is held for him by the people of his part of California.

Let me wish Mr. and Mrs. Scudder every happiness in this change of scenery.

Mr. McDONOUGH. Mr. Speaker, I yield to the gentleman from California [Mr. WILSON].

Mr. WILSON of California. Mr. Speaker, I join my colleagues in saying thanks to HUBERT SCUDDER for the help he has given his fellow Members, particularly the new Members. He has spent most of his lifetime in the public service, and has been sincere and dedicated to that endeavor. We all wish him many happy years in his retirement. I personally wish him years of happiness as he retires to his district in the frigid wastes of northern California. He represents the extreme northern part of the State and I the extreme southern part, but from north to south we all admire and love HUBERT SCUDDER.

Mr. McDONOUGH. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Speaker, for the past 10 years Congressman HUBERT SCUDDER and I have been the closest of friends. Throughout most of those years he has sat next to me on the powerful House Committee on Public Works. We for many years have played golf together whenever there was opportunity to do so. We have made many trips of inspection together on public-works projects.

HUBERT SCUDDER has become one of my most prized friends in the Congress. Through constant association, I know him well and everything I know about him is good.

HUBERT SCUDDER is always a gentleman. He is a pleasant man to be with, to play with, and to work with. His sunny disposition and fine character I am certain have endeared him to every Member of this House. To know HUBERT SCUDDER is to like him and the longer and better they know him the greater their liking for him and their admiration for his integrity, ability, and patriotism.

Congressman SCUDDER was a member of the California State Legislature for many years before his people sent him to Congress. He is an experienced legislator of inquiring mind and of outstanding integrity and courage. He has accomplished much for the people of his district, his State, and the Nation during his 10 years in Congress.

Mrs. Mack joins me in wishing HUBERT SCUDDER and his charming wife, Helen, great happiness and the best of health in the years ahead. It has been a great privilege for Mrs. Mack and me to have

known them so intimately and to have enjoyed their friendship.

Mr. McDONOUGH. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, it is with mixed feelings that I take the floor today to assist in bidding a fond farewell and Godspeed to our friend and colleague, HUBERT SCUDDER. I regret as a citizen that this Nation is to lose the services of this outstanding and respected legislator. I regret also that those of us who consider ourselves his friends will not have our everyday close contacts with him that we have had in the past. However, I am pleased that HUBERT and Mrs. Scudder will now receive a well-earned rest, earned, as the gentleman now occupying the well of the House has said, after 46 long years of faithful service.

I know that HUBERT probably does not remember this one incident, but when I came here in the 83d Congress as a very young and, I might add, a very green freshman Member of Congress, I had a conversation here on the floor of this House with him which impressed me greatly. When I asked him about the work and the career on which I was starting, HUBERT had this advice: "Always vote your conscience. Never worry about the politics." I think that advice probably best describes the type of United States Congressman that HUBERT SCUDDER has been. He has voted his conscience and has placed politics in the background. No greater tribute can be made to a man than to have that kind of record after he retires after 46 years in public office. My best wishes to you and Mrs. Scudder, HUBERT, May the many, many years ahead be bountiful ones for both of you.

Mr. McDONOUGH. I thank our colleague.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. HORAN. Mr. Speaker, it is indeed a pleasure for me to join my colleague in bidding Hubert and Helen Scudder Godspeed and God bless them. HUBERT has proven himself to be a very faithful and diligent public servant. He has been constructive in all his actions. He has been a genuinely faithful public servant. The only thing I have against HUBERT is that he can outdrive me on the golf course, but I forgive you for that, HUBERT, and may you have many, many happy days from here on.

Mr. McDONOUGH. I thank our colleague from Washington.

Mr. HOLT. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. HOLT. Mr. Speaker, I join my colleagues from both the Democratic and Republican side of the aisle today in paying tribute to HUBERT SCUDDER. HUBERT, as we know, comes from the applesauce capital of California, Sebastopol—but that is where the applesauce stops. HUBERT has been the most dedicated Member of the California delegation in the Congress of the United States. HUBERT SCUDDER has represented California and the Republican policy committee for many years and he has done an outstanding job. My Congressional colleagues from all over the United States pay a great deal of respect and give a great deal of attention to HUBERT's recommendations. He has been very helpful not only in doing things for his own district but in being always on the job, too, for the entire State of California. He has always been ready to get down and get the job done and get it done on a very high moral, spiritual and ethical plane, which everybody here appreciates. We know that he will continue as he has shown by being here on the job until the very last, to contribute to our community out there in California and the State as he has always done. We always are glad to see HUBERT because he has a smile and a kind word, like my good friend, CHARLIE GUBSER. This is probably some thing that HUBERT does not remember, but about 11 or 12 years ago when I was president of the Young Republicans of California, I came to Washington. I had never met a Congressman before. I met the California delegation. They were all pretty busy as Congressmen get, and as I have been myself ever since I came to the Congress. But only one man took the time out to spend several hours with this very young and neophyte politician and that was HUBERT. He spent over 2 hours with me explaining what was going on here in the Capitol and what politics was all about. I will never forget that. He has had a great deal of influence on my Congressional political career because there was a human being, a public servant, who really took time out for a young fellow from down south whom he had never met before. I was very grateful. I want to bid fond farewell to HUBERT SCUDDER and you know we will always welcome your advice and consultation.

Mr. McDONOUGH. I thank our colleague from California.

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield.

Mr. UTT. Mr. Speaker, I want to congratulate the chairman of our delegation at this time for giving us an opportunity to express our deep appreciation for the work HUBERT SCUDDER has rendered not only to his own district but to the State of California and to our Nation. I had the privilege of serving in the California State legislature with HUBERT some 25 years ago for several years. There we worked together with the so-called California economy bloc during the depression. We had a very successful session. After retiring from the State legislature, HUBERT became the commissioner of real estate for the State of California. Any of you people who have dealt with real estate matters know some of the pretty clever operators we have in southern California and they know that he had to do a terrific job in order to avoid scandals in the department of the real estate commissioner. HUBERT discharged his duties well and to the credit of his office and to the credit of the State of California. In the Congress he has rendered great service to his people. He has been constant in his work, ever present, ever helpful to his colleagues not only from the State of California but to his colleagues from all over the United States.

I want to join in paying tribute to HUBERT and wishing Mrs. Scudder and HUBERT the finest days of their lives as they retire in California and do the things they have long wanted to do.

Mr. McDONOUGH. I thank the gentleman from California. I am sure if we had had a normal legislative situation in the House today there would have been more present who would like to have expressed their views.

Mr. MACK of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McDONOUGH. I yield to the gentleman from Illinois.

Mr. MACK of Illinois. Mr. Speaker, I want to join with my colleagues in paying tribute to HUBERT SCUDDER. I believe we both came to the Congress together some 8 years ago, and we had offices across the corridor from each other. I became well acquainted with him at that time and have enjoyed serving with him across the aisle for these 8 years.

I have enjoyed his friendship and I feel that I really know about his ability. I think he is one of the most competent men who has served in the House of Representatives, and I would like to join with the California delegation and all of his friends here in the Congress in wishing him much good luck and enjoyment in the years ahead.

Mr. McDONOUGH. I thank the gentleman from Illinois.

Mr. McGREGOR. Mr. Speaker, I want to join in the eulogy of my colleague on the Public Works Committee, Representative HUBERT SCUDDER.

It has been my privilege to serve with Congressman SCUDDER for a number of years and to become personally acquainted with him and his lovely wife. Congressman SCUDDER has done an excellent job. He has very ably represented not only his Congressional District but the people of the Nation. He has saved us many millions of dollars. His wise counsel has been very effective in determining expenditures that are justifiable and we in Congress will miss HUBERT SCUDDER. I extend to him and Mrs. Scudder our sincere best wishes and I hope that they will have many years of pleasant retirement.

Mr. ALLEN of California. Mr. Speaker, I would like to add my note of regret because of the loss to the House of Representatives, the State of California, and the Nation as a whole occasioned by the determination of Mr. SCUDDER to retire from office when his present term has ended.

HUBERT SCUDDER had been a valuable public servant in the State of California before he came to Congress. His services at that time had been sufficiently long and sufficiently valuable that he was, in a sense, entitled to retire then from all further active public service. He was persuaded, however, to take on the additional burdens as a Representative in Congress, a position which he has filled well and ably and at some sacrifice to himself.

He and his wife have been most delightful companions in Washington over

the years and their return to California will be regretted by many who have been their friends in Washington. My best wishes go with them for the years to come.

Mr. HILLINGS. Mr. Speaker, I join with my colleagues in paying tribute to one of the outstanding Members of the Congress upon his retirement, the gentleman from California [Mr. SCUDDER]. I shall always cherish my service with him in the House and it has been a real privilege to work closely with such a dedicated public servant. On behalf of the people of this country and my constituents in California, I extend to Mr. SCUDDER and his gracious wife my best wishes in his future plans and congratulations on a job well done.

Mr. WOLVERTON. Mr. Speaker, it is with regret that I note the retirement of HUBERT B. SCUDDER as a Member of the House of Representatives. During the 10 years that Mr. SCUDDER has been a Member of this body he has rendered distinguished service to the District which he has had the honor to represent and to the people of the Nation at large.

Mr. SCUDDER came to the Congress with a splendid record of achievement in local and State affairs that well equipped him for distinguished service in this House. He has at all times been zealous in promoting the interest of the people of his District and keenly aware to the great responsibility that has rested upon Members of Congress during the period for which he has served.

I extend to him my best wishes that in his time of retirement he will have health, happiness, and success in large measure.

Mr. AUCHINCLOSS. Mr. Speaker, it has been my privilege to serve on the same committee with our colleague, HUBERT SCUDDER, the gentleman from California, for a number of years and so have had an opportunity to see him at work. He always contributed much that was worthwhile to our discussions, and in his questioning of witnesses who appeared before us, his gentility and good commonsense were always in evidence. He is a conscientious and honest thinker, and by his character and pleasant manner he made many friends who regret his decision not to seek reelection.

I trust that the days to come may be rich in happiness and contentment and I hope he will visit us from time to time and keep fresh the friendships he has made here.

Mr. ROGERS of Florida. Mr. Speaker, it was with regret that I learned that one of the very fine and able members of the Public Works Committee, Representative HUBERT SCUDDER was retiring. It has been a privilege to have served with him and as a relatively new member of the House Public Works Committee, I have valued his wise counsel. He has indeed rendered a fine service to his District and to the people of the Nation.

I join with his many friends in wishing for him many pleasant years of retirement and in saying he will be greatly missed in the Congress, and especially in the Public Works Committee.

Mr. McGREGOR. Mr. Speaker, I want to join again with my colleagues in paying tribute to the Honorable HUBERT B. SCUDDER, of California, who is voluntarily retiring from public life.

It has been my privilege to serve on the same committee with Congressman SCUDDER and words fail me when I attempt to express my appreciation of his fine cooperation and his sincere endeavors in behalf of good legislation in our committee and in this Congress.

HUBERT, you have done a great job, and I wish you every success and every pleasure in your retirement.

Mr. McDONOUGH. Mr. Speaker, I personally feel that HUBERT SCUDDER has been a great asset to the California delegation. As I said a moment ago in a facetious mood I trust that he will enjoy the freedom he would like and that many of us in public service are denied. It will be a new life for him to feel that he can go and come where he pleases, as he pleases, say and do what he pleases, and enjoy the freedom of a private citizen and write to his Congressman and tell him how to run the Nation. He will not be jumping every 5 minutes at 3 bells. He can sleep as long as he pleases in the morning. He can get out and play golf or go fishing whenever he pleases.

HUBERT, I hope you are blessed with many many years of vigorous health to enjoy that freedom we hope will be yours.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE TO EXTEND

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent that those Members who have spoken during my special order may revise and extend their remarks and that all Members may have 5 legislative days within which to extend their remarks in tribute to Mr. SCUDDER.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

FCC SHOULD REVIEW ACTION WHICH DENIED FIRST CLASS TV SERVICE TO CAPITAL OF ILLINOIS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Illinois [Mr. MACK] is recognized for 30 minutes.

Mr. MACK of Illinois. Mr. Speaker, the record regarding television channel 2, Springfield, Ill., seems to present clear evidence that many irregularities were involved in the transfer of channel 2 from Springfield to St. Louis. This action occurred while Mr. George C. McConnaughey was Chairman of the Commission and Mr. Richard A. Mack of Florida was a member of this Commission. The Chairman at that time admitted there was outside pressure for what he referred to as deintermixture.

Section 307 (b) of the Communications Act of 1934 (47 U. S. C. 307 B) requires the Federal Communications Commission to distribute frequencies among the several States and communities in order that the result will be a fair, efficient, and equitable distribution of service to each. The Federal Communications Commission has failed to do this with respect to Springfield, Ill.

The allocation of frequencies to Springfield, Ill., has a long unusual history. Restricting my statement here to the highlights of this history, I can say that until channel 2 was moved from Springfield, Ill., to St. Louis in 1957, Springfield was always allocated a VHF channel. As the capital of one of our most important States, this was as it should be. Springfield is entitled to first-class TV service.

The first commercial TV allocation, as early as 1945, allocated two channels to Springfield—channels 8 and 10. In 1952, the sixth report and order of the Federal Communications Commission modified channel assignments and substituted VHF channel 2 and UHF channel 20 in Springfield, for channels 8 and 10. At that time a proposal was considered that channel 2 be put in St. Louis, Mo. This was rightly rejected.

People in my District applied for a license to operate on channel 2 in Springfield, and a long contested comparative hearing took place covering a period of more than 3½ years. It is not my purpose to discuss the merits of the comparative hearing, but only the loss of channel 2 to the city of Springfield.

Channel 2 was taken from Springfield under the guise of deintermixture. Deintermixture does not exist today in Springfield, Ill., and undoubtedly the city will not be deintermixed. Several VHF stations are received in this city. In view of this, channel 2 should be returned to Springfield, Ill., as a matter of simple justice under section 307 (b) of the Communications Act.

The Federal Communications Commission should move channel 2 back to Springfield, Ill., by setting aside the order of deintermixture that moved channel 2 to St. Louis.

The Special Subcommittee on Legislative Oversight has brought out, and this is a matter of public record, that the principal officer of Signal Hill Telecasting Co., of St. Louis, Mo., practically lived at the Federal Communications Commission. Mr. Harry Tennenbaum was the principal officer. He contacted Commissioners—not once, but he has admitted privately entertaining all of the Commissioners many, many times. Some of the arguments he and his representatives presented were never made a matter of record and persons opposing the move of channel 2 from Springfield to St. Louis were unable to answer the arguments as they didn't even know about them. As a matter of fact, Mr. Tennenbaum went out and hired a former Commissioner to represent him before the Commission—and this was not made a matter of record. The attorneys opposing the move of channel 2 from Springfield did not know this former Commissioner was a representative of Signal Hill Telecasting. In fact, the main attorneys of record for Signal Hill Telecasting did not know he had been employed. He filed no appearance. The Federal Communications Commission did not know of his employment. This is highly unusual. Their first question is—what work did he do? Other matters have intervened to prevent the subcommittee from developing this. The FCC should do so.

It appears that Mr. Harry Tennenbaum and Signal Hill Telecasting were very certain of what the results of the deintermixture proceeding would be. They started to negotiate for the purchase of channel 2 equipment over 3 months prior to the decision of the Federal Communications Commission, but what is even more difficult to understand is that they started to negotiate for the purchase of channel 2 equipment prior to the time for filing comments against moving channel 2 from Springfield, Ill. Mr. Tennenbaum and Signal Hill Telecasting started to negotiate for such equipment in October 1956. Some of the comments to be filed by the parties were not due until November 30 and December 3, 1956.

Signal Hill Telecasting also took another unusual step prior to the decision. It negotiated for, and signed an affiliation contract with the American Broadcasting Co. prior to the FCC decision. Mr. Paul Pelteson, a major stockholder in Signal Hill Telecasting called this a "secret" contract.

In addition to the above, there were other strange events. The rulemaking procedure to move channel 2 from Springfield to St. Louis, was started on June 25, 1956, but this rulemaking proceeding did not mention channel 36 in St. Louis—the channel then being used by Signal Hill Telecasting Corp. In the ordinary course of events one would expect a UHF operator to oppose the move of a VHF station to its city, but strangely, on September 4, 1956, Signal Hill Telecasting filed a pleading in the rulemaking proceeding in which it supported the move. This most unusual situation appeared to clear itself up on October 10, 1956. The FCC added channel 36, St. Louis, to the rulemaking proceeding. This had to be done in order for Signal Hill Telecasting to be allowed to operate on channel 2 as a substitute for channel 36. Also unusual about this matter is that there was no record request for this action at the FCC. There was no engineering data submitted to the FCC to support the rulemaking to move channel 36 from St. Louis to Springfield. There were representatives making ex parte representations as to engineering data. Other parties had no opportunity to answer these representations. The exact genesis of all the action has not been pinned down. This, the FCC should do.

In addition to all of the above, the Commission at the time it added channel 36 to the rulemaking proceeding, disavowed any intention of changing Signal Hill Telecasting's authorization to channel 2. The opposite result was reached. In connection with the rulemaking proceeding, it should be pointed out that the attorney general of the State of Illinois took part in the proceeding and stressed that Missouri had roughly twice as many VHF channels as Illinois, despite having a population only half as great. The Illinois attorney general also pointed out that St. Louis already had 4 VHF channels while Springfield had only 1. The obvious conclusion reached by the attorney general, and that should have been reached by the FCC, was that Springfield's need was far greater than St. Louis, and that in view of the mandate of section 307 (b) of the Communications Act, channel 2 should remain in Springfield.

Another more important point is that with the move of channel 2 to St. Louis, that city now has a surplus of VHF channels. There are only three networks and a fourth commercial channel must go without a network.

Lastly, I want to point this out to the House. A party to this proceeding ended up with a license. The proceeding was an adjudicatory proceeding as defined in the Administrative Procedure Act. Section 409 (c) 2 of the Communications Act forbids certain types of ex parte representation by parties to proceedings. Major stockholders and representatives of Signal Hill Telecasting Corp. admit violations of section 409 (c) 2. With respect to these violations, it is very clear to me that the FCC should set aside its deintermixture order which moved channel 2 from Springfield to St. Louis and granted Signal Hill Telecasting a license to operate in St. Louis on channel 2. For this I cite some very pertinent language from *Root Refining Co.* v. *Universal Oil Products Co.* (169 F. 2d 514 (C. A. 3)), certiorari denied, volume 335, United States, page 912, wherein the court, in effect stated, with respect to ex parte contacts, that from the moment an application for a license makes ex parte contacts, he ceases to depend on the justice of his case; he seeks discriminatory and favored treatment; he becomes a corrupter of the Government itself and is fortunate if he loses no more than the license he seeks to obtain.

Deliberate attempts to influence decisions outside of a record and outside of proper procedures is obviously a violation of our concepts of justice.

In conclusion, after the Commission sets aside its order of deintermixture, it should leave channel 2 in Springfield where it belongs—under the mandate of section 307 (b) of the Communications Act which requires a fair distribution of frequencies.

TAX AVERAGING LEGISLATION—A MORE REALISTIC APPLICATION OF THE ABILITY-TO-PAY PRINCIPLE

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Missouri [Mr. CURTIS] is recognized for 10 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I have been concerned for some time about the rigorous effect of our taxing statutes on those citizens who have fluctuating incomes. Because of this concern I introduced H. R. 126, which contains a plan which will allow a taxpayer whose taxable income for any one year exceeds 150 percent of his average taxable income for the past 5 years to spread the excess over a 6-year period. It is my feeling that such a plan would be a more realistic application of the ability-to-pay principle to those with fluctuating incomes. This plan, like many others, has been criticized by some because of the fear of complicating an already complex 1040 form and also because of anticipated administrative difficulties in administering the plan.

I have considered this matter for some time and because I feel it is important that this averaging principle be written into the taxing code I am introducing today a much more simplified averaging plan. It is proposed that an amendment to the Internal Revenue Code of 1954 contain the new section 1348. This new section would afford some relief to taxpayers with fluctuating incomes.

The proposed section is modeled along the lines of sections 1301, 1302, and 1303, all of which permit a limited form of averaging for compensation received from an employment, income from an invention or artistic work, and income from back pay. These provisions, however, permit averaging only as to income which is attributable to several taxable years. They are of no benefit to the taxpayer whose income is attributable only to the taxable year but which fluctuates considerably from year to year. It is probable that these sections were enacted for this reason—that they apply only to income which was earned over several years—or attributable thereto—and would consequently affect only a very few taxpayers. As a result, the existing income-averaging sections are stated in simple terms and do not present administrative complications.

Complicated income averaging formulas have had no success in Congress. No such plan has as yet been enacted into law. To be seriously considered by Congress and the Treasury, any averaging plan must meet the tests of simplicity and administrative feasibility. The present Federal individual income tax return, form 1040, is sufficiently complicated as it is. Millions of taxpayers experience yearly difficulty with it, even though most of them have no more to do than report wages subject to withholding, subtract deductions, and claim exemptions. Moreover, as the number of individual taxpayers filing returns increases, the overworked and understaffed Internal Revenue Service must process more returns, conduct more field audits, and attempt to bring a great measure of order into an inherently chaotic situation. Any proposed change which would mean additional man-hours spent in policing returns is sure to elicit little enthusiasm in the office of the Commissioner of Internal Revenue. This proposed amendment is based upon sections of the Internal Revenue Code of 1954 which have been tested successfully in the administrative laboratory. Furthermore, this proposal is simple, workable, and would require the addition of only 3 or 4 lines to the present form 1040.

This amendment would permit income averaging tax relief to individuals with fluctuating incomes based on a percentage of increase in the taxable income of the taxable year over the taxable income of the preceding year. The selection of a percentage for such a provision should be based on the knowledge that such a proposal is an experiment and that time will be needed to determine whether the provision is simple enough to be understood by taxpayers and administratively enforcible by the

Internal Revenue Service. It is suggested that an initial percentage of 50 percent be used. Thus, when a taxpayer's taxable income increased by 50 percent or more over the preceding year's taxable income, he would automatically become entitled to compute his income under section 1348. Experience will tell whether the percentage increase is too large or too small. If substantial numbers of taxpayers were able to qualify and loss of revenue reached serious proportions, the qualifying percentage could be raised to, for example, 100 percent and the number of taxpayers entitled to use the provision would be immediately reduced. On the other hand, if the plan proved administratively feasible and brought a greater measure of compliance with the income tax laws, the required percentage could be lowered so as to entitle additional taxpayers to the relief afforded.

Once the percentage-increase requirement had been met, the taxpayer would compute his tax as if he had received the taxable income ratably over the taxable year and the preceding taxable year. In effect, this would mean that the increase in taxable income from the preceding year to the current taxable year would be divided in half—for purposes of the section 1348 computation—with one-half of the increase allocated to the preceding taxable year and the other half allocated to the current taxable year. The total tax burden of the taxpayer computing his tax under section 1348 would then be the same as if he had received equal amounts of income in the preceding taxable year and in the current taxable year. For example, if A had taxable income of $8,000 in the taxable year and had had $4,000 of taxable income in the preceding taxable year, under proposed new section 1348 he would allocate the increase—$4,000—equally between both years. As a result, he would pay the same total income tax for the 2-year period as he would have paid if he had received $6,000 taxable income in each of those years.

Initially, 2 years, including the taxable year, is a sufficient number of years over which to permit allocation of the increase in taxable income. There is no necessity for using a time period in terms of months—as section 1301 now provides—because there is no question of determining when a particular project or employment giving rise to income began. If the taxpayer qualified for section 1348 treatment by meeting the required percentage of income increase, he would be automatically entitled to spread back the increase over the statutory period. Of course, a spread back which involves only 2 years will not bring substantial relief to some taxpayers who may have extreme jumps in income from one year to the next. For them, a 5-year spread-back period, or perhaps even longer, would be desirable. But the number of years selected need not be permanent. If experience shows that the 2-year period is inadequate, it can always be lengthened.

The computation of income tax under proposed new section 1348 will be well known by the taxpayers who have taken advantage of existing sections 1301, 1302, and 1303. The proposed new section does not require that amended returns be filed for prior years, nor does it provide that income received in the taxable year but allocated to prior years is excluded from tax in the taxable year. Under proposed new section 1348, the taxpayer concerned would report all of his income and pay all of his tax liability for the taxable year, but would compute it as if he had received a part of it ratably over the taxable year and the preceding taxable year. Nor does the proposed new section permit the taxpayer to compute the tax on the spread-back income at the rates applicable only to the amount of income allocated to prior years. For example, if taxpayer A is permitted to spread taxable income of $10,000 ratably over the 2-year period, he will add $5,000 to his taxable income for the preceding year and pay tax on the $5,000 spread-back amount at the rate applicable to the spread-back income plus the taxable income already reported for that year. Thus, if A received $5,000 in the preceding taxable year, the addition of the $5,000 spread-back income would result in a tax rate applicable to $10,000 of taxable income. A simple illustration will more effectively show the mechanics of the computation.

Assume that taxpayer A receives $5,000 taxable income in 1957 and $15,000 taxable income in 1958.

TAX LIABILITY COMPUTATION FOR 1957 AND 1958 UNDER PRESENT LAW

Year	Taxable income	Tax liability
1957	$5,000	$1,100
1958	$15,000	4,730
	Total, $20,000	5,830

TAX LIABILITY COMPUTATION UNDER PROPOSED NEW SEC. 1348

1957	$5,000	$1,100
1958	$5,000 (from 1957) $5,000 (increase allocated to 1957) $10,000	2,640
	Less tax paid in 1957	1,100
	Tax on $5,000 increase allocated to 1957	1,540
	$5,000 (increase allocated to 1958) $5,000 (for 1958) $10,000 (tax on this amount)	2,640
	Total tax payable for 1958	4,180
	Add tax paid for 1957	1,100
	Total	5,280

Under proposed new section 1348, taxpayer A would have a tax saving of $550. Also, it is apparent that by using new section 1348, he would pay the same tax he would have paid if he had received $10,000 taxable income in each of the years 1957 and 1958.

The relief proposed in new section 1348 would be simple to explain on form 1040 and easy to administer. The only changes which would be required could be made on page 2 of form 1040 under the heading "Tax Computation." Line 5 under that heading is entitled "Taxable Income." After line 5 the following lines could be inserted:

"5a. Taxable income of preceding year (line 5 of preceding year's return).

"5b. Excess of line 5 over line 5a.

"5c. If amount on line 5b is 50 percent or more of amount on line 5a, compute tax on amount on line 5b as if this amount had been received one-half in taxable year and one-half in preceding year.

"6. Tax on amount on line 5 (less amount on line 5b if line 5c is used).

"Total tax—."

New section 1348 could thus be incorporated into form 1040 in less space than was required to provide for the retirement income provision. An explanatory note in the information pamphlet and a simple illustration should be sufficient to explain the steps involved in computing income tax liability under proposed new section 1348.

There would be little additional auditing involved of those returns which took advantage of the section 1348 computation, for the face of the return would disclose the taxable income of the current taxable year, the taxable income of the preceding year, and the percentage of increase. If any audit was necessary, it would be a simple matter to check the return for the prior year and compare the taxable income in that return with the taxable income disclosed on the face of the return for current year. Since internal revenue personnel are accustomed to dealing with computations under existing sections 1301, 1302, and 1303, they would have no difficulty in checking computations under the proposed new section. Prior difficulties with section 1301 have stemmed from determinations by the Commissioner that compensation was not received from a particular project or that not more than 80 percent of it was received in 1 taxable year. The use of new section 1348 would not involve any of these administrative questions. The only condition precedent to the use of the section would be the required percentage of taxable income increase.

Proposed new section 1348 would have no effect on the withholding provisions. Taxpayers receiving wages and salaries would follow the same procedures for reporting income taxes withheld. The only difference would be that if they qualified under section 1348, their computation of tax liability under that section might entitle them to refunds. This is a common occurrence under existing sections 1301, 1302, and 1303 and the Internal Revenue Service is well-equipped to deal with it. Nor would the proposal hamper payments of estimated tax. Again, taxpayers would follow familiar procedure, but if at the end of the year they qualified under new section 1348, they would be entitled to recompute their tax liability and claim any refunds due.

New section 1348 has an additional advantage in that it is not based in any way on source of income. For example, an individual who receives the proceeds of an endowment policy is now allowed under section 72 (e) (3) of the 1954 code to pay a tax computed as if the income had been received over a 3-year period. Such a provision unfairly discriminates against other taxpayers similarly situated. Holders of United States savings bonds may receive 10 or 20 years of interest in the 1 year in which the bond is cashed. Should they not be entitled to

spread back the interest income they received if the recipient of endowment proceeds is so favored? Accumulated dividends on preferred stocks are also lumpy in character and large amounts are likely to be received in 1 year. Are the recipients of such dividends also not entitled to similar averaging relief? Obviously, to base income averaging relief on type of income received—no matter how irregularly the income is likely to arrive in the hands of the taxpayer—is a certain way to create unfairness and discrimination among taxpayers. As a result, disgruntled taxpayers will bring pressure to have their types of income qualified for averaging relief. The proposal to use new section 1348 on the basis of percentage of taxable income increase is free from any such infirmity and will extend relief to any taxpayer who qualifies by reason of a substantial jump in income, regardless of the source of that income.

It can be argued that the benefit proposed applies only to a year which represents a substantial increase over a prior year and that new section 1348 makes no provision for taxpayers who may have many lean years and then many fat ones in succession. This is quite true, for a taxpayer whose income jumped from $5,000 to $15,000 in 1 year and then remained at the latter level for several years, would receive the benefit of new section 1348 in only 1 taxable year. However, the suggested plan does not purport to provide adequate relief for those taxpayers who may enjoy several years of stable prosperity after several years of poverty. Those taxpayers who reach an income peak which lasts for only a few years would benefit more from some form of deferred compensation arrangement whereby they could postpone the collection of some of their income in peak years to later years when earning power seriously declines. Professional athletes are a classic example of this group of taxpayers. Their peak earning periods are often less than 10 years. Nevertheless, the purpose of proposed new section 1348 is to grant relief to those taxpayers who pay substantially higher burdens because of income increases from year to year. Many taxpayers who enjoy only limited periods of high earnings would find that their incomes fluctuated sufficiently to entitle them to the benefits of the proposed section on many occasions. For example, a baseball player who entered the major leagues at an $8,000 salary; made the grade and jumped to $13,000 the next year; had a good season which justified a rise in income to $22,000; and then became a star at $35,000; would be entitled to spread back his income under new section 1348 in each year of increase.

The proposed new section makes no provision for declining incomes. However, the taxpayer with declining income is paying a substantially smaller amount of tax as his income declines. Just as the progressive rates operate to take more of a taxpayer's taxable dollar as he goes up the scale, so does the system benefit him by taking less as he goes down. Furthermore, whenever he recovers and increases his income substantially, he may qualify for section 1348 relief and save some of his increased income. Greater equity would probably be accomplished if some overall averaging scheme could be devised which provided for income averaging on the downswing as well as the upswing. But any such plan would be complicated and sure to cause serious questions of administrability. However, the proposed new section would give considerable relief to persons with constantly fluctuating incomes like farmers. For example, 1 year a farmer makes $4,000, let us say, the next year $10,000, the next $10,000, then drops again to $4,000, then jumps to $10,000 again. Both years when he jumped from $4,000 to $10,000 he would get the benefit of this averaging provision.

Loss of revenue is not a serious objection to the proposed new section 1348. Even under the more extensive averaging systems which range over many years and which include such devices as moving averages, carryovers of unused exemptions and the like, experts have estimated that only about 1 million taxpayers would be affected. Because the percentage of increase in taxable income to qualify under proposed section 1348 would be at least 50 percent, or even higher if necessary, it is submitted that far fewer than 1 million taxpayers would be entitled to its benefits. Of these, none would save large amounts of taxable income because of the restriction of spread back to 2 years. Certainly some revenue would be lost, but because of the limited applicability of new section 1348, it is submitted that the loss would be inconsequential.

The observation that the majority of taxpayers would be unaffected by new section 1348 also disposes of the argument that averaging proposals run counter to and have an adverse effect on the flexibility of the progressive income tax system. The argument is that in a period of rising incomes, the progressive rates will drain off much of the increase and reduce inflationary pressures, but that if taxpayers are permitted to average incomes, the countercyclical effect of the progressive rate structure will be blunted. This argument might have some validity if millions of taxpayers experiencing minor income fluctuations were permitted to spread back their incomes. Because of the restricted nature of new section 1348, however, the few taxpayers who will qualify will not receive tax benefits of sufficient magnitude to have any appreciable effect on the flexibility of the progressive income tax system.

One further limitation of new section 1348 should be noted. As proposed, access to the section is denied to even those taxpayers who would otherwise qualify if any of the tax payable in the taxable year is limited by any other provisions permitting income averaging. The purpose of this restriction is to prevent double relief in cases where a taxpayer would receive, for example, compensation which qualified for relief under section 1301 and his taxable income for that year also qualified under proposed new section 1348. The proposed plan would require such taxpayers to elect which form of averaging benefit they wished to have. They should not be entitled to the benefits of two averaging provisions on the same income.

Although the proposal to create a limited form of income averaging under proposed new section 1348 will apply to relatively few taxpayers, these few are justly entitled to tax relief. For years they have borne more than their fair share of the tax burden because they have occupations which produce incomes in irregular quantities. Relief which is fair and is long overdue should never be denied because the beneficiaries will be few.

Dynamic growth in the economy is frequently due to individual ambition and personal effort. These efforts often result in financial success which is a boon both to the individual who achieves it and to the Nation. The tax system should offer some incentive to the taxpayer who is willing to work toward higher income; who is willing to risk his time, his brains, and his money for ultimate reward. Yet our progressive income tax rates have a stifling effect on such incentives, and because of the requirements of national defense and a growing Federal budget, those progressive rates must remain relatively high. The simple averaging scheme proposed in these paragraphs should restore some of the incentive which may have been lost by capable and industrious individuals because it affords them a recognition of their successful efforts. The plan permits them, not unlimited tax privileges, but some relief when their success results in a substantial increase in income. The plan is simple and puts no burden on the Government either in terms of substantial loss of revenue or in loss of manpower hours to enforce it. New section 1348, in sum, offers an opportunity to afford tax relief where it is needed, where it is workable, and where it is justifiable.

THE FEDERAL-AID HIGHWAY PROGRAM

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Maryland [Mr. FALLON] is recognized for 30 minutes.

Mr. FALLON. Mr. Speaker, I wish to report on some of the highlights of the work this session of the Subcommittee on Roads of the Committee on Public Works; to review briefly progress being made on the expanded Federal-aid highway program; and comments on the benefits which will flow from this construction program to all of the people of the Nation.

First, let me say that I am grateful to all members of the subcommittee and of the Public Works Committee for the cooperation extended to me on highway matters in this Congress and for their earnest and effective work at all times. I especially appreciate the unfailing help and courtesy rendered by my distinguished colleague, the former chairman, the gentleman from Ohio [Mr. MCGREGOR].

I wish, also, Mr. Speaker, to express my pleasure at the cooperation the sub-

committee and I have received consistently from the Federal Highway Administrator, Bertram D. Tallamy, who has been directing a difficult and complex program in a most efficient manner.

The Committee on Public Works and our subcommittee have held numerous hearings during this session and have maintained a careful watch on administrative activities growing out of previous legislation. The chief positive achievement this year has been, of course, enactment of the Federal-Aid Highway Act of 1958.

Important, also, has been the committee's consideration and approval and subsequent enactment of a bill introduced by me which establishes a formula on which apportionments of Federal funds to the States for the Interstate System may be made for fiscal 1961. Under the bill this would be accomplished by approving the 1958 cost estimates for the Interstate System as a basis for the 1961 allocation of Federal-aid funds. The purpose of this legislation is to keep the interstate program accelerated; to give the highway departments and industry continued assurance of availability of funds so that work can be planned ahead. It also changes the date for submission of the next cost estimates from January 2, 1962 to January 2, 1961.

The committee worked hard this year on a bill to codify all of the Federal highway laws enacted since 1916. This has been passed. The objective is to bring together the mass of laws for more simplified administration. The result will be an especial service to the highway departments.

The committee, while not having legislative jurisdiction, has maintained a keen concern for protection of the highway trust fund against raids by Federal agencies for nonroadbuilding purposes. We believe that it is only fair and just to highway users who are being taxed to finance this program that the integrity of the fund be safeguarded.

Other major legislation approved by the committee in this session includes first, an authorization of $10 million to complete the Inter-American Highway; second, an authorization of $4 million to complete the Rama Road in Nicaragua; third, an extension from 5 to 7 years of the period in advance of actual construction when rights-of-way may be secured for the Interstate System; fourth, legislation, as part of the 1958 Highway Act, offering the States an incentive to control outdoor advertising along the interstate highways; and fifth, a directive to the Secretary of Commerce to provide Congress next January with recommendations as to how the Federal Government might proceed to reimburse States for toll and free roads already built on the Interstate System, provided such reimbursement might be approved sometime in the future.

In its deliberations in this Congress, the committee has benefited by information and advice offered cooperatively by many national organizations including such as the American Association of State Highway Officials and the American Road Builders' Association which speak with authority for highway administrators and engineers and for components of the highway industry, respectively.

Mr. Speaker, in 1956, Congress took bold, realistic steps to increase assistance to the States for improvement of the Nation's highways.

The Federal Government had, of course, been extending modest aid to the States for roadbuilding since 1916. But during World War II, new work was halted and existing roads were held to be largely expendable. The result was a serious deterioration of all of our streets and highways—State trunk routes, rural roads, and city streets. In 1946, we had 34 million cars, trucks, and buses operating on these deficient highways. While there were some increases in Federal aid for new roads in 1952 and 1954, the automotive population by 1956 had jumped to 62 million. We were caught in traffic jams from coast to coast and were threatened with traffic strangulation in our cities. Tragically, traffic deaths soared to 40,000 and more per year, injuries ran into astronomical figures, and the Nation's bill for human and property damages resulting from accidents on our highways reached $4 billion annually. The number of motor vehicles continued to increase and promised to exceed 100 million within 20 years.

This intolerable situation, which many States were financially unable to correct, led to a reappraisal of the Federal role in highway development.

Following World War II, toll roads began to be built at a rapid rate in areas where they were economically feasible. These were expressways that, in most instances, gave the driving public knowledge of the safety and efficiency of controlled-access highways of modern design.

Traffic conditions, as well as military and civil defense considerations, pointed to the need for a national system of modern controlled-access expressways.

In the Federal Aid Highway Act of 1956, Congress authorized a 13-year program of new construction to complete a modern-designed Interstate Highway System of 41,000 miles which would touch every State, all but 6 of the State capitals and 90 percent of the cities of over 50,000 population. When finished, the expressways will carry 20 percent of the Nation's highway traffic.

Because of the urgent need, from the viewpoint of the country's economy and its defense, the Federal Government agreed to assume 90 percent of the cost of this system of superroads. It was estimated that the total cost would approximate $27 billion over a 13- to 15-year period, an estimate since revised to nearly $40 billion.

This marked the start of a tremendous program of public works. It was left to the States to initiate the projects, let the contracts, and complete the job within prescribed Federal standards.

In addition, Congress authorized an acceleration of the historic 50-percent Federal—50 percent State fund matching program for construction of primary highways, secondary or farm-to-market roads, and certain city streets. Further, with slight increases, it continued the program of improvement of forest highways, park roads, and other routes through public lands areas, this work to be accomplished largely with Federal funds alone.

Mr. Speaker, your Committee on Public Works and its Subcommittee on Roads, of which I have the honor to be chairman, labored hard through the 84th Congress on details of this legislation. The revenue features, which were exceedingly complex, were ably and expeditiously handled by the Ways and Means Committee. A most important action, initiated by that committee, was the establishment of a Highway Trust Fund in the Treasury Department to serve as a repository for certain highway user tax revenues earmarked for the new road program.

Following are the Federal funds authorized and made available for the new program during the first 2 years, or through June 30, 1958:

Interstate System	$4,900,000,000
Primary system	832,500,000
Secondary system	555,000,000
Urban extensions of primary and secondary systems	462,500,000
Public domain roads	217,000,000
Emergency projects on primary, secondary, and urban highways only	515,000,000
Total	7,482,000,000

Of the above total, $1,125,000,000 represents funds authorized in the 1956 Highway Act for fiscal 1957 and thus supplemented previous authorizations for that year. Also $726 million of the above total represents funds authorized in the 1958 Highway Act for fiscal 1959 and thus supplemented the 1956 authorizations for that year. However, the $7,500,000,000 is the actual amount, in round figures, that Congress authorized and the Secretary of Commerce made available to the States for the new road program in a 2-year period.

On August 1, 1958, the Secretary apportioned Federal aid to the States for fiscal 1960, as authorized in the Highway Acts of 1956 and 1958. The new allocations are as follows:

Interstate System	$2,500,000,000
Primary system	405,000,000
Secondary system	270,000,000
Urban extensions of primary and secondary systems	225,000,000
Total	3,400,000,000

It is seen, therefore, that due to the 1956 and 1958 Highway Acts, some $10,900,000,000 in Federal funds has been authorized and made available to the States for all types of road building on the Federal-aid systems. Matched with State funds, this provides a program in excess of $14,500,000,000.

I have cited these figures, with minimum detail, to help underscore the magnitude of the program in which we are now heavily engaged. In 2 fast-moving years, approximately one-fifth of the funds estimated to be needed to complete the Interstate System have been made available to the States.

I am hopeful that Congress will see fit not only to carry on its part in getting this massive job through to completion on schedule but will also approve a continued modest annual stepup, at a rate of at least $25 million for

improvements of the primary highways, secondary roads and city streets.

The emergency program, undertaken this year, was a temporary measure aimed at providing quick jobs. In this action, which was part of the 1958 Highway Act, Congress authorized $400 million in Federal aid to be granted to the States on a two-thirds–one-third Federal-State matching basis for rapid construction on primary, secondary and urban road projects. To further assist the States which might need it, an additional $115 million was authorized as a fund from which States might borrow up to two-thirds of their contribution. Such borrowing is to be repaid to the Federal Government through equal annual deductions from the States' regular apportionments in fiscal 1961 and 1962. The major stipulation on projects to be financed under this temporary program is that they must be placed under construction contract by this December 1 and scheduled for completion by December 1, 1959.

As the foregoing indicates, the Federal highway program at the current time is divided into three categories:

First. The Interstate System construction financed 90 percent by the Federal Government;

Second. The emergency primary, secondary, and urban road construction financed 66⅔ percent by the Federal Government; and

Third. The regular primary, secondary, and urban road construction financed 50 percent by the Federal Government.

Work on the Interstate System is now going ahead in a satisfying way, with projects under construction all across the country. It was a slow starter because by the nature of its design and location, a heavy amount of advance engineering had to be accomplished and extensive and often expensive properties had to be acquired for rights-of-way. These two factors, coupled with lack of full public understanding and support and new administrative problems at Federal, State, and local levels, contributed to a dragging start. But, as of June 30, 1958, ending 2 full years of the expanded program, $2.47 billion in construction contracts had been advertised, $1.15 billion had been obligated for rights-of-way, and $322 million had been committed for preliminary engineering. As of the first of this month, August 1, 1958, 1,950 project miles at a cost of $505 million had been completed and another $1.77 billion was represented in construction under way on 3,160 project miles.

As one who has followed progress of the Interstate System program with great interest, I am pleased to report that it is now beginning to hit its stride. If there are no delaying interruptions at the legislative level, it should continue to swing along for another 10 years at a rate of high and steady accomplishment.

The temporary emergency program which involves mostly lighter, quicker construction projects is also coming along well. As of last week, $235 million of the $400 million in Federal funds had been definitely committed to specific projects, with contract letting soon to follow. Of the $115 million in Federal funds available to the States for short-term borrowing, about $62 million had been spoken for. The program, the projects of which must all be under contract by December 1, is slightly ahead of schedule and will probably move with increasing speed in the coming weeks.

The regular primary, secondary, and urban road projects—financed 50–50 by Federal and State governments—are advancing excellently. This has been the case right along. In the full fiscal years 1957 and 1958 a total in excess of $3 billion in construction contracts was advertised, calling for 46,568 project miles of road and 8,045 bridges. Almost $180 million was set aside for rights-of-way and $81 million for advance engineering.

According to an estimate by the Bureau of Public Roads, capital expenditure for highways on all the Federal-aid systems will accelerate annually in the years immediately ahead. The figures for the years 1956 to 1962 inclusive are as follows:

Calendar year	Federal aid	State matching funds	Total
1956	$770,000,000	$691,000,000	$1,461,000,000
1957	1,268,000,000	843,000,000	2,111,000,000
1958	1,817,000,000	944,000,000	2,761,000,000
1959	2,811,000,000	1,163,000,000	3,974,000,000
1960	3,019,000,000	1,050,000,000	4,069,000,000
1961	3,285,000,000	1,097,000,000	4,382,000,000
1962	3,434,000,000	1,135,000,000	4,569,000,000

Including non-Federal-aid expenditures the total capital investment for all streets and highways for the 7-year period is:

Calendar year	*Total capital expenditures*
1956	$5,013,000,000
1957	5,659,000,000
1958	6,202,000,000
1959	7,051,000,000
1960	7,341,000,000
1961	7,738,000,000
1962	8,092,000,000

It is indeed impressive to note that within the next 5 years—including 1958—the staggering sum of $36½ billion will be spent in improving our Nation's highways. Such a vast and sustained public works program could readily be the key to continuing prosperity.

Mr. Speaker, as chairman of the roads subcommittee, it is gratifying for me to report to the House in so favorable a way on the progress and outlook for the great road program.

Mr. Speaker, the tremendous Federal-aid highway program, which is of course in addition to the continuing locally financed road programs of the States, counties, and cities and to the building under private financing of toll roads, bridges and tunnels, is about to make its really significant impact on the Nation's economy.

It is conservatively estimated that highway construction, by the contract method, provides 228,600,000 man-hours of work, or 5,715,000 40-hour workweeks of employment for each $1 billion invested. If we assume that the total capital outlay for all roadbuilding in the country this fiscal year will reach $6 billion, that means over 1,370,000,000 man-hours of work in the 12-month period. Roughly speaking, we may expect the jobs to be divided about evenly between onsite and direct offsite employment.

When we consider that this is a long-range effort, with at least another 10 years of high-level productivity, and further that we have not yet reached what may be expected to be the height of the plateau on which the program will be sustained, then it is apparent that this will be a program providing a great many jobs over a long period.

It should also be remembered that the highway construction dollar is perhaps the most rewarding dollar spent in a community. Not only does it provide an immediate local economic stimulant and a high ratio of onsite and offsite employment but the end result is a capital investment of lasting value.

The American Road Builders' Association has estimated that the new 13-year program will utilize 50 million tons of steel, 1.5 billion barrels of cement, 130 million tons of bituminous material, 10 billion tons of aggregate, 13 billion gallons of petroleum products, 2 billion pounds of explosives, 75 million gallons of paint, and 12 million traffic signs. In addition there will be a big market for such diversified items as aluminum, seeds, fertilizer, chemicals, engineering tools, electronic computers, photographic supplies, and many others.

It is needless to say that increasing work will be opened up for the Nation's 6,000 highway contractors. The recent step-up in projects, however, indicates that competition in bidding will continue to be keen with resultant benefit to the taxpayers. Future business should remain good for banks, financing companies and bonding and surety houses.

Such an outlook is encouraging to the advancement of the country's economy. Highway work is especially desirable in this respect because it is distributed into every corner of all the States.

Nothing, however, in direct economic advantages compares with the saving of lives and the prevention of human injuries which will result from the construction of the modern highways and streets. It has already been demonstrated that the traffic death rate on divided lane, controlled-access expressways of the type to be constructed on most of the Interstate System is less than one-half that of other road and streets. This means the reduction in fatalities on the 41,000-mile Interstate System alone would represent a saving of 4,000 lives a year at least. Further, on this system the reduction in accidents and in human injury may be calculated to result in a saving of three-quarters of a billion dollars annually. On these modern roads, pedestrian deaths, fatalities at intersections and railroads and headon collisions would be virtually eliminated.

Motorists on the new interstate highways will be able to move along without costly stops and starts and it is estimated that the reduced operating costs will result in a saving of a half-billion dollars annually. Truckers are expected to operate at a saving of over three-quarters of a billion dollars annually.

Practically all kinds of goods will reach their destination in sound condition and of course more quickly. Farm produce, especially, will reach the market fresher and in better condition. Consumers should benefit from lower prices due to reduced shipping costs. There is no question in my mind that the increased efficiency of highway transport that will be made possible by the expressways will benefit all of our people.

Questions arise as to whether the super-highways which will bypass some communities will hurt downtown business. Experience thus far indicates this will not be the case. With the through-traffic expressways, shoppers actually reach downtown stores more easily and quickly. Spurs and loops running off the expressways to downtown areas bring people in minutes to the stores, hotels, offices, and theaters. Furthermore, the off-expressway streets are not crowded with through traffic that only wants to get in or out of the city anyway and does not wish to stop. Parking space is more available and driving conditions are improved.

Here is an example that has been cited to me: The California Highway Department sometime ago studied the effect on over 200 businesses located some distance from a 4-mile stretch of controlled-access expressway bypassing North Sacramento. Previously, the North Sacramento businesses had been directly on a major State route carrying through traffic. After the bypassing expressway had been built, for the first year traffic on the old road fell off 44 percent and business dropped. However, the next 2 years business volume jumped 31 percent. The Highway Department's report said that not only did the rate of increase in number of business establishments in North Sacramento considerably exceed the countywide rate but the increase in gross volume of business was so much greater than the county rate of increase that the volume of all business per establishment in the city showed a gain of 20 percent as compared with less than 10 percent in the county during the same period.

Experience with freeways and turnpikes already built proves that they encourage industrial and residential development close by and that property values rise. In New York, land values along much of the throughway moved from $600 to $6,000 an acre. Boston's circumferential highway boosted property values 700 percent. Along the Baltimore-Washington Parkway, land that was acquired for right-of-way at $250 an acre is selling now for $3,500 an acre. Land near the Eastshore Freeway between San Jose and Oakland, Calif., rose from $500 an acre before the road was built to as high as $40,000 an acre after the road was completed.

With highways such as the Interstate System will provide, it will be increasingly practical to locate industries, shopping centers and office buildings miles from a town or city. Workers and customers can reach them quickly. Decentralization of existing industries in cities will mostly affect those plants situated in blighted areas that need to be redeveloped. Industries and business concerns now favorably located in cities need not fear a dislocation of residences, customers or labor forces. The trend, instead, will be toward development of new industries and businesses adjacent to the expressways and that trend will be in harmony with a dynamic and expanding economy.

Mr. Speaker, the people of this country are going to benefit directly and indirectly by these great new thoroughfares to an extent far in excess of benefits ever before derived from any program of public works. Interstate and cross-country auto trips will be made without stop signs, stop lights or intersections at grade. Motor tours to our vast parks and State scenic and recreational areas will be in a volume dwarfing anything we know now. Social and cultural betterment is bound to be stimulated.

The big road program is now moving into high gear. The new modern-designed highways will delight the public and serve the Nation richly for many decades to come. No sounder public-works investment in America has ever been made.

SUGAR GROVE AND GREEN BANK

The SPEAKER pro tempore. Under the previous order of the House the gentleman from West Virginia [Mr. BYRD] is recognized for 20 minutes.

Mr. BYRD. Mr. Speaker, I should like to review briefly the development of the National Radio Astronomy Observatory at Green Bank, W. Va. I wish to deal with the process by which the geographical site was selected inasmuch as I have observed efforts on the part of certain individuals to make it appear that the facility has been located at Green Bank on the basis of political considerations. There are some persons who would like to make the citizens of West Virginia believe that the State is indebted to the present national administration for the location of this facility within the borders of West Virginia. These individuals, in their politically inspired efforts to mislead the voters, continually point to the Green Bank Radio Astronomy facility as one that has been given to West Virginia by the Eisenhower administration. The impression sought to be created is that West Virginians should be indebted to the Eisenhower administration for this installation and that they might not have received it had the administration of the Federal Government remained under the control of the Democratic Party.

Now, Mr. Speaker, I think credit should always be given where credit is due; however, where no political influence and no political considerations are involved I do not believe that the people of a State should be led to believe that they are indebted to any particular political party for the location of facilities within the State. The location of the Green Bank facility was decided upon on the basis of purely nonpolitical factors.

With reference to the decision to locate the National Radio Astronomy facility at Green Bank, W. Va., I wish to insert in the RECORD a letter addressed to me on July 9, 1958, by Mr. James M. Mitchell, Associate Director, Management and Public Affairs, National Science Foundation, Washington, D. C. Mr. Mitchell's letter is as follows:

NATIONAL SCIENCE FOUNDATION,
Washington, D. C., July 9, 1958.

The Honorable ROBERT C. BYRD,
House of Representatives,
Washington, D. C.

MY DEAR MR. BYRD: This is in reply to a request from your office for information about the selection of the site of the National Radio Astronomy Observatory in Green Bank, W. Va. The following information was taken from a publication entitled "Plan for a Radio Astronomy Observatory," prepared for the National Science Foundation. This publication is dated August 1956, and was prepared by Associated Universities, Inc. (AUI). The member universities of AUI are: Columbia, Cornell, Harvard, Johns Hopkins, Massachusetts Institute of Technology, Pennsylvania, Princeton, Rochester, and Yale. The president is Dr. Lloyd V. Berkner.

The basic specifications for the site for the Radio Astronomy Observatory were derived from a series of studies and discussions among scientists and engineers who are members of or associated with the steering committee of AUI. The specifications included rather detailed statements on radio noise, the general geographical location from the standpoint of research in astronomy, the amount of snow and ice that would create loads on the radio telescopes, the presence or absence of strong winds that might cause the development of dangerous vibrations in large structural units, the amount of humidity, the amount of land necessary for the telescopes and arrays, and the general surroundings which should provide as many as possible of the attributes of a university campus.

In the spring of 1955, an ad hoc panel was formed by AUI to assist in the search for possible sites. Including the panel members, those who actively participated in all or part of the search were:

H. L. Alden, University of Virginia; J. E. Campbell, et al, Tennessee Valley Authority; C. E. Cutts, National Science Foundation; E. R. Dyer, University of Virginia; R. M. Emberson, Associated Universities, Inc.; H. I. Ewen, Harvard College Observatory; F. T. Haddock, Naval Research Laboratory; J. P. Hagen, Naval Research Laboratory; Wm. Hardiman, State geologist, Tennessee; R. A. Laurence, geological survey, Knoxville; Wm. McGill, State geologist, Virginia; W. A. Nelson, University of Virginia; P. H. Price, State geologist, West Virginia; C. K. Seyfert, Vanderbilt University; P. van de Kamp, National Science Foundation.

The astronomers of this panel enlisted the assistance of associates who had personal knowledge of the region under search, among whom were the State geologists of Virginia, Tennessee, and West Virginia.

The initial search, based on a study of geological survey maps and on personal knowledge of promising areas, soon discovered a total of 20 possibilities. After the list had been narrowed substantially, all the panel members who could make the trip inspected six sites by car. The sites were rated on a number of points and final ratings developed. By December 1955, the survey had collected a great deal of information about the five most promising sites. The following is a direct quote from the AUI report mentioned in paragraph one:

"Site 18, Green Bank, is a triangular-shaped valley, about 4 miles across at the southern base and extending about 3 miles northward. Deer Creek Valley on the west side is some 50 feet below the average elevation of about 2,700 feet. Mountains of 4,000 or more feet rise in multiple folds in all directions. The site would be easy to develop for all parts of the facility, including the

installations of arrays. There are about 125 houses, stores, churches, and other buildings in the valley, so the level of internal activity is relatively low. On the basis of the radio noise measurements, Green Bank is clearly the first preference; it is first on the basis of the population studies, and the population has been decreasing in recent years; it is first on the basis of the location of nearby towns and cities, and first or second on the basis of airport activities. Although Green Bank offers a good school, churches, and two stores, Marlington 30 miles to the south, or Elkins 50 miles by car to the north, would provide for most staff requirements. Elkins offers both air and rail transportation; Davis-Elkins College is located there. The University of West Virginia at Morgantown, is approximately 100 miles distant."

The Steering Committee of AUI met in the Board Room of the National Science Foundation on Tuesday, December 13, 1955, and after discussion the committee voted unanimously for the selection of Green Bank as the site for the observatory. This recommendation was subsequently approved by the National Science Board.

I hope this is the information you require. We shall be glad to supply any further details upon request.

Sincerely yours,

JAMES M. MITCHELL,
Associate Director.

Mr. Speaker, I also wish to include for the RECORD excerpts from a statement of Mr. Allen T. Waterman, Director, National Science Foundation, before the Independent Offices Subcommittee of the House Appropriations Committee on July 14, 1958. They are as follows:

The original concept of the National Radio Astronomy Observatory now located at Green Bank grew out of two conferences held in 1954. The first was held in Washington in January 1954 under the sponsorship of the National Science Foundation, the Carnegie Institution of Washington, and the California Institute of Technology to examine into the state of research in astronomy in the United States, the scientific problems to be considered, and the need for large-scale radio telescopes. The conference brought out the need for large antennas if significant research is to be carried out in radio astronomy.

As the result of this conference, Associated Universities, Inc., was requested by a group of scientists from Harvard, Massachusetts Institute of Technology, and the Naval Research Laboratory to act on their behalf in exploring with the National Science Foundation the feasibility of a radio astronomy facility that would be available to scientists throughout the country.

These developments formed the basis for a second conference held in New York in May 1954 and which in turn led to a study undertaken by AUI with two primary objectives: (1) studies of the design and limiting characteristics of large steerable radio telescopes; and (2) a search for and selection of a suitable site for an observatory together with the preparation of a possible plan for its development.

The basic specifications for the site were developed from a series of studies and discussions among the participating scientists and engineers. The specification of paramount importance was of course freedom from radio noise and electrical interference. The fundamental sensitivities to which radio telescopes can operate on any frequency are directly proportional to the ratio of the desired signal to external noise. Therefore, the usefulness of the site is inversely proportional to the interference noise.

The necessary conditions to avoid such noise include the following:

1. Isolation from inhabitants whose work would generate electrical interference and from high tension power lines.

2. The site should be at least 50 miles distant from any city or other concentration of people or industries, and should be separated from more distant concentrations by mountain ranges.

3. The site should not be near commercial air routes, nor in a region where commerce or industry are likely to intrude or grow in the future.

4. The site should be in a valley surrounded by high ranges of mountains on all sides, if possible, to reduce diffraction of tropospheric propagation into the valley.

In addition, the site needed to be located sufficiently far south to permit observation of the milky way while still permitting research involving the aurorae, ionospheric scintillation, and polar blackouts. The site also required a climate without excessive snow and ice, freedom from high winds, and of reasonable mildness and low humidity.

Finally, the site should be located in an area most readily accessible to the majority of astronomers.

Consequently, the criteria established by the search requirements of the telescope materially reduced the geographic possibilities for the site.

The physical requirements of the site are twofold: First, the total acreage must be large enough so that a number of independent research projects can be under way concurrently without interference; secondly, that the site include large, relatively flat areas suitable for the installation of arrays required for observations at long wavelengths.

In the spring of 1955, an ad hoc panel was formed to assist in the search for possible sites. The membership was composed of representatives from the University of Virginia, the Tennessee Valley Authority, the National Science Foundation, Associated Universities Incorporated, Harvard University, the Naval Research Laboratory, Vanderbilt University, the Geological Survey, and the State Geologists of Tennessee, Virginia, and West Virginia.

In addition to the site survey carried on by the ad hoc panel, independent surveys were made by the United States Forest Service and the Geological Survey to make certain that all possible sites were considered and to determine whether any land already owned by the Government might be suitable.

In all a total of 30 possible sites in 5 States were considered. Radio noise measurements were made by an independent firm to determine comparative noise level data at the sites.

By the end of 1955 the site possibilities had been narrowed to 5 that seemed to be the most promising. Inspection trips were made to these sites during December and the Steering Committee unanimously voted to recommend Green Bank, W. Va., to the Foundation as the best possible site for the establishment of a National Radio Astronomy Observatory. The site at Green Bank is almost ideal as indicated by the following rating for the 3 best sites:

	Green-Bank, W. Va.	Deer-field, Va.	Massa-nutten, Va.
Radio noise measurements	1	2	3
Population studies	1	2	3
Airport activities	1-2	1-2	3
Mountain shielding	1	2	3

In August 1956, a report, Plan for a Radio Astronomy Observatory, was submitted to the Foundation by Associated Universities, Inc., which included the results of the site survey which I have outlined, studies of telescope designs, and a plan for the establishment and operation of a National Radio Astronomy Observatory. Four million dollars was appropriated for construction of the Observatory in fiscal year 1957, and on November 17, 1956, the National Science Foundation entered into a contract with Associated Universities, Inc., for the construction and operation of the National Radio Astronomy Observatory.

As soon as the contract was signed, arrangements were made with the Corps of Army Engineers to acquire the land for the site. The site consists of approximately 2,700 acres, almost all of which has been acquired. Ceremonies marking the beginning of construction of this facility were held on October 17, 1957.

Mr. Speaker, the foregoing letter and statement reveal that the location of the Green Bank National Radio Astronomy Observatory was selected upon the basis of scientific criteria and not upon the basis of any political considerations. Politics in no way entered into or influenced the location of the facility.

Now, Mr. Speaker, I also wish to speak briefly about the location of the naval installation at Sugar Grove, W. Va. It should be emphasized that the decision to locate this naval installation in West Virginia was made before the year 1957. I desire to insert at this point in the RECORD a colloquy which took place on the floor of this House in 1956. The colloquy is to be found in the CONGRESSIONAL RECORD, volume 102, part 5, page 6233. Remember that this discussion occurred during a debate on the military installations authorization bill and that, in point of time, this was before the November 1956 elections. The following colloquy will illustrate the point I want to make:

Mr. VINSON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, I feel that I would be remiss in my duty as a citizen of the State of West Virginia and as one of the State's Representatives in the Congress of the United States, if I failed at this time to register a vigorous protest against the pending legislation. I speak not only for myself but I speak the sentiments of the entire West Virginia delegation.

Some 2 years ago when we were considering a military construction bill, I had projects proposed for West Virginia. I was told at that time if I did not press those projects there would be something included in the next proposal. I find, Mr. Chairman, considering this particular bill H. R. 9893, and the committee report accompanying it, that once more West Virginia is being treated not only as a stepchild, as I said 2 years ago, but now we are down to the category of a fosterchild and soon we will be just a ward of the Government.

Mr. BYRD. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from the Sixth District of West Virginia.

Mr. BYRD. Mr. Chairman, I wish to compliment my colleague, the gentleman who represents the Third District of West Virginia, on his forthright and timely remarks. He has been trying for a long time to have recognition given toward West Virginia as a State which has many advantages to offer in regard to certain types of military installations. I, too, have been disturbed and concerned at not finding anything listed in this bill for West Virginia. My State, of all the 48 States, is the 1 State that has apparently been omitted, and I know that this cannot be a matter of oversight. The citi-

zens of my State have made their share of the contributions to our national welfare in time of peace, and they have made their share of the sacrifices in time of war. They rightfully expect to receive a just proportion of the appropriations for military installations, but they have been disapointed. It is common knowledge that the economy of West Virginia has been seriously impaired by the closing down of coal mines throughout the past 3 or 4 years. Inasmuch as we have heard it said that a chain is only as strong as its weakest link, is it not important to the economy of the body politic that every segment of that economy be healthy and stable? It is not important to the economy of the whole Nation that the economy of a single State like West Virginia be lifted out of the doldrums? I should think that this would be imperative, not only from the standpoint of the economic welfare of the country but also from the standpoint of our country's defense. I, therefore, add my protest to that of my distinguished colleague, and I hope that our protests will be heard by those whose responsibility it is to give consideration to the location of military installations, and consideration to the authorization of expenditures for military projects. West Virginians do not ask for mercy. We only ask to be given justice.

Mr. BAILEY. I thank the gentleman.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. BAILEY. I yield to the gentleman from Georgia.

Mr. VINSON. May I state to the Committee, to the distinguished gentleman from West Virginia, and to the country at large, that there is an item in this bill for West Virginia. It is a classified item, it is one of the most classified in all of the classified items referred to in the bill, and it involves immediately an expenditure of about $1,500,000, and will ultimately cost $20 million. I cannot discuss any more about it. West Virginia has not a single military installation in it until this bill becomes law.

Mr. Speaker, Congressman VINSON, Chairman of the House Committee on Armed Services, stated on April 12, 1956, in reply to statements by Congressman BAILEY and me, that the classified item, later revealed to be the naval installation at Sugar Grove, was an item to be located in West Virginia.

Again, I wish to emphasize that this decision to locate the naval installation in West Virginia was made before the November 1956 elections.

INTEGRATION OF PUBLIC SCHOOLS IN THE SOUTH

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Georgia [Mr. FORRESTER] is recognized for 30 minutes.

Mr. FORRESTER. Mr. Speaker, according to the newspapers of yesterday, our President warned the South that he would not tolerate any violence in the integration of public schools. In other words, any reasonable person would interpret that warning to mean that he stands ready to invade the South with force and arms.

Inasmuch as I know of no violence in the South at this time, that outburst can only be explained as being the result of an enthusiastic desire to threaten my section of the country. I observe here, however, that the South seems to be the only section in this world that the President sees fit to taunt or to challenge. A short time ago, Cuban rebels held as prisoners and hostages many of our American boys; a short time ago East Germany held in captivity some of our American fliers; Red China still holds American boys as prisoners. It is a little strange, but the President has never seen fit to threaten any of them with our military forces. Only the South does he threaten to visit with guns and bayonets.

As far as Georgia is concerned, the President need not anticipate any violence whatsoever concerning the integration of public schools. We do not intend to violate any edict of the legislating Supreme Court, although every honest lawyer knows the ruling to be complete usurpation of authority. If necessary, we will abolish the public school system. We will do that—and will continue to educate our children. Merely going to a school is of no importance. The privilege of going to a school where the teachers are loyal citizens, believing in the Constitution, a republican form of government, and Christianity is of transcending importance. That kind we will provide. We do not want and we do not intend to have any public schools that the President stands guard over with troops, or any that teach communism is only a political theory, or any that teach one-world government. We have educated our citizens before without Federal intervention or aid. We will do it again.

It is a little strange to a person who loves America to take note of the fact that the CONGRESSIONAL RECORD of August 18, 1958, page 18233, shows that the President nominated Maxwell M. Rabb of Massachusetts as a representative of the United States of America to the 10th Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization. This is the same Max Rabb who was a member of the President's cabinet and adviser on minority group affairs and who did more than any living man toward urging that troops be sent to Little Rock. He is the same Max Rabb who was formerly the head of the Anti-Defamation League of B'nai B'rith, an organization committed to the mongrelization of the races. The United Nations Educational, Scientific, and Cultural Organization is the same crowd now enthusiastically spending American taxpayers' money to prove that there are no differences in the races. It is the same group that advocated the abolishing of labeling of blood of the various races and insisted that the Red Cross put all of the various blood into the same bottle. This is the same Max Rabb, then in the President's cabinet, who well knew—many days before troops were sent into Little Rock—that the Little Rock police apprehended a man in civilian clothes at the Central High School area who, in truth and in fact, was Maj. Gen. Edwin A. Walker, later the commander of the 101st Airborne in the famous battle of Little Rock. I hold in my files a letter dated June 3, 1958, written by J. E. Bastion, Jr., Brigadier General, G. S., Deputy Chief of Legislative Liaison, stating that the Secretary of the Army had asked him to reply to my inquiry concerning the presence of General Walker in Little Rock at the time noted in my letter to the Secretary dated April 30, 1958. That letter, in the fourth paragraph thereof, admitted that, prior to the President's order calling out the troops, General Walker, dressed in civilian clothes, was stopped near Central High School. That was far more of an admission than I had ever hoped to get. I here and now charge that General Walker had no business whatever around Central High School, and that certainly his actions must have been peculiar enough to excite the interest of the police authorities. It is the same Max Rabb who knew that Lee Torch and his wife—both alleged Communists who refused to answer questions before a Congressional committee concerning their Communist activities—were in Little Rock and were the ones assisting in bringing the Negro children into the schoolrooms.

On August 20, 1958, I heard unchallenged statements made on the floor of the House to the effect that the OWI had been the most infiltrated agency in our Government and that this agency had spent millions of taxpayers' dollars to penetrate the Iron Curtain with the Voice of America—that this agency was telling us they were penetrating the Curtain and that what they said was completely untrue. This has not excited our President. It would appear to any Georgian that the President would be more concerned with Communists in government and would hasten to discover if treason was being committed by persons in Government agencies. Sad to relate, he evidences no concern.

During the present session, the House Judiciary Committee brought to the floor of this House many pieces of legislation designed to correct spurious decisions of an outrageous Supreme Court, and the House passed all of that legislation. To the credit of the House, it passed legislation permitting the Government to discharge the disloyal from Government positions. Virtually all of this legislation languishes over on the Senate side and adjournment will probably carry all of this legislation down the drain. The President could assist in passing that legislation. He could insist that Congress not adjourn until that legislation is written upon the statute books of this country.

It is ironic, indeed, that the President finds only the South the section that he chooses to chastise.

The views of the President and appointees of the President concerning the domination of our public schools are the reasons why that great Georgian, Congressman PHIL LANDRUM, has courageously led the fight against the regimentation of our schools, and every well wisher for the schools of America and the youth of America should be proud of him.

UNEMPLOYMENT

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, 25 years ago this country was rescued from disaster by an allout effort to create new jobs, improve existing ones, and eliminate conditions which forced one-third of our people to be ill clothed, ill fed, and ill housed.

Today the same picture faces many once again. The Secretary of Labor wrote me a few days ago that in Los Angeles some 35,000 people had lost their jobs in the aircraft industry alone. He went on to say the only hope for these people depends primarily upon general economic recovery, including renewed expansion in such other important industries in the area as machinery, metals, and motor vehicles.

Unfortunately, today, the President and his administration have no plans and exert no effort to cure this growing problem of paramount importance to millions of Americans. We have seen the President threaten the Congress with a veto if it passed a real unemployment compensation bill, a job-creating bill to build community facilities, a housing bill that would have helped many industries, as well as individuals. The President's Secretary of Health, Education, and Welfare forced the Congress by threat of veto to restrict the increase of social security payments to a much lower figure than is needed. This is not to say that a few good measures have not been passed—they have. Indeed, the list is long, but the legislation is not bold enough to meet the challenge of today's unemployment situation.

Today we have automation with us. Fewer people can produce the necessary output of goods, reducing the employment in some industries by as much as one-half.

What we need then is a vigorous full-employment program to create new jobs, reduce the hours of the workweek without reducing workers' purchasing power, expand existing and create new industries resulting from the latest scientific advances. We should overhaul our social-security system. We should demand that the bill passed to help small businesses be administered with vigor, thus creating more new jobs. We should not again let interest rates rise to stifle expanding enterprise.

Frankly, I do not have too much hope that this will be done by an administration so closely allied to big business and big bombers. But the people can indicate their will by the kind of Congress they elect this November. In 1960 they can restore to the White House real leadership, with the knowledge and know-how to keep all the people working all the time and to provide adequate incomes for those who have retired.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BURNS for period from August 22 to 25, inclusive, on account of the death of mother and interment rites.

To Mr. SAYLOR for Friday, August 22, 1958, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MACK of Illinois, for 30 minutes, today.

To Mr. CURTIS of Missouri, for 10 minutes, today.

To Mr. FORRESTER for 30 minutes, today.

Mr. TALLE. Mr. Speaker, I ask unanimous consent that on tomorrow, following the legislative business and other special orders heretofore entered into, I might have permission to address the House for 30 minutes for the purpose of paying tribute to Representative KARL M. LECOMPTE of Iowa, who is retiring from Congress at the end of this session.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FALLON, for 30 minutes, today, and to revise and extend his remarks.

Mr. THOMPSON of New Jersey, for 15 minutes, tomorrow.

Mr. PATMAN on the last day of the session and to revise and extend his remarks and include extraneous matter.

Mr. BYRD, for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BLATNIK.

Mr. WALTER.

Mr. ASPINALL.

Mr. EDMONDSON in two instances, in each to include extraneous matter.

Mr. FALLON.

Mr. AUCHINCLOSS.

Mr. MCGOVERN in two instances, and to include extraneous matter.

Mr. ROGERS of Florida.

Mr. CELLER.

Mr. KEAN.

Mr. KEATING.

Mr. ROGERS of Texas.

Mrs. KEE and to include extraneous matter.

Mr. SANTANGELO and to include extraneous matter.

Mr. WESTLAND.

Mr. PILLION.

Mr. DONOHUE and to include extraneous matter.

(At the request of Mr. BALDWIN and to include extraneous matter, the following:)

Mr. FORD.

Mr. COLLIER

Mr. KEARNS.

At the request of Mr. MACK of Illinois, the following Member was granted permission to extend his remarks and to include extraneous matter, as follows:

Mr. ANFUSO.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3287. An act for the relief of Vivian D. Giesey; to the Committee on the Judiciary.

S. 4109. An act for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; to the Committee on the Judiciary.

S. 4113. An act for the relief of Harold Pangelinian; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1493. An act for the relief of Lt. Col. Charles A. Holshouser;

H. R. 2265. An act for the relief of Clifford Oesterlei;

H. R. 2269. An act for the relief of Truck & Axle Manufacturing Co.;

H. R. 4991. An act for the relief of Waldo E. Miller;

H. R. 5497. An act to amend the Watershed Protection and Flood Prevention Act;

H. R. 5584. An act for the relief of Mrs. Maude L. Smith;

H. R. 6238. An act to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory orders;

H. R. 6595. An act for the relief of Markus H. Teitel;

H. R. 7178. An act for the relief of Mr. and Mrs. Joseph D. Metzger.

H. R. 7337. An act for the relief of James McGuire;

H. R. 7374. An act for the relief of Angelo Sardo;

H. R. 7499. An act for the relief of the Cooper Tire & Rubber Co.;

H. R. 7685. An act for the relief of Mrs. Eldrey L. Whaley;

H. R. 8014. An act for the relief of Miss Edith Dorn;

H. R. 8184. An act for the relief of Mr. and Mrs. Robert B. Hall;

H. R. 8735. An act to increase annuities payable to certain annuitants from the District of Columbia teachers' retirement and annuity fund, and for other purposes;

H. R. 9407. An act to provide additional opportunity for certain Government employees to obtain career-conditional and career appointments in the competitive civil service;

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;

H. R. 9822. An act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes;

H. R. 9833. An act to amend section 27 of the Merchant Marine Act of 1920;

H. R. 10587. An act for the relief of Homer G. Preston;

H. R. 10733. An act for the relief of Magnolia Airport, Inc.;

H. R. 10813. An act for the relief of Maj. Anthony R. Parrish;

H. R. 10993. An act for the relief of Kiiko Nemoto;

H. R. 11078. An act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes;

H. R. 11156. An act for the relief of Duncan Moore and his wife, Marjorie Moore;

H. R. 11200. An act for the relief of the estate of L. L. McCandless, deceased;

H. R. 11239. An act for the relief of James F. Moran;

H. R. 11299. An act for the relief of Mrs. Maria Tarsi Priori;

H. R. 12144. An act for the relief of Paul E. Nolan;

H. R. 12154. An act for the relief of Ernest T. Stephens;

H. R. 12365. An act for the relief of the estate of Suck Pil Ra;

H. R. 12632. An act authorizing Gus A. Guerra, his heirs, legal representatives and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.;

H. R. 12655. An act for the relief of S. Jackson & Son, Inc.;

H. R. 12662. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes;

H. R. 12663. An act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, S. Dak., whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes;

H. R. 12867. An act for the relief of Clayton T. Wells;

H. R. 12906. An act for the relief of Anneliese Ottolenghi;

H. R. 13132. An act to amend the District of Columbia Teachers' Salary Act of 1955;

H. R. 13406. An act to amend the District of Columbia Redevelopment Act of 1945, as amended;

H. R. 13437. An act for the relief of Bernard H. English and John E. Hayden;

H. R. 13500. An act to provide for the disposal of federally owned property of the Hanson, Co., and Houma Canals, La., and for other purposes;

H. J. Res. 557. Joint resolution to amend the act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission;

H. J. Res. 630. Joint resolution to authorize the Commissioners of the District of Columbia to use certain real property in the District of Columbia for the proposed Southwest Freeway and for the redevelopment of the southwest area in the District of Columbia;

H. J. Res. 654. Joint resolution requiring the Secretary of Commerce to submit certain recommendations for legislation for the purpose of assisting Congress to determine whether or not to reimburse States for certain highways on the National System of Interstate and Defense Highways; and

H. J. Res. 661. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1258. An act for the relief of M. Sgt. Robert A. Espe;

S. 1801. An act for the relief of Guerdon Plumley;

S. 3195. An act to authorize certain retired personnel of the United States Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries;

S. 3776. An act to extend the time for the collection of tolls to amortize the cost, including reasonable interest and financing cost, of the construction of a bridge across the Missouri River at or near Miami, Mo.;

S. 3966. An act to amend Public Law 85-422;

S. 4169. An act to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization; and

S. 4273. An act to provide for cooperation with the European Atomic Energy Commission.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 7125. An act to make technical changes in the Federal excise tax laws, and for other purposes;

H. R. 13518. An act to incorporate the Blinded Veterans Association; and

H. J. Res. 585. An act authorizing and directing the Secretary of the Interior to conduct studies and render a report on service to Santa Clara, San Benito, Santa Cruz, and Monterey Counties from the Central Valley project, California.

NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H. R. 13247 to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ADJOURNMENT

Mr. MACK of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Friday, August 22, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2254. A letter from the Governor, Canal Zone Government, transmitting a report of claims paid by the Canal Zone Government for the period July 1, 1957, to June 30, 1958, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

2255. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to provide for promotion of economic and social development in the Ryukyu Islands"; to the Committee on Armed Forces.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ASPINALL: Committee on Interior and Insular Affairs. H. R. 12899. A bill to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, and to enter into an agreement with the State of California with respect to the financing, construction, and operation of additional works for joint use with the State of California, and for other purposes; with amendment (Rept. No. 2682). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7035. A bill to amend the Code of Law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes; without amendment (Rept. No. 2683). Referred to the House Calendar.

Mr. SELDEN: Committee on Foreign Affairs. H. R. 13760. A bill to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement; with amendment (Rept. No. 2684). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 10614. A bill to provide for the conveyance of certain real property in the State of Florida to Sumter County, Fla.; with amendment (Rept. No. 2685). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee of conference. H. R. 13450. A bill making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes (Rept. No. 2686). Ordered to be printed.

Mr. MURRAY: Committee of conference. S. 1411. An act to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security (Rept. No. 2687). Ordered to be printed.

Mr. BARDEN: Committee of conference. H. R. 13247. A bill to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes (Rept. No. 2688). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H. R. 13836. A bill to authorize an adjustment in the repayment obligation of the Pine River Irrigation District, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 13837. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Juniper unit of the Yampa-White project as a participating project of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 13838. A bill to provide that certain real property of the United States situated

in the State of Nevada shall be held in trust for members of the Fort McDermitt Paiute and Shoshone Tribe of Indians of the Fort McDermitt Indian Reservation, Nev.; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK:

H. R. 13839. A bill to establish an Assistant Secretary of Health, Education, and Welfare for Water Pollution Control, and for other purposes; to the Committee on Public Works.

By Mr. FOGARTY:

H. R. 13840. A bill to encourage expansion of teaching in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; to the Committee on Education and Labor.

By Mr. HASKELL:

H. R. 13841. A bill to prohibit convicted felons from holding union office or employment; to the Committee on Education and Labor.

By Mr. KEATING:

H. R. 13842. A bill to prohibit eavesdropping under certain circumstances, and for other purposes; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 13843. A bill to authorize the payment of supplemental unemployment compensation to unemployed persons attending industrial training courses; to the Committee on Ways and Means.

H. R. 13844. A bill to direct the Atomic Energy Commission to provide a portable, nuclear power reactor for use at the United States Naval Air Facility, McMurdo Sound, Antarctica, for heating and power generating purposes at that base; to the Joint Committee on Atomic Energy.

By Mr. PORTER:

H. R. 13845. A bill to authorize an Under Secretary of State for Western Hemisphere Affairs; to the Committee on Foreign Affairs.

By Mr. SAUND:

H. R. 13846. A bill to provide for the assessment of costs against the United States in the case entitled "United States Against Fallbrook Public Utility District"; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 13847. A bill to provide for Government loans to enable certain holders of national service life insurance or United States Government life insurance to pay the premiums hereafter accruing thereon; to the Committee on Veterans' Affairs.

H. R. 13848. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H. R. 13849. A bill for the relief of May Hourani; to the Committee on the Judiciary.

By Mr. BLATNIK:

H. R. 13850. A bill for the relief of Blanka Krickovic; to the Committee on the Judiciary.

By Mr. BOLAND:

H. R. 13851. A bill for the relief of Brunetta A. Shaw; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 13852. A bill for the relief of Romeo Magagna; to the Committee on the Judiciary.

By Mr. ROONEY:

H. R. 13853. A bill for the relief of Jean Malandrino; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 13854. A bill for the relief of Ruth Adams, Joseph Adams, and Thomas Herbert; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 13855. A bill for the relief of Anthony Corn; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Regulating Eavesdropping Under Federal Law

EXTENSION OF REMARKS

OF

HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. KEATING. Mr. Speaker, I have today introduced a bill to protect the right of privacy of every citizen against unauthorized invasion. This measure would greatly expand the concept of existing wiretapping laws and represent the first effort by the Federal Government to deal with new techniques which have been developed for snooping into the affairs of the people. At the same time it is designed to provide a procedure under which eavesdropping may be engaged in for legitimate law enforcement purposes. It is my hope that this bill will serve as a basis for shielding the public from unknown interlopers without interfering with the fullest use of scientific methods of crime detection.

The bill is closely modeled after several antieavesdropping laws recently adopted in New York as a result of the pioneering work of a New York State legislative committee. I am not committed to any of the particular provisions of the bill as it is now drawn and I offer it at this time merely as a framework within which the House Committee on the Judiciary may consider the subject. I am sure that many changes will have to be made before definitive legislation is enacted.

Under the terms of the bill, unauthorized eavesdropping would be a Federal criminal offense if it occurs in any area under Federal jurisdiction, or is for the purpose of aiding or abetting or perpetrating any Federal offense, or involves the facilities of interstate commerce. It contains detailed provisions for obtaining court orders for eavesdropping under conditions paralleling those applicable to warrants for searchers and seizures. There are also several provisions in the bill which make it clear that it is not intended to supersede pertinent State laws.

We cannot avoid coming to grips with this subject any longer. Many scandals have come to light in recent years growing out of the use of various eavesdropping devices for illegitimate purposes. The Nation was shocked to discover that existing laws are not even adequate to deal with a former chief investigator for a committee of this body who was caught redhanded in the act of bugging a committee witness.

This insidious practice represents a direct threat to the personal liberties of the people. Unauthorized eavesdropping is a blatant infringement of the right of privacy. We still have a long way to go in working out the best solutions for this problem but the complexities of the task must not deter Congressional action. By introducing the bill at this time, it will be possible for the House Committee on the Judiciary to undertake a comprehensive study during the recess of Congress. This legislation can then be made one of the first orders of business when the new Congress convenes in January.

Congress Moves To Assist Small Business

EXTENSION OF REMARKS

OF

HON. GEORGE S. McGOVERN

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. McGOVERN. Mr Speaker, this has been a significant Congress so far as the welfare of small business is concerned. In at least three significant areas we have passed legislation of definite benefit to small-business interests.

First of all, the Small Business Administration, which was set up in 1953 as a temporary agency has now become a permanent, independent Federal agency. The ceiling on the individual loans which the Small Business Administration may grant has been raised from $250,000 to $350,000. Furthermore, the interest rate has been reduced from 6 percent to 5½ percent.

Secondly the Small Business Administration has been authorized $250 million to furnish long-term equity capital to small business. It has been provided that these funds will not go directly to individual business but to investment concerns that will in turn allocate the long-term capital to small companies. The investment companies must be formed by at least 10 persons and have a minimum capital of $300,000, one-half of which may be secured from the Small Business Administration.

Thirdly, small business was given significant tax relief by the 85th Congress. That tax relief will come in the following forms:

First. Faster tax writeoffs on new equipment in the first year after its purchase.

Second. Extension from 2 to 3 years of the time for which a loss may be be applied against previous income to gain a retroactive tax refund.

Third. Ten years instead of 15 months in which to pay estate taxes on a business held by a few persons.

Fourth. An increase from $60,000 to $100,000 on the amount of earnings that may be retained instead of being distributed without high tax charges.

Mr. Speaker, I think these programs will be of significant assistance to our small business concerns. I hope that we will continue to make additional progress

in the next session of the Congress. As the author of legislation designed to create a permanent standing committee on small business in the House of Representatives, I am most interested in all matters relating to the welfare of this important sector of our economy.

Control of Dutch-Elm Disease

EXTENSION OF REMARKS

OF

HON. GERALD R. FORD, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. FORD. Mr. Speaker, I have been seriously disturbed by the fact that thousands of elm trees in Michigan are threatened with destruction by Dutch-elm disease. In a recent article in the Grand Rapids Herald, the situation was well covered. In the first section of this article entitled "Elm Disease Fanning Out," a staff writer, Robert J. McKenzie said:

A thousand or so elm trees bordering Kent County roads and in county parks will die this summer. Next summer more will die. And the summer after, probably still more.

The predictions come from George W. Mueller, a forester for the Kent County Road Commission, who has seen more and more of the umbrella-like shade trees die each year since Dutch-elm disease, the killer, made its first Kent County appearance 4 years ago.

Threatened are thousands of elms that make Kent's roads and parks scenic and shady, not to mention thousands more on private property. The private trees are out of bounds for the road commission.

Once an elm catches the disease there's no hope, it's done for.

"Maybe in a few weeks," Mueller said. "Maybe in 2 or 3 years at most. And there's only one thing to be done—saw down the tree and burn it."

On July 24 I had the privilege of attending and addressing in Grand Rapids a meeting of township officials from Kent and Ottawa Counties. At that time several supervisors including Mr. Floyd Stevens of Paris Township asked me what the Federal Government is doing on this problem and whether more could be done in the solution of this spreading difficulty. On my return to Washington I looked into the matter and found the following:

Federal and State research workers have studied Dutch-elm disease and its insect associates for the past 25 years. In miscellaneous release 12, February 1957, of the Central States Forest Experiment Station, Forest Service, entitled "Dutch-Elm Disease Control," Russell R. Whitten, entomologist, reports that:

The objective of these investigations was an effective and economical means for preventing or at least reducing the tremendous losses caused by these pests. Methods of control have been developed but there are still many problems which only more research can solve. For example, probably the most effective way to control Dutch elm disease would be to cure elm trees after they became diseased. Thus far research has failed to find such a cure, but indications are that such a treatment may eventually be developed. At the present time, however, the only known way to combat Dutch elm disease is through its insect carriers, an indirect method but one that has proved to be effective.

It is because of these indications that there may be developed an effective way to control the disease by curing the elms after they have become diseased that I address the House today.

At the present time the only sure way to control Dutch elm disease is to control its insect carriers, the Europe elm bark beetle. While there is no cure for elm trees once they become infected with Dutch elm disease, spraying healthy trees with DDT sprays is effective in protecting them against the disease. The DDT gets at the beetles; only burning the tree can get at the fungus that grows in the elms' water-conducting tissues, plugs them, and causes the tree to wilt and die.

The use of DDT has certain disadvantages. It can poison wildlife and special protection must be taken for birds and fish wherever it is used. It may "puddle" under the trees being sprayed, poisoning birds which come to drink.

Spraying a huge elm takes special high-pressure spray equipment and in many cases the trees are inaccessible to this equipment.

I was pleased to learn that the Office of Forest Insect Research of the Forest Service is carrying on further research in an attempt to find a substitute for DDT. The sum of $9,000 appears in its 1959 budget for this purpose and the work will be done in the New England States.

Work is also being done by the Forest Service in cooperation with the Agricultural Research Service in breeding disease resistant elms. This may be a long-term answer to the problem, but it will not save today's trees.

Incidentally, the Christian Buisman Elm and the Chinese Elm have been found to be highly resistant to Dutch elm disease.

The Agricultural Research Service, both at Beltsville, Md., and at Columbus, Ohio, has been engaged in experimentation for a number of years in an effort to get at the fungus in Dutch elm disease and thus cure the tree once it had become diseased. It is in this area that there seems to be the most fertile field for additional work and for which I believe the Congress should supply additional funds.

In the Plant Disease Reporter of May 15, 1958, volume 42, No. 5, is a technical article entitled "Inhibition of Growth of Ceratocycstis Ulmi in Vitro by Residues From Extracts of Soil and of Plants Growing in Soil Treated With Captan or Orthocide 50 W." In this article Drs. Curtis May, John G. Palmer, and Edward Hacskaylo describe their experiments in the use of "Captan" as a systemic fungicide that may control Dutch elm disease. There is evidence that a fungicide may be found which can be distributed around an infected tree, be absorbed through the root system into the trunk, branches, and leaves to destroy the fungus.

It seems to me that it is most important and essential that this research be expanded.

In fiscal 1950 the Agricultural Research Service spent $39,500 on work on Dutch elm disease. In 1955 the amount was $53,600. By fiscal 1958 this had risen to $73,300 and for the current fiscal year $75,600 is budgeted for this work.

While the dollars spent have increased 92 percent since 1950, we all know that costs have also increased so there has been far from a 92-percent expansion in the work since 1950.

I have been assured by administrators and technicians in the Department of Agriculture that additional funds can profitably and effectively be used in further research. More testing can be done; more trees can be utilized, and more labor put into the experiments if the money were available.

To double the amount of Federal money spent annually on this essential research would mean increase of only $75,600.

I hope that the Department will make such a request to the Bureau of the Budget next year. I intend to ask the House Committee on Appropriations to increase research funds in this area by that amount in fiscal year 1960. In the meantime I will contact the Forest Service and the Department of Agriculture urging that any uncommitted emergency funds be made available promptly for an expansion of this essential work.

Dr. Walter Purviance

EXTENSION OF REMARKS

OF

HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. ROGERS of Texas. Mr. Speaker, my remarks today are paradoxically both sad and happy. It is my sad duty to report to this body the passing of one of the great men of my generation. It was with real grief I learned of the death of Dr. Walter Purviance of Pampa, Tex., which is my home town. It is with real joy and satisfaction I recall the beauty of his life and what he has meant to me and my family—both personally and professionally.

Dr. Purviance came to the Panhandle of Texas in the early years of this century from Grant City, Ill., where he practiced several years before his health failed. He bought a drugstore in Pampa which he operated until World War I when he was commissioned in the Army Medical Corps. He served magnificently with a field hospital unit and saw battle at Coblenz and the Rhine. After returning to Pampa after the war he worked in the First National Bank a short time before returning to medical practice, and, along with Dr. Archie Cole and Dr. J. D. Kelley, was instrumental in establishing Pampa's first hospital. Later Dr. Purviance built a fine clinic in Pampa which still bears his name. These facts are mere statistics, however, in the broad visage of this man's life.

The driving purpose in the life of Dr. Purviance was service to his fellow man.

He accomplished this in so many ways, but it was always accomplished to the benefit of the recipient and with the subjection of the donor. All his days on earth were spent, literally, in giving of himself to others. He enjoyed the complete confidence of my children and I know of no greater tribute which can be paid to any man than for him to claim the confidence of a child. His greatest reward in this life was the satisfaction he derived in fulfilling the admonition of the Master, "Love thy neighbor." His reward currently, and for eternity, is, doubtless, in rich portion.

I know that all the Members of this honorable body join me, as well as the great host of persons whose good fortune it was to know Dr. Purviance, in expressing sympathy to Mrs. Purviance, and in satisfaction for the example of his days among us.

National Cultural Center

EXTENSION OF REMARKS

OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. KEARNS. Mr. Speaker, since Congress governs Washington, and does in Washington in a legislative way what other communities do for themselves, it must face its obligation and problem of cultural facilities as well as such matters as roads, public buildings, salaries of police, schoolteachers, and so forth.

At the very least, it should not be a roadblock which prevents the citizens of Washington and throughout the Nation, who may be interested in contributing money for a National Cultural Center, from actually doing so.

New York City expects to raise $75 million from the citizens of this country for the Lincoln Square Center of the Performing Arts. It has indeed raised some $35 million to date.

Proof that the plan incorporated in this legislation is sound is evidenced by the Lincoln Square Center project in New York City, and the National Gallery of Art in Washington, D. C.

This legislation is, in fact, based on the act approved March 24, 1937, establishing the National Gallery of Art.

In addition, the National Cultural Center will charge admission just as any theater or movie house does. Thus it will be self-supporting.

The Federal Government will not be called upon to subsidize the National Cultural Center—just as it is not called upon to subsidize any of the 382 civic and cultural centers in cities and towns of our country from coast to coast.

Another thing. This bill proposes that the Federal Government contribute some land along the Potomac River, and that the District of Columbia government likewise contribute some land now in private ownership. The District government would repay the Federal Government for land bought with Capper-Crampton funds.

It was brought out in the hearing that the same principle is involved here as when the Congress granted land on the Capitol Grounds for the Bell-Tower Memorial to Senator Taft.

The Federal Government gave land for the National Gallery or Art and Andrew Mellon and his associates have given that magnificent building and the priceless art collections. Not a penny of Federal money, not a cent of taxes, went into the construction of the National Gallery of Art.

Furthermore, by an amendment adopted by the Committee on Public Works, there is a termination date of 5 years for the Cultural Center. This provision adds commendable strength to the bill. Twelve years ago when I first came to the Congress I proposed similar legislation, and I have been an ardent supporter of the efforts of others to make a Cultural Center a reality. I think this bill, in its entirety, is one of the most significant and sound which this body has considered. Actually all that is involved is the contribution of the land owned by the Federal Government—land which has no significant buildings on it. Never before have we been able to secure so much for so little.

The Euratom Program

EXTENSION OF REMARKS

OF

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. ASPINALL. Mr. Speaker, in connection with the action taken by the House approving legislation implementing the Euratom program, I would like to say a few words from the point of view of the United States uranium-ore producers. During the public hearings the Joint Committee received helpful testimony from Mr. Jess Larson, president of the Uranium Institute of America, accompanied by Mr. Gordon Weller, executive vice president. Their testimony appears at pages 250–254 of the hearings by the Joint Committee.

The domestic uranium-ore producers, including those in my own district of western Colorado, recognize that their future depends upon an expanding atomic-power program. Because the Euratom program will provide research and development assistance, and should help hasten the day when atomic power will be more widely installed both abroad and here in the United States it constitutes a good step.

However, I hope that the AEC will continue efforts to develop natural uranium reactors in order that our uranium-ore producers will be able to make direct sales to the customer rather than just to the United States Government. All of the uranium in this program so far is enriched uranium, to be sold directly by the United States Government to the Euratom users.

Also, I hope that a vigorous atomic-power-development program will be continued in this country, both by private industry and the Government, in order that atomic power may soon be developed, with resulting benefits both to the United States and the peoples of the Free World.

Interim Report on the Administration of Public Law 85–316

EXTENSION OF REMARKS

OF

HON. FRANCIS E. WALTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to submit an interim report on the administration of the act of September 11, 1957—Public Law 85–316.

Subcommittee No. 1 of the Committee on the Judiciary, in charge of legislation relating to immigration and nationality matters, is exercising continuous scrutiny of administrative operations authorized under the act of September 11, 1957—Public Law 85–316—and is pleased to submit for the information of the Members of the House an informal report on the effect of that law.

Public Law 85–316 is a special immigration statute designed mainly to expedite the admission into the United States of orphaned children adopted by United States citizens as well as to facilitate the entry of highly skilled persons and certain close relatives of United States citizens and aliens lawfully residing in this country.

Public Law 85–316 also contains a provision under which special nonquota immigrant visas allocated, but not used, under the expired Refugee Relief Act of 1953, as amended, have been reallocated to specifically defined classes of aliens. Certain provisions of Public Law 85–316 are designed to remain a part of our permanent immigration statutes, while other provisions of the same law are temporary. Subcommittee No. 1 of the Committee on the Judiciary intends to investigate the advisability of extending some of these temporary provisions, should the continuous study of the administration of the law warrant such extension.

Further, Public Law 85–316 vested in the Attorney General of the United States certain discretionary powers to waive, under prescribed circumstances, specified grounds for exclusion of aliens, mostly in the case where the enforcement of exclusion would tend to create hardship to close relatives of the excluded alien, such relatives being United States citizens or lawfully residing aliens.

For the purpose of efficient and expeditious administration of the statute, the Attorney General of the United States has sought and obtained the concurrence of the Secretary of State in the assignment of officers of the Immigra-

tion and Naturalization Service to certain United States consular offices abroad so that an interrogation of aliens applying for relief under Public Law 85–316 and a determination of their eligibility to benefit from the waivers therein provided could be made without the necessity of forwarding of each case to the central office of the Immigration and Naturalization Service for action.

Subcommittee No. 1 of the Committee on the Judiciary was pleased to note that the Secretary of State has agreed to the assignment of duly authorized immigration officers to the United States consular offices at Frankfort, Germany; Vienna, Austria; Rome, Italy; Naples, Italy; Athens, Greece; Mexico City, Mexico; Havana, Cuba; and Tokyo, Japan. It is understood that the Secretary of State is willing to consider an expansion of this useful program, should the caseload pending before other United States consulate offices warrant such step.

Statistics embracing the period of time from the enactment date of the act of September 11, 1957, until the end of fiscal year 1958—June 30, 1958—indicate that 1,878 orphans adopted by United States citizens have obtained permanent residence in this country under the law.

One thousand and sixty-one of those orphans had been adopted abroad and 110 orphans entered the United States without the benefit of foreign adoption decrees but must be adopted in the appropriate State courts. Seven hundred and seven orphans previously admitted into the United States under the parole provision of the Walter-McCarran Act, have now obtained the adjustment of their immigration status.

Of the total number of orphans who benefited under the law, 86 percent were natives of four countries as follows: Korea, 863; Japan, 348; Greece, 253; and Italy, 146. The 1,878 orphans admitted into the United States were composed of 929 males and 949 females, and the median age of the adopted orphans is 3.4 years, as compared with the statutory limitation of 14 years of age.

The orphans admitted into the United States were distributed throughout the entire continental United States, Hawaii, and the United States possessions. The largest concentration is noted in California, 474; with New York, 165; Texas, 100; and Oregon, 94. About half of the Korean orphans and one-third of the Japanese orphans were adopted in the States of California, Washington, and Oregon, while New York is the principal State of residence of Greek and Italian orphans.

Two sections of Public Law 85–316 were designed to facilitate the entry of immigrants chargeable to the first, second, and third preference portions of the immigration quotas allocated to various countries. That purpose was achieved by converting the preferential quota immigrant cases pending on July 1, 1957, into nonquota status. Under these provisions of Public Law 85–316, the United States labor force has so far gained 2,153 highly skilled immigrants. The principal occupational skills of these aliens, who have now become permanent residents of the United States, are: engineers, 446; physicians and surgeons, 321; tailors, 177; professors and teachers, 160; nurses, 96; chemists, 72; toolmakers and dyemakers, 71; religious workers, 53; and so forth. Italy, China, the Philippines, Turkey, Greece, and Hungary were the principal countries of birth of the skilled immigrants admitted into the United States; 842 of the alien skilled specialists were born in the various countries of Asia.

Under the provisions of Public Law 85–316 affecting close relatives of United States citizens and lawfully residing aliens—second and third preference—2,301 parents of United States citizens and 13,909 spouses and children of permanently residing aliens were admitted into the United States. By far, the greatest number in this category were natives of Italy, 75 percent; while 3 percent were natives of Greece; 2.7 percent natives of Poland; and 2 percent Yugoslavia.

Under the provisions of Public Law 85–316 authorizing the Attorney General to grant waivers of grounds for exclusion in compassionate cases, a total of 377 applications were approved pursuant to sections 5 and 7 of Public Law 85–316, probably eliminating that number of private bills from the Congressional calendars. The principal nationalities represented among the beneficiaries of waivers were Germans, Italians, Mexicans and Japanese, in that order.

Four hundred and ninety-one alien members of the immediate families of United States citizens or lawfully resident aliens were admitted under the waivers of the Attorney General applicable in cases of aliens affected with tuberculosis where the United States Public Health Service has agreed to the granting of a waiver and safeguards were provided in accordance with the requirements of the statute. A report has been submitted to the Committee on the Judiciary on each of the cases where this type of waiver was used.

Section 15 of Public Law 85–316 authorized the issuance of 18,656 special nonquota visas to 3 categories of immigrants: First, German expellees; second, Dutch nationals who are refugees from Indonesia or are closely related to United States citizens, or permanently residing aliens within a defined degree of consanguinity; and third, to refugee-escapees who fled from a Communist or a Communist-dominated country, or from any country within the general area of the Middle East, and who cannot return to such country or to such area because of fear of persecution on account of race, religion, or political opinion.

As of August 15, 1958, 257 immigrant visas were issued to German expellees out of an authorized total of 2,500 such visas; 969 immigrant visas out of an authorized total of 1,600 such visas were issued to Dutch immigrants, and 252 visas were issued to refugee-escapees out of an authorized total of 14,556 visas. An additional 8,497 cases involving refugee-escapees are currently in the processing state. The initial action involving a preliminary approval of applications has been taken by the Department of State and the applicants are now being screened by appropriate agencies for the purpose of establishing their eligibility to receive immigrant visas under the provisions of the Immigration and Nationality Act.

In Defense of TVA

EXTENSION OF REMARKS

OF

HON. LISTER HILL

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Thursday, August 21, 1958

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a most timely, enlightening, and excellent letter written by Hon. ROBERT E. JONES, which was published in today's Washington Post.

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

IN DEFENSE OF TVA

The anti-TVA letter in the Washington Post of August 14 by Richard W. Smith states it is "common knowledge" that the Tennessee River "flows through 7 States and drains 48." Mr. Smith, who is the manager of the deceptively dubbed national resources department of the Chamber of Commerce of the United States, seems more at home with figures of speech than with facts. Mr. Smith's assertions are thoroughly confused, erroneous, and distorted.

He asserts that "navigation benefits to the Nation do not equal the costs." Answer: According to the 1957 Annual TVA Report, the total Federal costs of operating and maintaining the Tennessee River Waterway for the previous year were $3.8 million. Savings to shippers during that year amounted to $16.2 million over those costs and represented a return of over 11½ percent on the depreciated navigation investment of $136,868,693.

Mr. Smith asserts that TVA controls floods by permanently flooding almost as much land as might be flooded by a 500-year frequency flood. Answer: The 1957 annual TVA report estimates that since 1936 TVA dams have averted flood damage at Chattanooga alone of about $120 million plus about $12 million for the lower Ohio and Mississippi Basins. These two amounts alone already equal about 70 percent of the total of $184 million invested in the flood-control features of the TVA system.

Mr. Smith asserts that TVA does not sell only "surplus hydroelectric power." Answer: TVA transmits over 56 percent of its total power to the atomic energy plants at Oak Ridge and Paducah, to the Army Redstone Arsenal which is developing the Jupiter ballistic missiles and to the Air Force wind tunnel center at Tullahoma as well as to the heavy industries of the Tennessee Valley area which are so important to our national defense.

Mr. Smith asserts that TVA sells its power cheap. Answer: Congress directed TVA to make its power available—at the lowest possible rates and in such manner as to encourage increased domestic and rural use of electricity. TVA has done just that, and at the same time has earned a substantial return on the Federal investment.

Mr. Smith asserts that TVA pays no interest on the taxpayers' money invested in

electric plants. Answer: The TVA revenue bill now before Congress would provide that the TVA make annual interest payments to the Treasury on the outstanding appropriation investment in power facilities.

Mr. Smith asserts that TVA pays no Federal taxes and makes only token payments in lieu of State and local taxes. Answer: TVA as a Government agency of course pays no "taxes," but it does pay substantial sums to Federal, State, and local governments. For example, in fiscal 1957, TVA paid $30 million out of power proceeds into the Federal Treasury, and 5 percent of its gross revenues (exclusive of revenues derived from sales to the Federal Government itself), amounting to $4.7 million, to State and local governments.

ROBERT E. JONES,
United States Representative from Alabama.
WASHINGTON.

Senator H. Alexander Smith

EXTENSION OF REMARKS
OF
HON. ROBERT W. KEAN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. KEAN. Mr. Speaker, the Senate of the United States will miss H. ALEXANDER SMITH, for during his 14 years in that body he has served the Nation well. New Jersey not only holds him in deep affection but is proud of his achievements.

Born in New York City, the son of a prominent physician, ALEX SMITH's first ties with New Jersey came when he attended Princeton University. His most charming and devoted wife was a summer resident of Monmouth County, and it was in a church in Monmouth Beach that they were married.

In his early years, Senator SMITH suffered from a severe illness which necessitated his living for several years in Colorado and which resulted in a continued interest by him in the welfare of that State.

Perhaps it was his need for careful living in those early days which has resulted in his present rugged health at the age of 78.

Completely cured he returned East where he practiced law.

During the days after World War I, ALEX SMITH worked closely with Herbert Hoover in his relief work.

In his beloved Princeton where he made his home he was called upon to lecture on international affairs at the University.

His interest in Republican politics led him to be first Republican State treasurer, then chairman of the Republican State committee. With the death of United States Senator Warren Barbour, ALEX SMITH was elected in 1944 to complete his unfinished term; and was reelected by substantial majorities in 1946 and 1952.

His knowledge of education led to his being immediately placed on the Committee on Education and Public Welfare, on which he has since served as chairman and is now ranking Republican member.

His knowledge of foreign affairs was soon recognized by his colleagues and put to use by his election to the Foreign Relations Committee.

Senator SMITH served on the Subcommittee on the Far East where his advice and counsel have been of great help in that troubled area. He took many trips to that part of the world and once had the pleasure of greeting a fighting GI on the battlefields of Korea—his grandson.

Senator SMITH sponsored and was instrumental in having enacted into law legislation for the exchange of foreign students. But in every phase of foreign relations his advice has been sought and listened to.

His close friendship with Secretary of State Dulles always stood him in good stead.

ALEX SMITH's particular characteristics have always been kindness, understanding and tolerance of the views of others—but with an unswerving adherence to what he believed was right. Truly he may be called a Christian gentleman.

Though he is now seeking less arduous duties in future years I am sure that his talents, experience and ability will continue to be used toward our country's welfare.

ALEXANDER SMITH can look back with great satisfaction to his work in the Senate during the past 14 of the most critical years in the life of our Republic.

He has served New Jersey well. He has served our Nation well. I pray that he and his devoted wife may have together many more years of a happy and useful life.

Imports "Under" Program Quota

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. EDMONDSON. Mr. Speaker, for the last 9 consecutive months, crude-oil imports are supposed to be under the quota set by the voluntary imports program. June imports are reported 1,900 barrels a day under the quota of 934,100 barrels a day.

The fact is that crude-oil imports into districts I–IV, the only area in which anything approaching realistic curbs were set, are some 23,000 barrels a day in excess of the quota.

By lumping crude imports for district V along with the districts I–IV it is possible to justify the conclusion that imports are under the quota. But it is generally recognized that the district V quota is far too high, as even the imporing companies are declining to bring in that much oil because of the oversupply there.

And if crude imports are under the quota overall, is that not itself evidence that somebody's quota is too high—not that the program is a success?

Not long ago when crude-oil imports into district V reached such enormous proportions, resulting in the big glut, domestic independents were admonished by the Government administrators for lumping district V in with the districts I–IV crude imports. They were told they were being unfair in refusing to consider only the success of the program in districts I–IV. Now that the shoe is on the other foot, domestic independents are told it is unreasonable of them to measure the success of the program in terms of the districts I–IV quota.

If the program's real success is to be considered, why not include oil products as well as crude. There we see an almost 50 percent increase during the last year. And the ratio of total imports to production has jumped from the 16.6 percent ratio in 1954 to over 24 percent in 1958.

Boating Regulations and the Coast Guard

EXTENSION OF REMARKS
OF
HON. PAUL G. ROGERS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 21, 1958

Mr. ROGERS of Florida. Mr. Speaker, under leave to extend my remarks, I would like to bring to the attention of the Members, views that I have received from a number of my constituents regarding the regulations that have been adopted by the Coast Guard pursuant to Public Law 519 of the 84th Congress—CG–249, 46 CFR 7949–7980—asking that these regulations be suspended.

Public Law 519 was approved May 10, 1956, and authorized by the Coast Guard to provide certain regulations to carry out the purposes of the act. After several revisions, the regulations became effective as of June 1, 1958. Notices were sent out by the Coast Guard suggesting that all boatowners require an inspection. Following this inspection, the Coast Guard wrote letters to the boatowners indicating numerous changes in the boat and addition of equipment to bring the vessel within the requirements of CG–249. I have been advised by some of my constituents that the letters they received listed in some instances more than 40 deficiencies found by the Coast Guard inspector on boats which have proven their seaworthiness by safe and efficient service. Also, in many instances, compliance with the regulations will exceed the sum of $5,000 per boat.

In view of the high taxes and overhead costs, the highly competitive character of the business which is seasonal in many areas, I am advised it is difficult for the boat industry to meet the requirements laid down in the regulations. Furthermore, it has been stated that some of the items required to be installed are not available.

Hearings were held in the Senate on these regulations on March 19, 1958, and the report of that hearing states:

The end result of the undefined and ambiguous regulations might be unjust enforcement, possible disrespect for the law and the administering agency, uncertainty, resent-

ment, and anxiety—none of which aid the cause of safety.

Reading further, on page 58 of the Senate report:

Even the most casual reviewer of the revised CG-249 must admit that many of the regulations are lengthy, confusing, and subject to more than one interpretation.

The members of the industry who have contacted me have asked that we express our concern to the Coast Guard so that these regulations may be postponed in their effective date until October 1, 1958, allowing time for revision in the regulations.

Aid for Small Business

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mrs. KEE. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include copy of my newsletter Keenotes which was released today.

KEENOTES

(By Representative ELIZABETH KEE)

After several years of evading the issue, Congress has finally gotten around to passing urgently needed legislation to aid and assist small business.

Unfortunately, the question of tax relief for the Nation's 4 million small-business firms and a system of making the right kind of capital available had become a political football. Both political parties spoke approvingly of the problems of small business but when it came to facing up to needs of this important segment of our economy, words were louder than deeds.

I am pleased that this year action was taken. Tax relief was voted and a cooperative plan for providing long-term capital was spelled out by law. I am hopeful the program can stem the rising tide of bankruptcy for small business and help the smaller concerns compete on a more even basis with the giant corporations.

On taxes, Congress provided faster tax writeoffs on new equipment the first year after its purchase; extension from 2 to 3 years the period for which a loss may be carried back and applied against previous income to gain a retroactive tax refund; 10 years instead of 15 months in which to pay estate taxes on a business held by a few persons; an increase from $60,000 to $100,000 on the amount of earnings that may be retained, instead of being distributed, without stiff tax charges.

These new tax provisions should be of substantial assistance to small business. The longer period for paying estate taxes, for example, will enable families to retain a business instead of being forced to sell it to raise enough money to pay this particular tax. This change in itself should save many small-business firms each year.

As for credit, the Small Business Administration has been given $250 million in loan authority to furnish long-term equity capital to small business. The funds will not go directly to individual businesses but to investment companies which will funnel long-term capital to small companies unable to obtain the needed financing elsewhere. Small Business Administration requires that these privately owned and organized investment companies put up a substantial share of the money.

In addition, Congress also made the Small Business Administration a permanent agency, raised from $250,000 to $350,000 the ceiling on individual loans by the agency itself and lowered the interest rate from 6 to 5½ percent.

I enthusiastically supported all of these bills, some of which passed in the closing days of the session. Congress should be concerned with small business. Prosperous small businesses give to the national economy a buoyancy and a sound foundation which large concerns cannot provide by themselves. The absorption of small businesses by large concerns is an alarming trend.

What Congress has done is to equalize the competition between large and small businesses. Large corporations have never had any difficulty in obtaining venture capital from banks, usually at preferred rates of interest. Also, tax laws have given the larger companies a break over the small firms.

And the bill is designed for genuinely small business, too. Small business is defined as follows: A wholesaler with annual sales of less than $5 million; a retailer or dealer in services with a volume of less than $1 million; a construction company whose annual receipts for the last 3 years has been less than $5 million; manufacturers with 250 or fewer employees.

Under these rules, tax benefits and credit will go to those firms which Congress intended should have them.

Retirement of Hal Holmes

EXTENSION OF REMARKS

OF

HON. JACK WESTLAND

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. WESTLAND. Mr. Speaker, I regret I was not present when my colleagues from Washington, Mr. PELLY and Mr. TOLLEFSON, made their farewell remarks concerning our colleague, HAL HOLMES, and would like to add mine at this time.

Mr. Speaker, I regret sincerely that HAL HOLMES has decided to relinquish his seat in the Congress. I am sure this regret is shared not only by the other Members of Congress from the State of Washington and his other colleagues in the House of Representatives, but also by the people of the Fourth Congressional District of the State of Washington.

HAL HOLMES has rendered a devoted service to the people of this District for many years and the wisdom which he brought to this body and his devotion to his constituents has been most outstanding. He is a man of many abilities—rancher, cowboy, teacher, football player, and Congressman. His broad character has been of tremendous value in facing the many problems which come before any Congressman.

HAL has been a close, personal friend of mine during my 6 years in Congress and his absence will be a great personal loss to me. My greatest wish is that he and his charming wife, Margaret, will have success and happiness in the days ahead.

The Kennedy-Ives Bill

EXTENSION OF REMARKS

OF

HON. JAMES C. AUCHINCLOSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. AUCHINCLOSS. Mr. Speaker, the Kennedy-Ives bill which recently failed of passage in the House was, of course, a most controversial measure and I wish to present my observations on this matter.

After this bill was passed by the Senate it remained on the Speaker's desk for 40 days before it was referred to the House Committee on Education and Labor for consideration. This delay, naturally, because of the approaching adjournment of Congress, jeopardized the chances of any adequate hearings on the measure, and deliberate consideration by the committee. At the last meeting held by the committee this bill was brought up for discussion and report and the members of the committee making up the majority voted unanimously against it. Later, a bill sponsored by the Republican minority on the committee and which had the approval of the administration, was called for consideration and again the 16 Democrats representing the majority voted against it. It would appear from this unanimous action on the part of the Democrat majority that there was no desire whatever to permit the House to consider any labor legislation.

A few days later for some undisclosed reason, the Democrat leadership decided that the Kennedy-Ives bill should be brought out for consideration on the floor under the suspension of the rules procedure, which does not permit any amendment except by the Member who calls up the legislation, and debate is limited to 40 minutes divided so that each side receives maximum time of 20 minutes apiece. This bill is 48 pages long and under this procedure the Members of the House were asked to vote on this comprehensive and far-reaching legislation which had not had any consideration by the appropriate committee of the House.

In this connection I think the remarks of the majority chairman of the House Committee on Education and Labor are most pertinent and informative. His statement on the floor of the House was as follows:

Mr. Speaker, I come before you today as probably a deposed chairman of a slapped-down committee. I shall try to restrain myself as best I can in what I have to say. I do not wish to offend anyone.

Mr. Speaker, the committee of which I am privileged to be chairman has been a hard-working committee this year. We have turned out much beneficial legislation and we have been busy, and no one can say otherwise. I do not like to see the committee put in the plight that it now is in. Maybe I am a little out of line with the leadership but when it comes to a question of my convictions about things for the good of the country, that takes precedence. I do not wish for this to be a Democrat or a Republican situation. I happen to be a Democrat

and I have been one all my life. I have always believed that good democracy is good sense. And, now where are we?

Here is a bill that was passed by the Senate. Then it came to the House. I think it came to the House somewhere about June 18, 1958. It was referred to my committee on July 28, 1958, at that time we were in the midst of trying to get out the education bill, trying to get out the welfare insurance pension bill, with the announcement concurred in by, certainly, the majority leader, that we were expected to adjourn and get away from here about August 9.

And I am going to say this: Not a single person connected with the leadership of this House requested me to bring the Kennedy-Ives bill out. I think they readily realized the realities of the situation. I have no criticism. To me it was perfectly obvious, and to everyone who was familiar with the situation, that you could not take a piece of legislation that involves as much as this one does, study it, learn something about it, and come out with a sensible conclusion in any period of 4 or 5 or 10 days. It was simply not in the cards and, so far as that is concerned, all of us knew it.

At the time it came up—and I have no criticism for anyone's slowness—the committee was busy as everybody else was busy, so far as that is concerned. What disturbs me and rocks me is that we are called upon on the floor of this House to take a bill that is so vital, that is the most dangerous and the most far-reaching piece of legislation in the field of labor and management that has come to this floor since the Taft-Hartley bill, a bill of 48 pages, we are called upon to understand it and to do the wise thing and to keep faith with America in 40 minutes. I cannot refrain from saying that it is an insult to the House and no compliment to their intelligence to expect them to do this thing.

How are you going to justify passing a bill, including prison sentences and $10,000 fines, with the power vested in one man, to deal with industry, to deal with management, to deal with labor, as he sees fit?

The RECORD does not reveal that anyone challenged the chairman's statement and estimate of the situation.

Because of the inadequate consideration given to this very important measure, together with provisions contained therein which would not be in the interest of the public, the workingman, or management, I was compelled to vote against this legislation and I express the fervent hope that one of the first pieces of business in the new Congress will be the consideration of wholesome, adequate, fair, and comprehensive legislation which will be for the benefit of the workingman, the management, and the general public.

Telephone Excise Tax Should Have Been Repealed

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. COLLIER. Mr. Speaker, I wish to call attention to a very serious omission on the part of this Congress. I refer to our failure to enact my bill, H. R. 12577, which would eliminate the excise tax on telephone and telegraph communications.

Mr. Speaker, this is one of the most unfair taxes ever enacted by the United States Congress. It is a luxury tax, but one imposed on something that is no longer a luxury, but is a necessity in many homes and businesses in America.

Many businessmen cannot continue to operate without the telephone. No housewife, living in a remote area, would be safe without a telephone. To millions of homes the telephone is an essential, a vital part of everyday living.

And yet, this so-called luxury tax is still with us. I think this failure to remove this most unfair, inequitable tax is one of the most serious failures of the 85th Congress. I hope the 86th will show more concern for the people. I hope this next Congress makes this the first order of business.

Ukraine Versus Bolshevik Russia

EXTENSION OF REMARKS

OF

HON. JOHN R. PILLION

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. PILLION. Mr. Speaker, on Sunday, August 17, it was my privilege to address a gathering of Americans of Ukranian descent under the sponsorship of the American Friends of the Anti-Bolshevik Block of Nations.

This group unanimously adopted a resolution condemning the Bolshevik exploitations of the Ukranian people and of the people of the satellite nations.

There is every reason to believe that Soviet Russia would be faced with serious internal disorders and resistance on the part of a large segment of the captive peoples which are now being held under a captive subjugation. My address to these people of Ukranian origin amplifies these thoughts:

Mr. Chairman, distinguished and reverend guests, and my fellow Americans, it is a high privilege to join with you in this manifestation to protest and to condemn communism: Of every shade, in every form, wherever it may exist.

This occasion marks the 25th year since the Soviet Communist Government perpetuated its historic and diabolic mass murder upon the helpless people of the Ukraine. It was in the year 1933 that the Communist Government imposed collectivization upon the Ukrainian farms.

The Bolshevik agents collected and confiscated all the grains, all the livestock and all other food to create an artificial famine. To implement this fiendish plan, the Communist agents carried on a reign of terror to enforce immediate obedience of the peasants to the collective farm system.

This brutal, inhuman campaign caused the deaths of more than 4 million Ukrainian men, women, and children.

Although Stalin was the leader of the Soviet in 1933, the chief executioner, the man who carried out this plan of operation, was the smiling Mr. Khrushchev.

Yes, the same Mr. Khrushchev who talks of "peace" one day, and threatens to "bury us" the next day.

Yes, it is the same Mr. Khrushchev who less than 2 years ago ordered Soviet troops and tanks to murder thousands of defenseless Hungarian children and patriots fighting for their liberation.

Yes, it is the same Bolshevik regime that ordered the massacre of 15,000 Polish officers in the Katyn forest.

Yes, it is the same Mr. Khrushchev who recently asked President Eisenhower to attend a summit conference and then withdrew the demand when Red China applied pressure.

I am sure that we all look back upon these events with a deep sorrow for those who were so brutally murdered. We sympathize with those who must continue to live in the shadow of Communist terror.

We are not gathered here to merely express our sympathy and our sorrow.

We are, each of us, anxious to take any reasonable measure leading toward the liberation of the captive peoples of the Ukraine, Estonia, Latvia, Poland, East Germany, Czechoslovakia, Hungary, Bulgaria and Roumania.

But this is not our basic problem. Our immediate concern is that of survival. How can we block the expansion of Communist power throughout the world. How can we halt the infiltration of Communist ideology in our schools, in our Government and among our people?

Before answering these questions, we must assess and evaluate the strength and the weakness of the Communist system. We must first look around the world. Every nation, every province has its cadres of Communists and their fellow-traveling agents. In Italy, in France, in Indonesia, in Finland, and in many other countries, the Communist Party is strong enough to be on the verge of seizing political control.

They are sufficiently strong in many countries to paralyze and neutralize efforts to aid the United States in any political or military effort.

The Communists Party carries on a campaign of agitation and propaganda by means of newspapers, magazines, radio and libraries, with trained agents in every nation on this earth.

The Communist tyranny, today, controls the manpower and resources of one-third of this world.

It dominates a population of more than 200 million in the Soviet. It exercises control over more than 100 million people in the captive satellite countries of Europe.

The Soviet has a coordinate ally of 600 million people in Red China.

The Soviet has an army that is considerably larger than that of the United States. It is well trained, fully and superbly equipped.

It has a fleet of 500 submarines. This is far more than the combined submarine fleets of the rest of the world.

It has more fighter planes than all other nations combined.

The Soviet has beaten the United States and all other nations in the development of rocket propulsion power.

I cite these facts only for the purpose of showing that we cannot afford to underestimate the military potential of the Communist bloc.

On the other side of the ledger, the United States maintains a most powerful navy.

We continue our superiority in atomic power. The United States maintains a powerful bombing fleet on air bases, which encircle the periphery of the Soviet.

Our total capacity far surpasses that of the Soviet. However, the Soviet is gaining on the United States in the expansion of heavy industry and war potential.

We possess the strength that comes from a free people.

It is generally conceded that the Communist bloc of nations would have a mili-

tary superiority in the event of a war restricted to conventional weapons.

We believe that the United States would have military superiority in the event of a war including the use of atomic power.

This is the reason that the Soviet continues its worldwide agitation campaign to limit further development of atomic power.

What can we as a nation, what can we as individual citizens, do to prevent war, to maintain a just peace, to block further infiltration and expansion of communism?

We must first be able to recognize the menace and the dangers of the Communist military and economic power. Then we should try to spot and recognize the Communist Party line in our schools, in our labor unions, in our Government, so that we do not support their programs designed to create dissension, disunity, and weakness among our people.

We must become as dedicated and determined to preserve our liberties, our way of life as the Communists are to destroy us.

We in the United States have a noble mission. We carry the responsibility of preserving all religions and the morality and the ethics of religion for all mankind.

We have the responsibility of preserving constitutional government and its freedom for all mankind.

If this Nation does not survive, religion, morality and liberty will perish for centuries to come.

We must continue to allocate a large portion of our income to maintain a superiority of military power. However, we should not tolerate wastages in our defense program.

We should eliminate frills and luxuries.

We should curb excessive profits.

We should not lose sight of the fact that the primary purpose of a defense program is to acquire weapons with a maximum firepower and to train men to use them with a maximum efficiency.

We should have an economic policy that will encourage the expansion and growth of our plant capacity and our transportation system.

We must prevent the imminent danger of a runaway inflation due to fiscal irresponsibility.

We should stabilize the purchasing power of the dollar and put a stop to the ever-increasing cost of living.

We must realize that the cost of living cannot be stabilized if we cheapen the dollar by deficits of $15 billion such as anticipated this fiscal year.

We cannot stabilize the cost of living if wages continue to rise faster than the production of the wage earner.

The workingman, the labor union official, the stockholder, the corporation official, all have a social responsibility to limit wages and profits to reasonable limits.

The defense program should not be permitted to become a field day for corporate or labor profiteering.

We should, each of us, be prepared to make our own unselfish sacrifice toward the cause of just peace, if possible, and to the preservation of our freedom at any cost.

There is one aspect of this struggle between communism and the Free World that we, perhaps, have failed to give proper attention and emphasis.

We should not ignore the possibility of capitalizing upon the discontent among the more than 75 nationalities grouped together in the Soviet domination.

This demonstration here today is proof that the Ukrainian people would certainly welcome liberation.

The riots of 1956 in Poznan, Poland; the recent revolution in Hungary; the thousands of Germans fleeing from Communist Germany every month, are positive indications that the Soviet would face serious defections and active resistance among the satellite nations in any crisis.

There are many conflicting interests between the Soviet and Red China. The expanding population of China must seek its agricultural needs and its mineral resources in Siberia, Manchuria, Mongolia and Sinkiang. There will be increasing pressures upon Russia from Red China.

We should exploit these differences wherever we can and encourage Red China to orient her ambitions toward the vast resources of the Soviet.

This meeting today will help to keep alive the hopes of the people within the Soviet orbit. It unites each of us in a noble cause. We can, today, rededicate ourselves to continue to fight for freedom and to fight against the darkness of communism.

We are grateful to the officers of the Ukrainian congress and to the officers and to the membership of the American friends of the anti-Bolshevik block of nations for their continuing efforts toward these objectives.

A Proposed Harbor Facilities Insurance Program

EXTENSION OF REMARKS

OF

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. FALLON. Mr. Speaker, the present demand for marine facilities is forcing local communities to curtail drastically boating and smaller commercial shipping activities in many areas of the country. Public municipalities and private operators of marine facilities are finding it increasingly difficult to finance new installations because of the high cost of new construction large enough to accommodate the new boating public as well as the large number of smaller commercial craft, particularly in our severely depressed fishing industry. This is forcing many communities to propose inadeqaute facilities, resulting in an increasing rate of failure, unsanitary conditions, and loss of value.

A MORTGAGE INSURANCE PROGRAM

Yesterday I introduced a bill, H. R. 13827, which has been referred to the Committee on Banking and Currency, wherein I propose a mortgage insurance program to aid the construction of privately financed and developed marine facilities serving local communities which will be effective in solving this problem. This program would be established similar to FHA mortgage insurance programs on a self-sustaining basis with insurance fees and premiums designed to cover costs and provide reserves for estimated losses and would be under the authority of the Community Facilities Administration. Mortgage amounts would be set at a maximum of 90 percent of CFA's estimate of value of the system. Maximum term and amount of insured mortgage would be at the discretion of the CFA Commissioner. It is contemplated that the program will be designed to provide an overall commitment for a system to serve an area or community with advances to be insured for sections of the system as needed during the development of the area.

CFA would limit its mortgage insurance to the actual facilities so that the mortgage would be secured by an operating business entity and real estate upon which the actual plants are installed. I believe that such a system of mortgage insurance would involve little, if any, additional risk on the part of the agency.

Ownership of such systems would rest in a privately owned corporation so long as the CFA insurance is in force and would be regulated by a State commission or in its absence by arrangements satisfactory to the CFA Commissioner.

The program would cover the construction of new facilities where needed. It would also cover refinancing transactions for the purpose of needed expansion and rehabilitation of existing systems. As such, this program would promote and assist the growth, improvement, and services of harbor facilities for the Nation. It would stimulate the initiation of new systems as well as the growth and integration of existing facilities.

Such a plan for mortgage insurance would help to overcome the problem of a series of small disconnected facilities which are too costly to integrate into a single facility when this becomes necessary in the public interest.

The program would substantially alleviate the present shortage of adequate harbor facilities for our boating, commerical craft and shipping interest. This program is designed to serve not only new marina, but also new docks, warehousing, and shipping facilities.

I would like to emphasize that this is a mortgage-insurance program that is self-sustaining through its mortgage premium feature. The Commissioner is authorized to charge a premium for the insurance authorized by this program, and is also authorized to charge a fee for appraisals on property which is offered for insurance. Thus the operation and administration of this program will not cost the taxpayers of this country any money in appropriations or additional funds. Actually it will provide much needed additional harbor facilities which will bring new revenue to local communities.

A Report to the People

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. ANFUSO. Mr. Speaker, it has become a tradition with me, at the conclusion of each Congress, to report to the people of my District regarding its accomplishments, my efforts in behalf of the constituents, and my views on major legislation.

While this report is rather lengthy, it nevertheless reflects the very extensive activities of the 85th Congress and the amount of work necessary in these times

to be a full-time Congressman. It has always been my aim to represent the interests of all the people. While I am proud to be a Democrat, I never once asked a constituent who sought my help what his political affiliation was. His need was all that concerned me.

The Eighth Congressional District in Brooklyn includes Greenpoint, the Navy Yard area, parts of Bushwick and Williamsburg. It is made up of low-income families, of various religious faiths and national origins, but all good and loyal Americans. I am honored to be their Representative in Congress.

I.—THE INTERNATIONAL SCENE

Humanity's most pressing problem today is world peace. While the world is nominally at peace, there is much tension in many areas which is stirred up by Soviet Russia or its stooges. Furthering the cause of peace and a lessening of international tension have been among my primary aims in Congress, coupled with support for the defense efforts of the Free World. The security of our Nation comes first, hence the American people must never relax their guard for a moment.

Communist aggression and subversion are a constant threat to the security of all free nations, and against this threat the people of the Free World must be adequately protected. In this connection, we must never forget the enslaved people of Poland, Hungary, and other countries behind the Iron Curtain in whose hearts the spark and the spirit of freedom still kindles. For this reason, I successfully supported aid to the Polish people by way of surplus food commodities. The only restriction I imposed was that the people knew who their benefactors were.

During the past year, in addresses on the floor of Congress and before organizations, I have proposed various plans and resolutions dealing with international affairs. Among them were:

First. That the United States should pursue an open foreign policy which will clearly delineate its relations with friendly nations, neutral countries, and the Communist bloc, so that no nation shall ever make a miscalculation as a result of not knowing how we stand on a particular situation.

Second. That the United States should reaffirm its traditional opposition to colonialism and restate its policy for the expansion of freedom throughout the world.

Third. That the United States should call together a world youth convention to promote better relations, education, scientific knowledge, and understanding among the youth of all nations.

Improvement in the relations with the Latin American countries is badly needed. To achieve this, I have recently introduced a resolution to establish a Pan-American Parliamentary Association, to be made up of parliamentary representatives of all countries of the Western Hemisphere, which is to seek better understanding among the peoples of the hemisphere, expand educational and scientific programs, develop closer cultural and trade relations, encourage tourism, help raise the standard of living, and so forth. This proposal has already been approved by the State Department, by leaders of Congress, and many Latin American leaders. This matter will be vigorously pursued in the coming months.

II.—THE ECONOMIC SITUATION

Among the measures I supported to combat the economic recession are: speeding up the work on the 41,000-mile superhighway construction program; an emergency $1.8 billion housing program to provide badly needed housing in urban areas; an additional 13 weeks of unemployment compensation for those who have exhausted their benefits; extension of loans and grants for redevelopment aid for areas having large unemployment; loans and other assistance to the railroad industry where there were huge layoffs of workers; increased the lending authority of the Small Business Administration and reduced the interest rates on loans to small business.

There were some other less important measures, but I felt that more should have been done to alleviate the situation. Additonal steps I advocated were: a huge public works program, including a large hospital construction program; more low-income public housing projects; reduction of taxes by increasing the tax exemption from $600 to $800 for all taxpayers and their dependents; full employment planning to eliminate unemployment; tax relief for small-business men to enable them to stay in business; a special tax deduction to parents for expenses up to $1,000 for college tuition for their children.

III.—SOCIAL SECURITY

Help to the aged is today a major national problem. There are nearly 12 million elderly and retired citizens now drawing monthly social security payments, and before very long their number will reach 15 million. Many others in this age group would prefer to retire, but they cannot afford to do so because the benefits are insufficient to cover their needs. Incidentally, one of my major arguments in favor of larger social security payments is that by encouraging those over 65 who are still working to retire it would make possible for younger people to fill their jobs and help to eliminate unemployment.

Although I was pleased to see Congress grant a 7 percent increase in social security payments, it is far from enough. This is evidenced by the fact that about 1½ million persons who could qualify for retirement prefer to keep on working. At the last moment I tried to increase it at least to 10 percent, arguing that since Congress gave a 10 percent increase in salaries to Federal and postal workers to allow for the increase in the cost of living in recent years it could do no less for our elderly people. I was given the assurance that further increases could be expected next year.

It is my belief that the whole social security system should be overhauled and brought into step with the times and needs of the people. For this reason, I introduced in May 1958 a bill to achieve two major purposes:

First. Reduce the retirement age for men and women to 62, but with full benefits.

Second. Increase the monthly payments by 40 percent for all. This would give our older citizens more purchasing power, it would help the economy, and it would encourage many of them to retire with greater security. This is a goal for which we should all strive.

IV.—THE CONSUMER AND THE COST OF LIVING

Another major problem which is a source of great worry to millions of families is the continued high cost of living. In 1958 it reached an all-time high, and there is no indication of a reduction in the foreseeable future. We have had a most unusual situation: An economic recession on the one hand, and a rising cost of living on the other. The most regrettable part is that the Eisenhower administration refused to take effective measures to stop this raid on the consumer public.

I brought this matter to the attention last year of the Committee on Agriculture, of which I am a member, and urged that a subcommittee be designated to study consumer problems and food cost trends. Subsequently, a Consumers Study Subcommittee was set up and I was appointed as chairman. This is a watchdog committee to study trends and situations, and to make recommendations. We have held hearings on the high cost of food, on marketing problems, on disposal of surplus food abroad by charitable organizations, on food stamp plans for the needy, etc. It is the committee's belief that by the very nature of its hearings it contributed toward holding the line on food prices, so that in recent months the cost of living has risen only a fraction.

Our subcommittee has also made several important recommendations:

First. To stockpile quantities of food in underground shelters in various areas for civilian survival in the event of war or other emergencies.

Second. Distribution of surplus food commodities to the elderly, the needy, and the undernourished through the use of a food stamp plan, which would improve their diet and raise their level of health.

Third. Modernize marketing facilities for food commodities in the cities to provide more sanitary conditions and to reduce the prices of basic foods because of savings in handling and transportation.

Fourth. Extend the work of our voluntary agencies abroad in distributing surplus foods and winning friends for America.

I favored legislation to authorize $75 million annually for the special school milk program for children to improve their nutrition, also the dairy products program for the Armed Forces, and extension of the Agricultural Trade Development Act—Public Law 480—through which we sell and distribute surplus foods abroad to help underdeveloped and needy areas, such as Poland, Italy, Israel, Ghana, India, and others.

V.—CIVIL RIGHTS

For the first time in over 80 years, since the Civil War, Congress has enacted a civil-rights measure. In the future we must adopt measures to strengthen our civil-rights laws and enforce them.

I had introduced a bill which calls for abolition of the poll tax, outlawing of mob violence, and establishment of a fair employment commission to eliminate discrimination based on race, color, religion, or national origin. These rights must be safeguarded. We cannot permit second-class citizenship in a democratic America. The protection of our civil liberties would also serve as a great weapon in our foreign policy, particularly in Asia and Africa. Incidents such as Little Rock and the bombing of churches and synagogues in the South only damage our prestige abroad and our democracy at home. Such incidents must not be repeated.

VI.—EDUCATION AND YOUTH

One of the most challenging problems facing the Nation is the current school crisis. There is a shortage of classrooms, a shortage of teachers, and our teachers are underpaid. We must provide better educational facilities for our children, especially for the 2½ million children who study in overcrowded schools or attend half-day sessions. Unfortunately, the present administration has not exerted itself too much in obtaining aid to education and the construction of schools. The welfare of our children demands the enactment of such legislation. American children are entitled to an adequate education, not a half-education. School construction has not kept pace with the growing school population, and this problem is growing worse and is affecting our educational standards.

It is very poor policy to economize at the expense of our children and to the detriment of the Nation's security. Soviet achievements in the fields of science and education have demonstrated this false economy to us quite dramatically in the past year. Our shortcomings in education are all too evident.

For this reason, I supported the scholarship bill to expand the opportunities for education to meet a critical national need by aiding needy students through loans and scholarships. I have also introduced several bills which would provide important aid in these fields; a bill to grant a tax deduction to parents for expenses up to $1,000 incurred in connection with the college education of their children, which would help low-income people provide their children with a college education; a bill to establish a United States Science Academy along the lines of West Point and the Naval Academy to train men and women for scientific careers in national defense; a bill to provide assistance to dependent children over 18 to continue their education.

I have also introduced a bill for the establishment of a junior corps of cadets in the Armed Forces for 100,000 youngsters, 14 to 18 years old, who are to enlist with the consent of their parents for 2 years. They would be trained as technicians and mechanics in various fields and later apply this training in civilian trades. It would provide many opportunities for such youngsters and help decrease juvenile delinquency. I also supported the bill to prohibit the manufacture or transportation of switchblade knives as a means of curbing crime and delinquency.

VII.—POSTAL AND FEDERAL EMPLOYEES

The 10 percent pay increase approved this year for postal and Federal employees had my full support. This raise should have been given them sooner to account for the increase in the cost of living in recent years. I continually urged and supported all efforts for a pay raise and on several occasions introduced bills to that effect. Congress acted wisely in approving the raise, plus the retroactive payments.

Another measure which had my strong support was H. R. 607 providing for a 10 percent increase in the annuities of retired Government workers. This too was a well-deserving and long overdue increase for people who are living on a limited income.

Among bills of interest to Government workers which I introduced are: to permit all Government employees to retire on full annuities after completing 30 years of service, regardless of age; to amend the Hatch Act by eliminating certain restrictions on political activities of Federal and State employees; to allow Government workers from 2 to 4 hours off from their duties, without loss of pay or annual leave, in order to vote in national and local elections. In addition, I favor recognition of Government employee unions, health insurance for Federal workers, and establishment of a system of merit promotion.

VIII.—VETERANS LEGISLATION

A number of important measures have been adopted by the 85th Congress to benefit our war veterans, the most significant of which are: Public Law 168 increases the rates of compensation for service-connected disabilities for veterans of all wars; Public Law 209 liberalizes marriage requirements for widows applying for pension or other benefits; Public Law 364 provides direct loans for veterans housing, increases the amount of such loans, and lowers the downpayments for FHA housing; Public Law 462 increases salaries of medical and nursing staffs at VA hospitals; also a law to increase burial allowance for deceased veterans from $150 to $250.

I should also like to see legislation enacted to extend GI educational benefits to World War II and Korean war veterans who were prevented from obtaining or completing such education prior to changes in the law, as well as those now serving in the Armed Forces who should be entitled to these benefits; also my bill H. R. 2385 to provide VA benefits to those who served in the Women's Army Auxiliary Corps. I am strongly opposed to any cuts in benefits to veterans and their dependents.

For my efforts on behalf of veterans, the American Legion of Kings County—Brooklyn—presented its Americanism award to me on June 20, 1958. It reads as follows:

> The American Legion of Kings County Americanism Committee awards this citation to Hon. VICTOR ANFUSO for his outstanding contribution to the work of Americanism activities, for his personal interest, loyal devotion, and general support of Americanism programs, and for his high qualities of honor, courage, leadership, service, and character in the preservation and protection of the fundamental institutions of our Government.

For this honor I am very grateful.

IX.—POLAND AND EASTERN EUROPE

The people of Poland and other Eastern European countries, now occupied by Russia, are undergoing severe suffering, ruthless suppression of their human rights, and genocidal extermination practiced against them by the Communists. These nations, especially Poland, have a long tradition of friendship for the American people. For this reason, I favored the extension of Public Law 480 which made possible the sale of some of our surplus agricultural products to Poland, thereby benefiting the Polish people.

By providing food for the people of Poland we can best encourage them to keep up their struggle for freedom. If hunger spreads, it would only be an invitation to Moscow to take over complete control. We can strengthen Poland by helping her become less dependent on Russia. Under Public Law 480 Poland is able to purchase surplus foods from us for its distressed people. It is important to note that leading Polish organizations in the United States supported this legislation to aid the Polish people, despite the fact that the Polish Government is Communist.

The president of the Polish American Congress, Mr. Charles Rozmarek, wrote to me as follows on June 28, 1957:

> Please accept these words of thanks and appreciation from the Polish American Congress for your heart-stirring address on the floor of the House of Representatives in behalf of giving Poland economic assistance in her difficult transition from Communist bondage to a certain measure of freedom.
>
> Your eulogy of Pulaski and Kosciusko, and your praise of Poland's 1,000-year-long spiritual relationship with Western civilization, will be gratefully remembered by Americans of Polish origin for years to come.

On a number of occasions I introduced bills in Congress to grant legal residence in this country to persons of Polish and other Eastern European origin who succeeded in escaping from their Communist-dominated homelands. Several years ago I introduced such a bill for the former master of the ship *Batory*, Jan Cwiklinski, who left the ship and was subsequently granted asylum in the United States. In June 1958 Congress passed my bill in behalf of six Polish seamen who were given legal residence. The Right Reverend Msgr. Felix F. Burant, president of the Polish American Immigration and Relief Committee of New York, wrote to me on July 2, 1958:

> Referring to our previous correspondence pertaining to your bill H. R. 4969 for the relief of six Polish sailors * * *. We are very happy indeed to be able to congratulate you

for everything you have done for our committee not only in this particular case but also in the past.

In connection with several notable anniversaries, I protested on the floor of Congress against Communist enslavement of Eastern European nations. This was done on May 3, the anniversary of Polish Constitution Day; on June 15, anniversary of Soviet invasion of Lithuania, Latvia, and Estonia in 1940; on January 22, anniversary of the proclamation of the Ukraine Republic in 1918; on March 25, anniversary of establishment of the Byelorussian Republic in 1918; on February 16, anniversary of founding of Lithuanian Republic in 1918. On all these anniversaries I expressed the wish and hope for their early liberation from Communist bondage and our solidarity with these oppressed peoples, including also Hungary, Czechoslovakia, Rumania, and others.

On April 27, 1958, it was my privilege and honor to receive the Liberty award given to me by Governor Averell Harriman of New York on behalf of the nationalities division of the Democratic National Committee for championing the cause of minority and nationality groups. In accepting this award, I stressed that the immigrant and nationality groups could render a unique service in combating Communist propaganda, but we are not utilizing sufficiently their talents and ideas.

X.—ISRAEL AND THE MIDDLE EAST

All of us are deeply concerned over the situation in the Middle East. Peace in this area would serve a four-fold purpose: it would be in the best interests of the United States and the Free World by safeguarding our strategic bases and the flow of oil; it would help keep Russia out of there; it would assure the survival of Israel as a free and independent state; and it would make possible the economic development of the region for the benefit of all nations. Unfortunately, the Middle East does not know peace and is under constant tension.

In recent years I have on several occasions spoken up in behalf of Israel. After the Suez crisis, when the United States was considering sanctions, I protested that it would strangle Israel economically and it would be morally unjustified. I protested against Egypt when it launched a reign of terror against the Jews, and also against Saudi Arabia for its discrimination of American military personnel of the Jewish faith.

As direct aid to Israel, I was among the first to urge the United States to resume economic aid and to lift the ban on tourism to Israel. As a member of the House Agriculture Committee I vigorously fought for approval of the Agricultural Trade Development Act—Public Law 480—under which Israel has purchased from the United States surplus food commodities in the amount of $92.6 million in the last 3 years. This food was sold to Israel, as it is to other countries, at reduced rates and it has helped raise the level of food consumption there and bolster its economy. In the current year Israel's purchases of surplus food under the law will be upward of $40 million.

When the United States landed marines in Lebanon in July, it was my feeling that this was the only course left open to our Government if it wanted to avoid the whole area from falling under Russian control which would have endangered the position and security of the whole Free World. By now it is clear that the Egyptian dictator Nasser is no friend of ours, and never will be. It is too bad that we stopped Britain, France, and Israel in 1956 when they were on the verge of freeing the Suez Canal and routing Nasser. If we felt strong enough to intervene in the Middle East now, we certainly were just as strong 2 years ago. Had we not interfered then, there would have been no Nasser today, no civil war in Lebanon, no coup in Iraq, no threat to Jordan, no danger to Israel's survival, no crisis in the Middle East, and no United States Marines there.

While not a single Arab State has proved to be a strong and dependable ally of the United States, Israel remains a stanch and reliable friend. For this reason, we should give her some of our modern weapons and sign a military pact with her to assure Israel's security and existence and to help stabilize the situation in the Middle East.

XI.—ITALY

The Republic of Italy maintains a very important and strategic position in Europe and the Mediterranean area, and therefore plays a major role in world affairs. Italy is today one of the stanchest friends and allies of the United States, despite the fact that it has the second largest Communist Party next to that of Russia. On the eve of the parliamentary elections in Italy in May 1958, I sent a special appeal to the Italian people urging them to support the Christian Democratic Party and other parties which are for democracy and against communism. This appeal was circulated extensively in the Italian press and other mediums of information. I was very happy to know that the parties standing for democracy emerged victorious and that Amintore Fanfani, leader of the Christian Democratic Party, became the head of the new government.

Prime Minister Fanfani visited the United States at the end of July. He held consultations with top American leaders, including President Eisenhower and Secretary of State Dulles, and addressed both Houses of Congress. I was appointed by Speaker SAM RAYBURN to serve on the honorary committee to escort the Prime Minister into the House Chamber. Under Fanfani's leadership the friendship between Italy and the United States will grow even stronger. I am firmly convinced that in the near future Italy will emerge as one of the big three of the Western World.

I was greatly honored last year when the Government of Italy bestowed upon me an award as commander of the Order of Merit for my efforts in behalf of the Italian people. On July 16, 1957, the House of Representatives officially approved the acceptance of this award.

XII.—MISCELLANEOUS ISSUES

The following are additional issues on which I took a stand in the 85th Congress:

Introduced bills to completely revise the McCarran-Walter Immigration Act to eliminate the national origins quota system and other discriminatory features. Last year Congress approved some minor changes in the law which would allow about 60,000 immigrants to enter the United States as hardship cases and unification of families. This year some 30,000 Hungarian refugees were enabled to adjust their legal status. I supported these measures.

In the field of labor legislation, I supported the bill for disclosure of employee welfare and pension funds of unions and business firms, in order to protect the interests of 80 million workers who benefit from these funds; also the Kennedy-Ives bill which sought to eliminate racketeering and other evil practices. I favored the extension of minimum wage coverage to include all those earning substandard wages.

Other important measures which I supported were: Medical research in cancer, mental health, arthritis, heart disease and others; extension of the Hill-Burton Hospital Construction Act; elimination of water pollution; flood control; Niagara power development for the benefit of consumers in New York State; national defense education bill; omnibus housing bill to provide badly needed housing and eradicate slums; the airport aid bill to improve the Nation's airports during the next 5 years; reorganization of the Defense Department; and statehood for Alaska.

I strongly opposed reductions in the strength of the National Guard; cuts in appropriations affecting the needs of aged people, veterans benefits, health and welfare programs of the Nation; also the Natural Gas Act, which would have increased the cost of gas to city consumers; curtailment of civil rights, and others.

Wherever possible I protested against racial and religious hatred. When my attention was called to a certain film which contained derogatory remarks about Americans of Italian origin, I protested vigorously on the floor of Congress. A similar protest was raised when hate sheets were being sent through the mail to incite racial and religious hatred against Jews, Negroes, and other minority groups. I urged the adoption of legislation to forbid the use of United States mails for such purposes.

Among measures I introduced are: To declare October 12 of each year as a legal holiday throughout the Nation, to be known as Columbus Day—it is observed only in certain States, but is not a national holiday; to designate December 15 of each year as Bill of Rights Day in honor of the first 10 amendments to the United States Constitution establishing the basic freedoms of the American people; to add the name of the explorer Giovanni da Verrazano, who discovered the harbor of New York in 1524, to the Hudson-Champlain celebration in New York in 1959.

I have always been on the alert to help the workers at the Brooklyn Navy Yard, located in my District, by using all possible effort to dissuade the Navy Department from mass layoffs of workers and maintaining a high level of employment.

In spite of the legislative pressure—and this has been one of the most productive Congresses—the personal problems of my constituents were never neglected. Many services were performed for individuals who sought my help in matters dealing with housing needs, servicemen's hardship cases, disability pensions, immigration, obtaining Government publications for students, and the like. These matters were handled courteously and efficiently through my offices in Washington and New York.

CONCLUSION

This is the record of service of your Representative in Congress. Any comments or views either on this record or on matters of public interest are always welcome.

Why I Am a Democrat

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

WHY I AM A DEMOCRAT

(Address by Representative EMANUEL CELLER, of New York, chairman of the Committee on the Judiciary, United States House of Representatives, before the 13th biennial State convention of the Affiliated Young Democrats, Inc., of New York State, Hotel Piccadilly, New York, August 16, 1958)

To discuss with a group of Young Democrats the reasons why I am a Democrat appeals to me as peculiarly appropriate. If any single quality distinguishes our great party from the Republicans, it is that we are the party of the young at heart. Are not the traits of youthfulness—vigor, imagination, generosity, the courage to experiment—exemplified by the New Deal and the Fair Deal, in contrast to the lassitude, caution, indecision and inertia of the present administration?

These differences are not a matter of chronological age. They are of the spirit. When I review the interests which have absorbed me for most of my 36 years in Congress—immigration, civil rights, civil liberties, the control of monopoly, and a self-respecting and peaceable relationship of earned leadership between our own and other peoples—I find that the very issues that concern me today are the issues that interested me in 1922, when I first ran for office as a Democrat.

There is nothing more important than people. This, I believe, is the great truth toward which democracy strives. We Democrats remain young at heart because, as a party, we have always maintained an abiding concern for the aspirations of the American people—for peace, security, and a decent way of life—for the aspirations of all the people, not excluding the alien, nor the worker or the unemployed, nor the schoolchild or the student, nor racial or religious minorities, whatever their origin. Because the needs of the people are real to us, we abhor reference to unemployed workers as "bird dogs" and "kennel dogs," and we have no patience with the Republican trickle down theory under which "What is good for General Motors is good for the United States." Because, as Democrats we tend to trust the people, we have become the one party that the people can trust.

In my many years in Washington, I have served in both Democratic and Republican Congresses, under Democratic administrations, and for the last 6 years, under a Republican administration. Nothing in my entire public life more vividly illustrates the basic difference between the two political parties than what has happened during the past 6 years under the Great Crusade.

As a nation, we are faced with the critical challenge of the 20th century—that of giving enlightened leadership to the Free World against the twofold threat of Communist attrition and nuclear war. To meet this challenge we must be secure in our defense and must invest our dealings with other nations with a meaningful and constructive foreign policy. How has the present administration met this challenge? It has irresponsibly dissipated our defensive strength in a riot of budgeteering and our international good will in an orgy of brinkmanship. Every day our power and prestige fall lower.

In his state of the Union message, the President said: "We have now a broadly based and efficient defensive strength, including a great deterrent power * * * We intend to assure that our vigilance, power, and technical excellence keep abreast of any realistic threat that we may face."

These words sound hollow indeed, in light of the fact that in a few short years our unchallenged military supremacy first shrank, then disappeared, then turned into what all concede is now a perilous inferiority. It can no longer be concealed that during the next 6 years Soviet missile striking power will be many times our own; their defensive strength much greater than our own; our deterrent bomber strength only slightly greater than theirs. For a long time the administration has known of the decline of our power compared with that of the Soviets. To this day it has not told us the facts and it dares not tell us the facts. Because this administration is incapable of action, it is incapable of truth.

The National Defense had been made into a budgetary debating point and sacrificed to a bookkeeper's sense of fitness.

A further suicidal avoidance of reality is found in our foreign policy—or rather lack of it. Our Secretary of State—truly the world's most misguided missile—now regularly marches us to the brink of war, and then calls on the United Nations to bail us out. Our international behavior proves to be neither consistent nor effective—except to dismay our friends and allies and alienate those whom we must win to friendship.

Nasser is a case in point. The Eisenhower-Dulles team promised him vast economic aid; withdrew the promise, then saved him from sure defeat at the hands of Israel—uncompromising ally of the West—and France and Britain. Will we next throw Israel to the wolves in the interest of an Arab unity from which only Nasser can profit, and from which our friends and allies must surely suffer?

We Democrats had a foreign policy—a policy that won and kept us friends among the small nations and at least the respect of our adversaries. Time was when every European metropolis boasted its "Avenue President Wilson" or its "Avenue President Roosevelt' 'in tribute to our friendship and aid. Under the present administration, these are all too often placarded with the slogan "Yankee Go Home." And in Latin America the good-neighbor policy of Hull has given way to the stoning and egging of our official representatives on what were meant as friendly visits.

Many excuses are offered for these catastrophic developments, but no amount of buck-passing or explanation can absolve us of the responsibility to give firm and courageous direction to the course of world history. Surely, it is time for a change.

On the domestic front, indecision and lack of leadership by the absentee landlord of the White House are aggravated by a critical split within his own party. There are Republicans and modern Republicans. A modern Republican thinks his party can win votes by borrowing time-tested Democratic policies—proposing a little added unemployment insurance, a little aid to education, a little liberalization of immigration, a little firmness in dealing with arrant disregard of Federal law. Himself a so-called modern Republican, the President talks the language of liberalism but reposes the execution of his policies in men who disagree with them—traditional Republicans who sabotage and set at naught his avowed liberal aims. Nor does he or his administration fight for his policies when they are jeopardized. The plain truth is that this is an administration of, by, and for big business—and in the old style.

In the old Republican tradition it turns its back on the fact of over five million unemployed. This is the way of Hoover, embellished with smooth new techniques of Madison Avenue to delude us into thinking that all is well. To cope with the highest cost of living of all time the President gently asks labor, then industry, not to overreach.

Under the present administration, big business benefits from such windfalls as the notorious Dixon-Yates giveaway and the $65 million a year increase in long-distance phone rates granted the telephone company by the Federal Communications Commission, without even a hearing, a few months after this administration came into office. Big business violators of the antitrust laws also benefit from soft settlements of their cases by the Department of Justice. Witness, for example, the revelations before our antitrust subcommittee concerning preferential treatment accorded A. T. & T. Meanwhile the small-business man has struggled along under a tax law enacted by a Republican Congress in 1954, and shot through with big business allowances and loopholes. By contrast, the present Democratic Congress will, I am confident, enact before adjournment a tax relief measure specially tailored to the needs of small business.

Business failures, bankruptcies, and home foreclosures continue to rise. Yet this Republican administration which in its first 5 years spent more money than did President Truman in 7 years and 9 months—during which he had to fight the Korean war—displays a thrift bordering on the miserly when it comes to asking funds for such programs as social security, educational incentives, and schools. Apparently the sputnik has taught them nothing. The accountant's neurosis remains dominant—a compulsive insistence on balancing the budget at a low level. Hardly an imaginative approach to the problem of expanding the effective national effort to meet the challenge of our times.

There has been imported into the highest places of our Government the psychology of big business, with a resulting tendency to accept the easy morality of the open expense account. While no administration has been wholly free from the taint of conflict of interest, the present one appears to be setting a record in this respect. Not less than a dozen high-ranking members of the Eisenhower official family, including the Assistant President of the United States, have been caught at such offenses as interceding with agencies in behalf of persons from whom

they had received expensive gifts; accepting extended hospitality from persons with whom they do Government business; ruling in favor of parties from whom they have received cash and property; and seeking or securing valuable Government contracts and favors for themselves, their families and their friends. Yet, although some have resigned, none has been fired. To commemorate this Eisenhower-Nixon double standard of political morality, a plaque should be placed in the White House reading "Sherman Adams slipped here."

The inactivity of the present Department of Justice—its general failure to present to grand juries the many cases of impropriety involving high officials of the present administration which Congressional investigations have brought to light, is most disconcerting. Indeed, there is growing concern that the Department is becoming a political arm instead of an agency dedicated to the fair and impartial administration of justice.

It is essential, for all the reasons I have outlined, to give the Democratic Party a real working majority in Congress in the coming elections. Next, we must lay the groundwork for putting a Democratic administration in Washington 2 years hence. Lest anybody underrate the importance of this task, I remind you that the alternative will likely be RICHARD NIXON—alone reason enough for being a Democrat.

The East Front Matter

EXTENSION OF REMARKS

OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. EDMONDSON. Mr. Speaker, there continues to be misleading information on the subject of the east front extension of the Capitol, and thoughtless people continue to minimize the urgency of the need for the approved restoration plan.

Casual treatment of the facts is not unusual in the Washington Post, but it is hard to understand why some architects cannot face the truth concerning the acute need for this extension plan.

As was repeatedly pointed out when this resolution originally passed both Houses of Congress—and on numerous subsequent occasions—time and weather have wreaked havoc with moldings, ornaments, cornices, banisters, and with the structurally soft sandstone blocks themselves.

Columns have cracked on the east front and cracks have extended even down into the foundations structures. Cracks in the sandstone walls in some cases penetrate the full thickness and are no longer hideable under paint and other superficial coverings. Plaster which has been used so many times in the past for temporary repair is no longer feasible and where it has been used previously it has now rotted to the extent of permitting entrance of insects, small rodents, and so forth.

Not only will this plan save the original design as our Capitol was laid out in the beginning, but it will provide a better, safer, new exterior wall, a full 32 feet east of the present structure. This 32½ feet of additional floor space is gravely needed for expanding legislative activities.

Let me emphasize, too, that this extension would permit the Capitol to remain in appearance exactly as it has these 150 years. The center facade would not be changed in any respect, and this assurance by the Architect of the Capitol and by consulting engineers and architects has brought this project the overwhelming endorsement of expert professional opinion throughout America.

As our colleague, Chairman CANNON, informed the House some weeks ago, this great Capitol building has been changed many times in its history. It was drastically changed immediately following the great fire of 1814; the subsequent increased width of the east portico completely changed the design of the east front; and the 1864 addition of the House and Senate wings may never have been envisioned by the original planners. The center steps of this same controversial east front had already been exchanged for granite steps as early as 1915; and as recently as 1950 the House as well as the Senate Chambers were completely renovated and modernized.

These are only a few examples, Mr. Speaker, of changes for the better which have been made in our beloved Capitol building. Since these alterations prove conclusively that the American people have never hesitated to make changes when a decided improvement would be the result, and since the entire east front is endangered by present decay, and since both great Houses of the Congress urgently need the additional space, I would like without reservation to take my stand in support of this extension. I also offer my congratulations to Speaker RAYBURN for having courageously led the move for this much needed reform in the face of much unfair and unreasonable criticism.

The outrageous criticism directed against our Speaker in this matter is much stronger evidence against the fairness and vision of his critics than it is against the extension plan.

Rather than the censure directed against Speaker RAYBURN by some quarters on this matter, I predict that history will accord to him the gratitude and appreciation of the American people for his foresight and his fortitude in planning and working for the preservation of our great National Capitol building.

Water Pollution Control Legislation

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. BLATNIK. Mr. Speaker, the failure of this Congress to enact legislation to expand the construction grant program under the Federal Water Pollution Control Act is extremely unfortunate.

Two years ago I introduced legislation authorizing a $1 billion, 10-year program of Federal assistance to States and local communities to aid them in the construction of needed sewage-treatment facilities. Facts and figures available to us at that time proved, Mr. Speaker, that in order to clean up the backlog of construction needs in this one area would require the type of Federal assistance I recommended. By the time the bill was enacted the amount was cut in half. Still we considered it a great step forward in the battle against water pollution.

The program as administered by the Public Health Service has proved a great success. As of June 30, 1,038 grants totaling $85,321,862 have been made for projects worth $387,212,811. That is better than a 4 to 1 return on the Federal investment—a truly remarkable situation. Yet we are doing only half the job. We should be spending at the rate of $500 million each year in order to clear up the backlog of construction within the next 10 years. To stimulate and encourage such a rate of local and State expenditures the Federal Government should contribute $100 million a year for the next 10 years as its share of the responsibility for keeping our rivers and streams clean. The current Federal program is getting along on just one leg.

To bolster it, and add the other leg, I introduced this year H. R. 13420 which would add to the present program $50 million each year thus restoring the amount I had originally recommended 2 years ago and which now has been proven by independent surveys and studies to be exactly what was needed. The Committee on Public Works held hearings on the bill and it was favorably reported by a 21 to 7 vote. The testimony on the bill, Mr. Speaker, was overwhelmingly favorable. Seldom have I seen such complete support for a piece of legislation which just 2 years ago was highly controversial. Only the National Association of Manufacturers, the chamber of commerce, and the administration opposed my bill. The administration took the position that since the President has recommended that the program be scrapped entirely next year it could not very well support a bill doubling the program this year.

It was truly gratifying, Mr. Speaker, on the other hand, to hear and see the tremendous support the program has engendered among conservationists, State and local public health officials, municipal and civic groups. Even the President's Advisory Board on Water Pollution Control has endorsed the principle of Federal aid in this field despite the President's published views to the contrary. It just cannot be, Mr. Speaker, that so many people of such solid reputation and experience in this field who support the bill can be wrong while those few who represent mainly big industry polluters can be right.

I hope, Mr. Speaker, that one of the first orders of business of the 86th Congress will be approval of legislation expanding the construction program under Public Law 660 along the lines I proposed this year in my bill H. R.

13420. If we are to adequately cope with the ever-increasing problem of water pollution such action must be taken.

Another matter of great importance in this field is the administrative setup within the Department of Health, Education, and Welfare as regards water-pollution control activities. In the Public Works Committee report on H. R. 9540 in the 84th Congress it was pointed out that "The Committee intends to watch carefully the progress and development of the national water-pollution-control program and particularly the supporting role of the Federal Government. The committee believes that the Department of Health, Education, and Welfare should place a high priority on the objectives of the program authorized by the bill and will diligently carry out its role in this Federal-State cooperative activity by providing a constructive program within an appropriate administrative framework."

Mr. Speaker, the administrative framework within which this program functions is restrictive and detrimental to the overall operation of the pollution-control program. This program, which requires over $60 million a year, and is so vital to the Nation's future growth, is buried so deep in the morass of agency bureaucracy that it is often difficult to find out just where it is.

Consider the maze you must follow, Mr. Speaker, to find those who administer this program. They are in the Water Supply and Water Pollution Control Program Section of the Division of Sanitary Engineering Services of the Bureau of State Services of the Public Health Service of the Department of Health, Education, and Welfare.

Today I have introduced a bill to solve this problem. My bill would establish an Assistant Secretary of Health, Education, and Welfare for Water Pollution Control. It would assign the water pollution control functions of the Public Health Service to a new Office for Water Pollution Control. Mr. Speaker, I firmly believe that it is time that due recognition be given to the water pollution control functions of the Federal establishment responsible for this activity. At the present time the water pollution control functions are conducted by a small sub-office in the Public Health Service, manned, by the way, by some of the hardest working, most intelligent, and sincere public servants I have ever met. Despite their activity the Federal water pollution program is never going to be as effective as it should be until top governmental policy men are giving this problem their day-to-day attention.

After years of urging by national conservation organizations, the Congress in 1956 strengthened the fish and wildlife functions of the Federal Government by establishing within the Department of Interior the office of Assistant Secretary of Fish and Wildlife. My bill would have a similar objective in the field of water pollution control. The bill would also establish a Commissioner for Water Pollution Control which would be comparable with existing Commissioners in the Department of Health, Education, and Welfare in the fields of social security, education, and food and drugs. It is believed that the protection of our water and of public health most certainly is as important as the protection of our fish and wildlife. If this bill is adopted, it will go far toward rehabilitating the waters of this Nation for legitimate uses through a strengthened Federal-State cooperative program.

A Way to Equality for Puerto Ricans

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. SANTANGELO. Mr. Speaker, the failure of Congress to pass the Kennedy-Ives labor bill which protects against corruption of so-called union leaders, while retaining labor's right to regulate their internal affairs, is one of the shortcomings of the 85th Congress. If Congress does not pass a labor bill organized and unorganized labor groups will, as a result, continue to be exploited and to suffer. Many of these groups are exploited because they lack information or because they cannot comprehend or evaluate available information.

An important segment of my Congressional District is populated by Americans of Spanish descent. Many Puerto Ricans are striving to obtain equal opportunity in this great country of ours. I am happy to assist them in obtaining the realization of our American dream, equal opportunity to advance by reason of ability without regard to race, color, religion, or sex.

I have found these people, not only in my community but also in Puerto Rico, to be a very religious people. Four years ago I had the good fortune to visit Puerto Rico. I arrived on Easter Sunday and joined the people in prayer in their beautiful holy church. I saw the people in prayer. I saw them in the piazza or square engaging in their religious festivals. Because of their devotedly religious backgrounds and their practice, our Secretary of State or our President need not request us to grant $200 million or any less sum to fight communism. These people and their Spanish brethren in the Caribbean are natural enemies of the atheistic Communists.

I found the Puerto Ricans to be very hospitable and very friendly. Their homes are open with a welcome sign awaiting the visitor. Upon my visit to the senate and assembly in San Juan the legislators extended a most cordial welcome to a New York State legislator. The charming mayor of San Juan and the tireless governor of Puerto Rico were more than kind. They demonstrated the same characteristics which the poor and rich on that island demonstrate daily.

Let no one underestimate the contribution by Puerto Ricans to our America. Their sons have fought valiantly on the battlefield and they have made their sacrifices. They have earned their citizenship.

Without their help and without their labor hotels, resorts, and industry would find great difficulty to get along. They are a valuable asset to our economy. Like all new peoples to our shores, their lot has been a difficult one. Their inability to speak the English language and the lack of economic opportunities create certain problems. These problems are gradually being solved. Like all peoples who appreciate opportunities which the United States affords, they are advancing on all fronts—in schools, in business, and in politics.

In New York there are an estimated 900,000 Spanish-speaking people, about half the population of Madrid, Spain. Some 700,000 of these are Puerto Rican. Cubans, estimated at 100,000, comprise the second largest group. Of the 725,235 pupils enrolled in elementary and junior high schools in New York last September, 101,671 were Puerto Ricans. Of the 45,000 attending adult-education classes in the evening last March, 11,000 were Puerto Ricans.

A total of 80,563 pupils in New York schools (including high schools) as of last October, were classified as non-English speaking. These ranged from pupils unable to speak any English to those who could speak English well enough for most situations, but still had to make a conscious effort to avoid the forms of some foreign language. School officials said Spanish-speaking pupils were preponderant in the total.

Spanish is spoken in almost all Puerto Rican homes, but over 50 percent of these are reported to be bilingual. There is an average of 5.1 persons per Puerto Rican family. The Puerto Rican population is a young population; about one-third of the Puerto Ricans are under 10 years, over half are under 24 years, and two-thirds are under 35 years. The Puerto Rican labor force is estimated at 260,000. About 50,000 are employed in the garment industry, 25,000 in the restaurant and hotel business, and about 15,000 in the laundry business. About 73 percent of Spanish-speaking families read a Spanish newspaper exclusively and 14 percent read English and Spanish newspapers. Approximately 79 percent of Spanish-speaking families own television sets, and virtually 100 percent own radios. My district boasts of the only Puerto Rican district leader, Tony Mendez, the only assembly candidate, Jose Ramos Lopez, and two judges, Emilio Nunez and Manuel A. Gomez.

I was overjoyed to see that one of the great television systems, WRCA-TV Channel 4, has initiated a program to aid the Spanish-speaking population to learn English or to speak better English. The title of its program, which began on August 11 is "Aquí Se Habla Inglés." This program will create an incentive to viewers to build a greater working English vocabulary and to provide a greater sense of participation. The television company has programed a daily word game whereby the viewer must identify in English a number of household objects shown each morning on the program. When listed correctly, and in the sequence shown, the first letters of each

object will spell out a Spanish word. The viewer submits his list of words, plus the English translation of the key Spanish word, and if correct, will receive a prize. This method of learning English is easy and fun.

If this program proves successful, more Spanish people of the laboring class will be able to speak English. Consequently, they will have the ability to inform themselves as to the facts and to separate the honest labor leaders from the selfish labor baron who pretends to help them in their quest for recognition and continued employment.

I urge my Puerto Rican friends to avail themselves of television, a very effective instrument of education. A mastery of the English language is an effective way to equality for the Puerto Ricans.

A Report on the 85th Congress by Congressman George McGovern

EXTENSION OF REMARKS

OF

HON. GEORGE S. McGOVERN

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. McGOVERN. Mr. Speaker, as we near the end of the 85th Congress, I wish to follow the custom of many of my colleagues in the House of Representatives and report to my constituents on my activities during this first term in Congress. I include at this point a letter to the people of the First Congressional District of South Dakota:

DEAR FRIEND: It is with deep gratitude to you that I complete my first term as your Representative in the United States Congress. To be named by the people for service in the finest parliamentary body in the world is a high privilege. We are reminded of that privilege by the stirring monuments to America's greatness here in the Capital, the Lincoln Memorial, with its spirit of compassion for the people; the Washington Monument, symbolizing the courage of our first President; the Jefferson Memorial, with its protest against "any form of tyranny over the mind of man"; the Tomb of the Unknowns, where those "known but to God" silently challenge us to work harder for a world where young men and their loved ones can live out their lives free from the terror of war.

During the 20 months that I have worked for you in Washington, I have never once turned onto Pennsylvania Avenue en route to my office without thrilling to the majestic Capitol dome that symbolizes freedom and representative government for the American people. I take this opportunity at the end of my first term to thank you for this experience and to give an accounting of my stewardship.

Let me make it clear that this report is not intended as a boastful document—although, like all politicians I will try to claim credit for as many good things as possible. There is no one of the other 434 Members of the House of Representatives, Republicans and Democrats alike, who could not teach me something about the legislative process. I am the first to admit that this first term has been a trial-and-error experience in which I have made my quota of mistakes. Everyone who has ever served in Congress readily agrees that the first term is largely a learning process. It is my hope, however, that the growth and accomplishments will outweigh the shortcomings.

A PRODUCTIVE CONGRESS

One fact is certain—the 85th Congress has been one of the most productive sessions in many years. This Congress passed the first civil-rights code in 82 years, put the reciprocal trade program on a more permanent footing, and admitted Alaska to the Union—the first State to be admitted in nearly half a century. With the launching of the sputnik, Congress moved quickly to establish a National Space Agency and to improve the coordination of atomic development with our allies.

I am pleased that this has not been a Congress marked by partisan, political wrangles. Bipartisanship in the interest of the Nation has been the keynote of both House Speaker RAYBURN and Senate Majority Leader JOHNSON. President Eisenhower told Congress at the beginning of this session that there were three "must" pieces of legislation he wanted passed by Congress: (1) Reorganization of our military defense; (2) extension of reciprocal trade on a more permanent basis; and (3) a sound mutual security program. I was happy to support the President on all three of these programs and am delighted that the Congress met the President's challenge. It has been my constant aim to put the Nation's welfare above partisan or selfish considerations.

TWO BIGGEST FAILURES OF 85TH CONGRESS

The two biggest failures of the 85th Congress were in the vital fields of agriculture and labor reform. I worked long and hard for a truly effective program for the family farmer and for a moderate labor reform bill that would clean out the crooks in the otherwise honest labor-management field. We failed in both of these areas. Congress, discourged by Presidential vetoes of farm price support programs, finally yielded to Secretary Benson and came up with a last-minute bill that is largely worthless. I fear it will have the effect of depressing farm prices and glutting our markets with cheap feed that will in turn depress cattle and hog prices. Several years of bad drought in the Southwest created a livestock shortage that has lifted prices in our part of the country, but as herds are rebuilt and cheap feed floods onto the market, we know from past experience that if the Department of Agriculture has no program, the results are bad.

Now, let's look briefly at the basic legislative areas of the Congress in which your Congressman was most deeply involved.

AGRICULTURE

Agriculture, is of course, the No. 1 industry in South Dakota. The welfare of all of us depends upon the prosperity of the farmer. For that reason, I have concentrated more effort on agricultural problems than any other single field.

1. My first act as a Member of Congress was to introduce a bill calling for an investigation of the price spread between the cost of groceries and the prices received by farmers. That investigation conducted by the Anfuso subcommittee revealed that it is not high farm price supports or high profits for grocers that are at fault. It is the big take of processing, food handling, packaging, and other middlemen operations that account for the rising cost of food at the same time that farm prices have dropped.

2. Early last year during action on the farm bill, I introduced the family farm parity amendment which came within four votes of passing the House. It provided price support protection to the family-size farmer at a reasonable level.

3. This spring, I worked hard for a bill sponsored by myself and a colleague from a metropolitan area which would have offered price protection to the farmer on all commodities up to the level produced by the average family-size farmer. Hearings were held on my bill before the full Agriculture Committee.

4. I am pleased that Congress extended the Wool Act until 1962. The food-stamp plan to utilize farm surpluses in feeding needy Americans was unfortunately defeated. On the brighter side, the Public Law 480 program, which permits the sale of American farm surpluses for foreign currencies has been expanded and extended.

EDUCATION

As a member of the Committee on Education and Labor, I have worked hard for better schools for America. To me, there is no more urgent public responsibility than to give our children the best education that exists anywhere in the world. I do not want to see a ruthless Communist Russia devoting more time and resources to the education of the young than we do in our free way of life. Our future is built upon the minds of the boys and girls in our schools and colleges.

1. The National Defense Education Act passed by the Congress after extensive hearings by our committee, will help give America better schools and colleges without jeopardizing the precious principle of local control of education. I insisted that this bill be broadened beyond aid to science students because I believe that America needs not only good scientists, but good teachers, ministers, farmers, journalists, and other trained people to help us find the best ways of living in peace with our neighbors.

2. I am the author of a new program passed by the Congress which will help us meet the need for trained teachers to work with mentally retarded children. There are a million of these little folks in the United States and most of them can become useful, happy citizens if we can increase the number of specially trained teachers and specially equipped classrooms to teach them.

3. I am the author of a bill passed by this Congress that authorizes the Department of Health, Education, and Welfare to add captions to films that are loaned to schools for the deaf. These films can be loaned to deaf persons in any State and the captions will enable those hard of hearing to follow the movie and profit from its cultural and educational value.

SMALL BUSINESS

The 85th Congress has passed three major provisions benefiting small-business men that make this the best small-business Congress in many years:

(1) The Small Business Administration has been made a permanent agency, its loan ceiling has been raised from $250,000 to $350,000 and interest reduced from 6 to 5½ percent.

(2) Long-term equity capital will now be made available to small business through privately formed investment groups that must comprise 10 or more persons.

(3) Small business has been given substantial tax relief, including faster tax writeoffs on new equipment in the first year after purchase, extension from 2 to 3 years of the period for which a loss may be carried back and applied against previous income to gain retroactive tax refund, 10 years, instead of 15 months in which to pay estate taxes on a business held by a few persons, an increase from $60,000 to $100,000 on the amount of earnings that may be retained instead of distributed without stiff tax charges.

Believing strongly in the importance of our small-business economy, I have worked hard for the above programs. Strong antimonopoly safeguards and other small-business defenses have seemed essential to me. I am the author of a bill which would create a permanent standing committee in the House to study the problems of small busi-

ness. I testified twice before the Rules Committee on this bill.

SOCIAL SECURITY

If there is any group in America that is entitled to the special consideration of our Government, it is those who are too old to work or for other reasons cannot care for their own needs.

Congress increased the social-security benefits by 7 percent to help our older citizens meet in part the rising cost of living. This measure also provided assistance for handicapped persons or those in need under the public-assistance program.

In my testimony before the Ways and Means Committee in support of an improved social-security program, I cited some of the many letters that our office has received from older people in South Dakota who are having difficulty getting even the bare necessities of life on their present payments.

LABOR

Congress passed a major bill requiring full disclosure and accounting of all funds invested by unions or management groups in pension and welfare funds.

On the negative side, the House unfortunately killed a second major labor reform bill which was designed to crack down on some of the hoodlum tactics revealed by the McClellan committee. I helped lead the fight which brought the bill to the House floor for a vote after it was believed to be dead in the Labor Committee. It seems to me that next to our failure to secure a solid farm bill, the House defeat of this moderate labor reform bill was our greatest failure. The bill was not perfect, but, as Senator McClellan said, it was the best we could hope for in this session. I hope that the next Congress will move quickly to put the crooks out of business. They constitute a threat to an otherwise honest American labor movement.

INDIAN LEGISLATION

My bill, H. R. 12670, passed the Congress and will provide compensation to the Crow Creek Sioux Tribe for land and property which they lost in the flooding of the area that comprises the Fort Randall Reservoir. I am also the sponsor of a point 4 for American Indians resolution which provides for educational, vocational, economic, and technical assistance to American Indians similar to those programs that we have made available to many foreign countries.

CONSERVATION AND WILDLIFE

Congressman Henry Reuss, of Wisconsin, and I have been working for legislation that would provide just compensation to farmers who are willing to leave undrained pothole areas and wetlands that are valuable to wildlife. At the present time, farmers are paid for draining wetlands and they may be paid for creating wetlands, but there is no provision to compensate a farmer who would be willing to maintain a wetlands area that already exists on his farm. Legislation sponsored by Representative Reuss and myself is designed to correct this strange situation.

I am also a supporter of the duck stamp bill passed by the 85th Congress which will provide greater revenues for acquisition of game refuge areas. With several of my colleagues, I have joined in sponsoring another good measure, the wilderness preservation bill.

While I have been from the first critical of those who regard the Soil Bank as a substitute for a good price-support program, I have always supported the conservation reserve feature of the program and was pleased to support the continuance of that phase of the program in this Congress.

VETERANS

My efforts in the field of veterans' affairs have been concentrated on stopping arbitrary cuts by the Budget Bureau in essential veterans services that represent the will of Congress. We have been waging a hard fight against proposed cuts in hospital services to veterans that include our hospital program in South Dakota. These administration-ordered cuts were not approved by Congress and represent a clear cut defiance of the intent of the Congress. I have also supported legislation designed to extend equal benefits to veterans, their dependents and survivors of all wars.

RIVER DEVELOPMENT AND REA

I have supported continued appropriations for our Missouri River development program and sought expanded appropriations to begin construction of Big Bend Dam and complete the Oahe irrigation study. Flood-control projects at Sioux Falls and on the Vermillion and James Rivers have been strongly supported by my office. With the junior Senator from South Dakota, I have sponsored legislation to correct bank erosion along the Missouri in the Elk Point area.

It has seemed to me that rural electrification and rural telephone service have been fundamental in the growth of South Dakota during the past two decades. For that reason, I have done my very best to advance the interests of these two groups. Last year, I was instrumental in securing a very substantial reduction in the amount of equity finances required of rural telephone associations. This will save rural telephone users many thousands of dollars and expedite the expansion of rural telephone service.

I was responsible for an amendment to the 1958 rivers and harbors and flood-control bill which has been hailed by REA leaders as a significant step in the defense of our rural-electrification program. This amendment maintains the principle laid down 50 years ago by Theodore Roosevelt, which gives first claim on benefits from a Federal dam to the public through such groups as rural-electric associations and municipalities.

ECONOMY

In view of the fact that 78 percent of our national budget is spent on military matters, it has always seemed to me that any substantial savings in Federal spending would have to come in this area. Since coming to Washington, I have seen considerable evidence of waste, extravagance, and duplication in the military services. On the basis of careful studies of some of the Hoover Commission findings, I introduced last year a bill that would create a central, civilian purchasing agency in the Defense Department to do the purchasing for all the defense forces. I believe that such a program could save many millions of dollars in eliminating duplication and overlapping of purchasing. The President's defense reorganization bill, which I strongly supported, will save us a great deal of money and give us a better Defense Establishment in the process, but I believe that there is much progress still to be made in the field of greater efficiency and economy in our sprawling Defense Establishment at the Pentagon.

WORLD PEACE

The most important work in this or any other Congress is our work for a peaceful world. This Congress very wisely extended the Public Law 480 program. The more we can use our agricultural abundance in a hungry world, the better chance there is of removing some of the breeding grounds of communism and war.

I am strongly in favor of the President's current Middle East plan to stabilize that area with a regional economic development program and a United Nations police force. As one who was given the opportunity to travel for 3 weeks in the Middle East during the Easter recess of the Congress a year ago, I am convinced that it is the world's No. 1 trouble spot. We have not had a firm, constructive policy in that area until now. This Congress has done a great deal to point the way toward a more workable policy for the Middle East. I close this report on the 85th Congress with the prayerful hope that we can continue to use the great power of this Nation on the side of peace in the most effective manner possible.

Again, my warm thanks to you for the privilege of serving you in the Congress. I hope to see you during my travel in South Dakota this fall.

Your friend and Representative in Congress,

George McGovern.

A Report to the People

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 21, 1958

Mr. DONOHUE. Mr. Speaker, at this time I desire to include a summary report of my activities and speeches during this 85th Congress. I understand the Joint Committee on Printing has issued a regulation on "retrenchment in extensions;" I shall do my best to stay within the rule, while complying with the duty I have.

A MORAL OBLIGATION

In my conscientious judgment, the Biblical mandate to "render an account of thy stewardship" imposes upon every responsible public officeholder a moral obligation. Throughout my own public life, I have consistently complied with and fulfilled that obligation.

It is clearly impossible, in the time and space allowed, to record in detail my every word and action. According to the Clerk, over 15,000 measures were introduced in this Congress, and over 800 bills were considered in the House. Obviously, I cannot comment on all of them, but I shall present and reveal my personal stand and action upon some of the more important and more highly publicized legislative issues of 1957–58.

THE DUTY OF DECLARATION

Mr. Speaker, it has ever seemed to me that one of the associate duties of an individual in this high office is to make an advance declaration, prediction, if you will, of what he believes ought to occur in the Congress and list the measures to which the highest priority of action should be given in the national interest. I attempt to carry out this duty through the mediums of the newspapers in my District to whom I customarily give interviews on January 1 of each year.

On these particular days in the past 2 years, I informed my people, as cooperatively recorded, among others, in the columns of the Worcester (Mass.) Telegram and Gazette of my opinion that the main objective of this Congress and the administration should be to seek "success in halting hostilities in the Middle East in cooperation with the United Nations for the preservation of honorable peace and the avoidance of all-out atomic warfare."

As outstanding and high priority of action issues, I listed, among others, prompt immediate initiation of an accelerated missile research and production program; genuine unification of the armed services; the enactment of a civil rights law; a determined effort to substitute loan program for the "giveaway" principle underlying present foreign aid relation; measures to contain and erase the unemployment trend; sensible extension of reciprocal trade, with reasonable safeguards against further economic hardships on home industries; laws to encourage gifted students in the pursuit of scientific study; legislation to provide closer and more protective control over the funds entrusted to labor union leaders by their membership; the granting of tax relief to small businesses; a legislative review, for restriction of inflationary factors creating abnormally high living costs; and a continuing reasonable essential public works program, especially for flood control.

I also predicted that "political bickering for partisan advantage will be kept to a minimum." "The purposeful selectivity of the American voters in choosing a Republican administration with a Democratic House and practically an evenly divided Senate gives evidence of the very strong desire and expectation of our people that these two departments of Government shall work in patriotic cooperation and avoid petty partisanship from either side."

Mr. Speaker, it is a matter not so much of personal, but more of patriotic satisfaction to me that substantial action was taken upon practically all of the legislative objectives I advocated, as outlined above. Also, according to the great majority of independent authorities the wholesome cooperation between the legislative and executive departments of the Government in this Congress has set a record and precedent of bipartisan accomplishment that will stand forever as a highlight of American legislative history.

THE MIDDLE EAST SITUATION

Mr. Speaker, at the outset of this Congress, as mentioned above, I expressed the opinion, on January 1, 1957, that the principal international aim of the executive department and legislative department, together, should be to try to halt hostilities in the Middle East in cooperation with the United Nations. Early in January, the Chief Executive requested the Congress to act on a resolution authorizing the President to undertake economic and military cooperation with nations of the Middle East to strengthen the defense of their independence. On Tuesday, January 29, 1957, this resolution was presented to the House, and there follows an extract from my remarks in support of the resolution:

Mr. DONOHUE. Mr. Chairman, there is no doubt, of course, that the closest and most effective cooperation between this body and the executive department should be promoted in our common patriotic purpose of containing the spread of international communism and particularly in the Middle East area. Any unnecessary display of great difference or serious controversy on this matter between our two departments of Government could very probably be most effectively used by the devilish propaganda machines of the Kremlin.

Inasmuch as the substance of the resolution is an expression of trust and confidence in the Presidential judgment, and to avoid the danger of any vicious Communist distortion of disagreement, I feel that the resolution should be supported, and I earnestly hope the Chief Executive and administration officials will reveal their full justification of it at the earliest opportunity for the understanding of the American people.

Mr. Speaker, within the scope and spirit of this resolution, Public Law 7, of the 85th Congress, the Chief Executive, on July 14, 1958, issued an order for the landing of American troops in Lebanon, and I include here an excerpt from my remarks in the House about this action, on July 15, 1958, urging that the best and wisest place in which to seek a permanent solution of the problems of Lebanon and the whole Middle East was within the United Nations.

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, it may or may not be an unfortunate matter that the President's best wisdom has ordered our troops into Lebanon, but it is useless to argue about that now. Our clear patriotic course now is to go along with the President in a demonstration of unity, while permanent solution of the problem is sought within the United Nations. We can thus, at least, try to prevent any additional triumphs of Soviet propaganda.

We may be certain that the Russians will make the most of our entrance into Lebanon and try to convince the rest of the world that it is an imperialist gesture toward war and not, as it is truly meant to be, an attempt to promote peace.

It is vitally important that we show the world that we will not reject even the germ of an idea or a proposal that could help the cause of peace.

The forum in which that can be accomplished is the United Nations, and I most earnestly hope that the President will insist that any negotiations be conducted within that international organization, originated for that purpose.

Meanwhile, let us pray divine guidance for the President in this historical hour while we remain united behind him.

Mr. Speaker, it is a matter of recent history that the President did present the problem to the United Nations where they are even now debating it while American troops are being withdrawn from Lebanon. Let us pray that, through thorough discussion between the United States, Russia, and all the other members, a peaceful solution of the turmoil in the Middle East will be amicably and cooperatively worked out.

Mr. Speaker, in the remaining time permitted, for the sake of brevity, I shall attempt to reveal in summary an account of my actions and remarks on significant legislative issues, not so much in any chronological order, but more in accord with their essential importance and the prominence they achieved in the minds of our people.

DEFENSE DEPARTMENT REORGANIZATION FOR ESSENTIAL MILITARY UNITY

Mr. Speaker, on May 22, 1958, the Armed Services Committee reported a bill recommending reorganization of the Defense Department to promote unity and efficiency. Within these past few years, nothing has been more disturbing to the Congress, or demoralizing of the people's confidence, than the obvious jealousies and rivalries that existed among the various military services resulting, unfortunately, in dangerous lags in our cold war efforts and staggering extravagances in waste of money and time. The President, himself, recommended remedial action and, in the face of the frightening display of Russian scientific superiority in missile research and development, the need for such action was clearly imperative. A great step forward in the elimination of interservice rivalries and for their closer coordination, especially in the field of missile research, was taken through final passage of this measure on August 6, 1958. The following is an extract from my remarks in the House, July 15, 1958, on this vital subject:

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, in the near future we will be called upon to exercise our responsibility of enacting legislation essentially needed to provide military unity and restrain the unhappy rivalries existing among the separate branches of our armed services.

We can each have sincere and conscientious differences as to the precise legislative provisions to accomplish the desired objective.

It is our clear duty to conscientiously attempt the enactment of a measure that will remove, so far as reasonably possible, the disastrous jealousies that admittedly exist among the services, and that will provide for the centralization of research and development under one director, in order to stop the appalling waste of the taxpayers' money due to the duplication of efforts and absurd competition among the services in this vital field of Russian challenge.

In our exhortations for unity among the armed services, it is encumbent upon us to show an example of unity here, to restore the confidence of the American people in the Congress and in the military forces. Let us resolve our differences and patriotically provide a bill that will do the job.

ANTIRECESSION ACTION

Mr. Speaker, short of the catastrophe of atomic war, there could be no greater calamity affect this Nation, and the Free World, than an economic recession here of major proportion. Beyond the terrible hardships, with which most of us here are well acquainted from our memories of the thirties, that are thereby visited upon American families, a persistent economic decline would furnish suffocating propaganda to the Russians against "American capitalism", and seriously undermine the confidence of the Free World in the destiny of the United States.

Particularly in the later part of 1957, and throughout the early months of 1958, it became obvious that we were experiencing a most serious economic depression, readjustment, decline, or whatever name you choose to call it. The fact was that some 5 million, and more, heads of families were out of work, and the prospects of early reemployment for them were vague and dim. With the consequent reduction in purchasing power, there was immediate adverse

action of retrenchment in commercial sales volume and industrial production. Without the initiation of prompt measures by the Federal Government, it was clear that we were facing the very grave danger of prolonged economic collapse.

In such an emergency it is my conviction that the Federal Government has a real responsibility, through appropriate legislative and executive department programs, first to grant reasonable assistance to distressed American families, and then attempt to stimulate and bolster the overall economic situation through every proper means.

I am happy to say, that although, in my opinion, this Government did not go far enough, a substantial effort was made by the Congress to assist our people and improve the economy, with a certain limited encouragement from the executive department.

A multitude of proposals designed to help the unemployed and spur the economy were introduced in the Congress. Some very worthy and effective ones, such as the Community Facilities Act, and the Omnibus Housing Act, were, unfortunately, defeated, even though a great many Members, including myself, advocated and supported them. Several important bills, including the extension, through State grants, of unemployment benefits for an additional 16 weeks, were adopted and I voted in favor of them.

Extracts of my comments in support of these measures follow:

AREA REDEVELOPMENT ACT

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, we can ill afford another major defeat by the Kremlin, particularly in the field of propaganda against our claim and desire for leadership in the areas of economic development and social justice. Unhappily, most authorities agree we are gravely threatened with such further defeat unless a federally encouraged effective program to alleviate national conditions of substantial unemployment in certain economically depressed areas is promptly initiated.

Over the past decade increasing evidence has developed to convincingly demonstrate that our vaunted boast of having the highest living standards anywhere is in danger of being exploded and exploited as another American capitalistic myth. May Divine Providence, a determined Congress, and a united people, forbid.

It is most unhappily apparent that substantial economic decline is visiting increasing hardship and lowering the living standards in large areas of the country, particularly in New England, along the eastern seaboard, and in certain southern sections. There are varied causes for this catastrophe but principal among them are the migration of industry from New England, technological changes, such as those affecting the coal industry, and the disjointed advantages, through our foreign trade program, given to foreign competitors of multitudinous domestic industries.

All of these causes add up to chronic unemployment and permanently distressed areas which present a double threat against our internal development and our external security.

Clearly then, chronic unemployment and permanent depression anywhere in our economy is a subject of national concern and primarily so in this emergency struggle with Russia.

Responding to this challenge, in patriotic thought and purpose, a great many Members, including myself, have filed legislative proposals designed to forestall and prevent this economic tragedy.

In summary, this program would include loans for industrial projects, grants for public facilities, and financial assistance, through the cooperation of the Labor and Health, Education, and Welfare Departments, to expand vocational training programs.

Most of these provisions, with added features, are contained in the Senate-passed bill, S. 3683, now waiting upon our action in the House. At stake is our continuing national well-being and high morale, our world reputation of providing equal opportunity for all our citizens, and our ability to defend ourselves and assume the offensive in the vitally important propaganda battle with Russia. I most earnestly urge that this measure will be presented to and adopted by this House before any further idea of adjournment is entertained.

Mr. Speaker, this measure passed the House on August 15, 1958.

EMERGENCY HOUSING ACT

March 19, 1958

Mr. DONOHUE. Mr. Speaker, because of the very serious proportions to which our unemployment situation has developed over these past several months I introduced, in the House, an emergency housing bill, H. R. 11395. The objectives of my bill are substantially the same as those embodied in this legislation before us.

This bill, as well as my own measure, is designed to stimulate the general economy in this emergency period by increasing the market for homes and thereby revive the home-building industry.

Our economy, it is obvious, has unhappily declined to a point which can no longer be ignored as a slight recession or a temporary adjustment. At this hour it is useless to consume time by attempting to fix the blame for such disaster or otherwise indulge in partisan dispute. Unemployment is reaching disastrous stages in my own State and throughout other major sections of the country. With over 5 million presently unemployed throughout the Nation, and those numbers are being added to daily, I submit that the time has come for action instead of words. The proposals in this measure before us cannot be termed rash or irresponsible pump priming by even the wildest imagination.

It is equally clear that the nature of the lating effect upon many other associated inhousing industry is such that it has a stimulated housing industry upon our unemployment situation would be prompt and substantial.

Mr. Speaker, there is no need for me or anyone else to emphasize the fundamental benefits accruing to the Nation as a whole through the encouragement of private home ownership. Let us remember that there are still over 9 million World War II veterans, with their families, who have not yet exercised their entitlement to purchase a home through the medium of Veterans' Administration home mortgage financing. With regard to and consideration of them I earnestly hope that interest rates will be maintained at a level that will not be discouraging to them as well as countless millions of other potential homeowners.

Mr. Speaker, in view of the serious economic slump the country is suffering from; in view of the need for a stimulus of home construction; in view of the importance to the Nation of increasing family home ownership; and primarily because of the immediate and salutary effect a reactivated housing construction industry would have upon our distressed economy I urge prompt approval of this measure. The need is now, the hour is urgent, this is the time for action.

Mr. Speaker, this bill passed the House on March 19, 1958, and is now Public Law 364, of the 85th Congress.

THE HOUSING ACT OF 1958

Wednesday, July 23, 1958

Mr. DONOHUE. Mr. Speaker, as we progress toward the conclusion of this session, I most earnestly hope that the so-called omnibus housing bill of 1958, recently acted upon in the Senate, will not be overlooked in the logjam that so often accompanies the rush toward adjournment. Failure to act on this bill, in my opinion, would be placing an unhappy and unnecessary blemish upon an otherwise commonly admitted constructive record of this 85th Congress.

One basic reason, among many, why action on this measure is vitally important is the admitted effect it would have as a further antirecession bulwark and production and employment stimulus.

The emergency housing bill that was earlier passed has demonstrated that a stimulation of the building industry, with the associated trades affected, is one of the wisest and most economical methods through which any further deterioration of our overall economy can be restrained.

This housing bill would undoubtedly assist in the revival of our lagging economy by encouraging investment activity in the construction field, with an accompanying increase in production and employment.

Embodied also in this housing bill is the foundation purpose of promoting better housing throughout the country, giving further impetus to operating programs designed to combat slum areas, and providing needed assistance to the continuation and expansion of the veterans home loan program.

Another primary objective of the measure is to further the advancement of scientific and academic knowledge, by helping our hard-pressed institutions of higher learning to provide the vitally needed dormitories, classrooms, and scientific laboratories which are pitifully inadequate to meet the ever-increasing enrollment. Obviously, one of our essential national goals is to compete with, and surpass, the scientific achievements and progress of Soviet Russia, and we cannot hope to do it unless the fullest facilities are made available to students through our colleges and universities.

In this most blessed country in the world, we have only begun to attack the problems of providing decent housing for our elderly citizens, expanding FHA insurance, encouraging wider recognition of the necessity of urban renewal, and relocating families displaced by wholesome and healthy slum clearance.

The foundation unit of any nation is the family. The best guaranty of wholesome family life is a home of their own in decent surroundings. Reasonable encouragement of better housing for American families and American citizens, is one of the wisest investments we can make toward the future safety and progress of this great country. In order to make this wise investment, I hope that the housing bill will be presented to us for debate and action at the earliest possible date.

ACCELERATING THE FEDERAL HIGHWAY PROGRAM

April 3, 1958

Mr. DONOHUE. Mr. Speaker, this legislation, H. R. 9821, with accompanying conference report, is substantially the same as the measure, H. R. 11418, which I introduced and in support of which I submitted testimony before the House Public Works Committee recently.

The fundamental purpose of this bill is, as you know, to provide authorization for the immediate acceleration of the rate of highway construction on the Federal-aid primary and secondary road systems that is already in progress. There is certainly no dispute about the long-range economic or security value of this program.

It is, admittedly, an emergency anti-recession measure. I do not think there is much doubt in this body about the current existence of an economic recession, readjustment, transition, "slight depression," or whatever other name you please to attach to describe the alarming fact that millions of Americans are out of work. In my State and area we are unfortunately too familiar with this recession which is visiting severe economic hardships upon thousands of families whose working heads have long exhausted their unemployment compensation allowances, meager as they are and brief as they last.

It may be there are a few provisions in the bill and report that we cannot all agree upon. The fundamental fact is that by passage and initiation of the bill into action it is authoritatively estimated hundreds of thousands of creative work opportunities will be promptly developed for American taxpayers now unemployed. The economic emergency is here whether we like it or not; millions of workers are without weekly pay envelopes now; this is a sound economic recovery assistance step; we have a moral responsibility and a high legislative duty to our own people in this catastrophe. I most earnestly hope this House will promptly act without extended delay to grant the help this bill will give to so many of our citizens who are desperately in need now.

Mr. Speaker, this measure was finally approved on April 16, 1958 and is now Public Law 381, of the 85th Congress.

LEGISLATION FOR THE GOOD OF ALL AMERICANS

Mr. Speaker, it has, these past several years, too often and too unhappily, appeared to me that in the zeal and zest to sustain our faltering foreign policy too many hasty programs, of too great, too extravagant, and too expensive a nature have been approved to assist foreign nations. I have consistently, in this period, warned that in our concentration upon the rehabilitation of the Free World there has been too great a neglect of the interests and welfare of our own American people and I have attempted to point out that the most important strength, underlying any foreign policy, is a continuation and encouragement of a high morale among our own citizens. If they lose confidence in this Government and its officials, then we are, indeed, in dire trouble.

The Chief Executive told the people of this country upon his assumption of that high office that his yardstick of measurement of Government actions would be "is this good for all Americans?" Shortly after he made this patriotic pronouncement, I urged that the Congress adopt it as our rule of action also.

At this point, I would like to list a few of the measures we dealt with that, in my opinion, were primarily designed for the good of all Americans, and include excerpts from my remarks on them at the time they were under consideration here.

SOCIAL SECURITY INCREASES

July 31, 1958

Mr. DONOHUE. Mr. Chairman, I rise in support of this bill, H. R. 13549, to further improve and expand our social-security system, and to express the hope that benefits will be increased, by appropriate amendment, to at least 10 percent.

As one who has consistently supported the improvements in this social-security program since becoming a Member of this body, I am particularly pleased that the measure before us recommends increases in the old-age, survivors, and disability insurance benefits, and that it also proposes the added provision of granting benefits for the dependents of disabled workers. In recognition of the necessity for constant review to expand this Christian program, I am also glad to note that the committee proposes further improvements in the public assistance, maternal, and child-welfare provisions.

Mr. Speaker, one of the things that marks this country as a God-fearing and God-caring Nation in contrast to the slave state of Communist atheism is our legislative achievements in the fields of social and economic justice. In the propaganda battles that are currently being waged between ourselves and the Soviets, in which we are, unhappily, too often on the losing end, it is imperative for the retention of our position and our prestige as the leader of the Free World that we maintain constant progress in our fundamental legislative programs for national welfare and development. We have a chance to take a forward step along this road today by supporting this bill.

The basic objective of our social-security system is to enable our retired American workers and the disabled to retain self-respect and reasonable economic independence in the sunset years of their lives and in time of adversity. In a constantly changing economy this objective is impossible of accomplishment if upward adjustments in the laws are not made to keep pace with the increases in the cost of the articles and services that are essential to a decent existence in a free and blessed Nation.

If we cannot all agree on the various amendments of sincere intent to improve the bill, let us in good will compromise our differences and approve the substance without unnecessarily extending this debate. There will be recurring opportunities in the future to make further improvements as the needs are demonstrated. Let us do our job today as well as we can while we look toward the future in good mind and with good heart.

AID TO SMALL BUSINESS

Thursday, August 7, 1958

Mr. DONOHUE. Mr. Speaker, as I stated here a couple of weeks ago, the hour is desperate for the continuing life of small business in the dynamic economy that has developed in this country through the past decade.

The small businesses in this Nation are in pearance because, at this moment, they have grave danger of disintegration and disap- no way of obtaining equity capital and long-term credit which they vitally need for any hope of survival. Although many words of sympathetic encouragement have been spoken here in the Congresses of recent history, legislative response and recognition of small business has been too long delayed.

It is and has been obvious, for a long time, from committee hearings, independent reports, and the persevering pleas of small business throughout the country, that their fundamental requirements cannot be extended by commercial banks or the Small Business Administration, as presently constituted.

I am not going the repeat the provisions of the bill, which have already been explained at length. It is in substance a good bill and an earnest attempt to grant material help in an emergency situation, although it does not go as far as a great many of us would like.

I earnestly believe it is practically the unanimous intention of the Congress to preserve the traditions of small business in the economic life and history of this country; this is an opportunity to do so.

The financial problems of small businesses all over the United States are very, very serious and this legislation is essential for their cure. I urge you to adopt this conference report so that life-preserving help may be granted to a basic segment of our economy at the earliest possible minute.

LABOR-MANAGEMENT REFORM

Wednesday, July 23, 1958

Mr. DONOHUE. Mr. Speaker, in the enactment of legislation under our democratic processes we have come to expect the efforts of special groups to interject their passions, prejudices, and particular interests. As conscientious legislators it is our duty to closely examine these pressures and concentrate our attention upon the enactment of a reasonable compromise designed primarily to inspire observance of the law with good will because of its essentially impartial nature.

In this respect there is pending before us a so-called labor-management reform bill which was approved in the Senate by an overwhelming bipartisan vote of 88 to 1. No one with good sense claims that this measure is perfect but, even according to a great many members of the Industrial Relations Research Association, it unquestionably, if adopted, would contribute to union reform and sound industrial relations. However many contentious provisions the measure may be said to contain, it undoubtedly occupies a middle and compromise ground between the extreme demands of employer and union groups. Its enactment would tend to restrain a great many of the worst abuses plaguing some of the country's largest unions and it would provide more control by union members over the affairs of their organizations. Certainly it would discourage the unbridled ambitions of those few unscrupulous individuals whose main objective appears to be personal use of big union trust funds for their own interest.

There are also provisions in this bill placing additional restrictions upon unwarranted management practices; provisions designed to prevent scheming employers from entering into collusive arrangement with any tempted union official for the purpose of perverting real collective bargaining.

The revelations of the McClellan committee have demonstrated the need for reasonable legislation to encourage labor-management internal activity reform. The general public expects a responsive impartial reaction of the Congress to that need. The great majority of labor unions have taken the first and biggest step in the best method of correction, from within, by their adoption of strict ethical codes of practice. With a temperate measure of impartial and reasonable—which is always the wisest—legislative encouragement we can entertain good hope for increasing good will and cooperation between labor and management for the national benefit. In pursuit of that wholesome objective, I most earnestly hope that this labor-management reform bill will be presented to the House before adjournment, so that it may be discussed, debated, and acted upon in accord with our democratic legislative traditions.

HOOVER COMMISSION RECOMMENDATION

August 14, 1958

Mr. DONOHUE. Mr. Speaker, I urge the unanimous adoption of this amended ver-

sion of H. R. 8002, which provides for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations.

To those of us who were privileged to support the creation of the original Hoover Commission, this measure represents another forward step in a chief objective of the Commission to continuously introduce modern methods of financial accounting practices in place of the outmoded and antiquated system that was too long permitted to bewilder the understanding of Congress, prevent the constitutional control of the Congress over Government spending, and conceal great waste of the taxpayers' money.

One of the basic responsibilities of the Congress is to exercise the greatest care in and control of the tremendous financial spending of the Federal Government, especially in these emergency years. All authorities agree that rigid accounting practices is the best approach to Congressional understanding of Government financial operations and Congressional insurance, by appropriate legislative measures that not $1 of the hard-earned taxpayers' money will be spent needlessly, wastefully, corruptly, or extravagantly. This measure is at least one more step along the hard road to that Congressional duty achievement. I hope you will all approve the taking of this step without further delay.

NATIONAL DEFENSE EDUCATION ACT

Tuesday, July 15, 1958

Mr. DONOHUE. Mr. Speaker, unquestionably one of the most challenging legislative subjects that has faced this Congress, and several preceding ones, is finding ways and means through which the Federal Government can reasonably and sensibly extend desperately needed assistance to the several States to advance their educational standards and provide adequate educational facilities.

However, the dramatic Soviet demonstration of scientific achievement has inspired, I think, a more responsive mind and attitude to this problem, both in the Members of this body and the general public. It would seem that the time has come for us to resolve our differences on such a vitally important national necessity and fulfill our legislative responsibility.

In my opinion, an excellent opportunity to do so is presented to us in the form of the measure I understand is being today reported out of the House Education and Labor Committee, H. R. 13247.

In summary, this bill is designed to provide Federal scholarships and also student loan funds to enable superior students without finances to attend college. Its emphasis is placed upon the teaching and study of science, mathematics, and foreign languages. It would improve testing and counseling in secondary and elementary schools and it would help train more college teachers.

No matter on what other phases of the problem we may have some differences, I believe that there is no single Member of the Congress who would question the foundation importance of education to a progressive future for this great Nation.

I most earnestly hope that both the Congress and the administration will join their efforts toward the enactment of the substance, at least, of this bill as a united action in concern for the basic welfare and continuing development of this country.

PROTECTING THE CIVIL RIGHTS OF ALL AMERICANS

(Excerpts from House speech)

Mr. DONOHUE. Mr. Speaker, the purpose of this legislation is clear. It is to make more certain that rights guaranteed by the Constitution and laws of the United States will be enjoyed by all, regardless of race, creed, color, or national origin.

It is directed at no particular section of America. Certainly no area of the country can claim achievement of full equality under law. The Committee on the Judiciary of the House of Representatives recognizes its distinct duty to enact wise legislation which will guarantee that the words of promise spoken by the Constitution will be fulfilled in every corner of the Nation. It is also realized that American leadership of the Free World is aided greatly by practical demonstrations of our historic commitment to the ideal of equality under law.

I, therefore, sincerely hope that any temporary passions, prejudices, or partisanship will be put aside today in order that we may render a historical legislative accomplishment in our own national interest and also provide a legislative inspiration to all peoples everywhere on this blessed earth.

ANTI-INFLATION ACTION OR RUINATION

Tuesday, June 25, 1957

Mr. DONOHUE. Mr. Speaker, the constantly increasing costs of living have concentrated attention upon the grave danger of inflation and the vital necessity to take reasonable action against threatening economic catastrophe.

It is obvious that some of the methods proposed to control inflation are either unpalatable to the majority of Americans, outside of wartime, or antiquated. Therefore, a resurvey and restudy of all the economic factors involved is imperative and it is vitally important that it be done now before it is too late.

Many of us have the conviction that such a study could best be conducted by committees of the Congress rather than any select commission appointed by the President; perhaps it would be of value to have both.

In any case, let us cease any petty and partisan quarrels about authority and responsibility and initiate an investigative project speedily before our economic structure deteriorates beyond repair.

OUR OBLIGATION TO THE VETERAN AND DEPENDENTS

(Excerpts from speech in the House)

Mr. Speaker, I and a great many other Members of this House have become deeply disturbed by the increasing publicity and propaganda questioning the continuation and cost-of-living adjustments and other benefits being reasonably accorded our veterans.

I do not believe that the people of this country now wish to turn their backs in forgetfulness of the substantial sacrifices made by our war veterans and their dependents in protecting this Nation from armed enemies. On the contrary, I believe the great majority of the American people realize there is only one safeguard for this Nation in time of emergency, and that is the willingness of American men and women to fight and die to preserve our national security. I am sure they further understand that the efficiency of our fighting men is governed by the morale of their families and dependents. In these tense days of international turmoil, it is not only just but patriotically wise to inspire the veteran of the future with the example of our real concern for the veteran of the past.

Mr. Speaker, there is legislation pending to extend farm, home, and business loan guaranties for our veterans, to continue vocational rehabilitation adjustment assistance, to raise the ratings and pensions of the disabled war veterans and dependent allowances, as well as income limitations, in accord with our increased basic living costs. There is pending legislation to extend simple justice to Spanish-American War veterans and their widows, who are trying to eke out a bare existence on some $54 per month.

These, and other beneficial measures, such as the so-called War Orphans Education Act, should be enacted without delay. Most of the pending bills are substantially sound and beneficial and are intended to discharge our just obligation to the war veteran and his family. I shall continue to work in support of their enactment as the best investment we can make to insure our national security.

Mr. Speaker, a number of important measures have been adopted by the 85th Congress to benefit our war veterans, the most significant of which are: Public Law 168 increases the rates of compensation for service-connected disabilities for veterans for all wars; Public Law 209 liberalizes marriage requirements for widows applying for pension or other benefits; Public Law 364 provides direct loans for veterans' housing, increases the amount of such loans, and lowers the downpayments for FHA housing; Public Law 462 increases salaries of medical and nursing staffs at VA hospitals; also a law to increase burial allowance for deceased veterans from $150 to $250.

FLOOD PROTECTION OF LIVES AND PROPERTY

Mr. Speaker, on August 19 and 20 of 1955, the whole northeast area, including my own State and home city of Worcester, Mass., was visited by overwhelming floods in the wake of a torrential downpour of continuous rainfall through the 3 preceding days and nights. In that terrible catastrophe several lives were lost in my home area, family tragedies were numerous, and the amount of property damage staggered the imagination to assess.

In a speech in this House on May 22, 1956, I voiced my opinion that the necessity for flood control and protection action had obviously become one of the most pressing domestic problems and the responsibility of the Federal Government to assist the various States and municipalities of the Nation in solving that problem was great.

The Congress recognized this obligation and over these past few years has annually approved public works appropriations for flood control and protection proposals throughout the Nation.

In the national interest, I vigorously supported the approval of all these projects and quite naturally had a particular interest in the protection of the people and the property in my own home city of Worcester, where we have repeatedly suffered tremendous damage from unrestrained floodwaters.

At my initiation, in cooperation with local and State officials, the Army Corps of Engineers surveyed our Worcester area and recommended the construction of a flood diversionary tunnel which would practically eliminate the danger of flood ravages in the future.

I am including below excerpts from my speeches in the House in support of flood protection legislation and a summary of the appropriations approved for the construction of the Worcester flood diversionary tunnel.

(House speech, June 19, 1957)

Mr. DONOHUE. Mr. Chairman, I most sincerely hope that this public works appropriation bill for fiscal year 1958 will be overwhelmingly approved by the House today.

I speak in particular appeal for the approval of the flood relief and protection projects included in this measure that are so vitally important to so many people throughout this country. I am, of course, quite naturally concerned for the extension of assistance in protection of the lives, safety, and physical properties of the people in my own area, while at the same time extending my deepest sympathy and full support to the people of the other sections of the country who well understand the tragedy of heavy loss of life and property destruction that follows in the wake of these terrible floods, hurricanes, and other disasters from uncontrolled elements.

I express the sentiments of the people of my area in extending our gratitude to the distinguished chairman and industrious members of the committee who have recommended the approval of $1,500,000 to begin actual construction of the Worcester, Mass., flood-diversionary tunnel.

The people of my home city of Worcester and surrounding area are, unfortunately, only too well acquainted with the havoc that is wrought by raging floods.

It is an unpleasant experience to be an eyewitness to the tragedy that is visited upon a community, its people, and its property when roaring waters pour uncontrolled over bridges, and through the streets. We had this terrible experience in August of 1955 and, please God, with the completion of this tunnel it will never happen again.

The aftermath of such flood occurrence in loss of life, property damage, lost employment, and lost business is staggering to the imagination even in its effect upon an average community.

It is entirely beyond human imagination when we try to picture the amount of destruction of life and damage to property that has occurred so frequently, in recent years, in all the several States throughout the Nation. Financial losses, which can never be precisely measured, would unquestionably be up in the billions. We cannot, of course, even approach the placing of any material value upon the loss of life accompanying these tragedies.

Commonsense reflection makes it convincingly clear that the prevention and control problems of these natural disasters cannot be local or statewide but must be regional and national.

All of the people and communities who have so suffered very well appreciate that neither the individual victim nor the burdened State can alone or together survive and recover from the devastating impact of flood destruction.

They realize, as did this conscientious committee, the necessity of reasonable assistance being extended from the Federal Government to help them construct proper facilities to prevent the recurring damage and disaster of floods.

I earnestly hope and urge that the measure be approved without further extended debate.

(House speech, June 19, 1958)

Mr. DONOHUE. Mr. Chairman, I most earnestly urge and hope that the full appropriation contained in this bill will be approved by the House without any extended delay.

Few of us need to be reminded that flood control and natural disaster protection has, indeed, these past few years become one of our most pressing domestic problems. We have increasingly recognized that the responsibility of the Federal Government in aiding the various States and municipalities throughout the country toward a solution of that problem is great.

The extraordinary and unfortunate rapidity with which the numerous visitations of the wildest elements of nature have followed one upon another throughout the country, particularly in Massachusetts and New England, has projected the imperative necessity of Federal legislation for assistance in flood control to the heights of national and Congressional consciousness. I have several times recited here the figures concerning the unfortunate deaths, and the millions of dollars of property destruction, that have resulted from ravaging floods. These personal tragedies and economic catastrophes could have been avoided in the past; there can be no excuse for their repetition in the future if we fulfill our obligations to the people we represent.

In the light of the billions of dollars that we have generously granted toward the rehabilitation of foreign nations, it would be a national disgrace if the imperative and immediate needs of our New England and other flood-ravaged regions are not provided for with full Federal assistance before disaster strikes again.

Yearly appropriations for Worcester flood diversionary tunnel

Fiscal year	Amount	Purpose
1956	$60,000	Surveying and planning.
1957	840,000	Begin construction.
1958	1,766,000	Continue construction.
1959	2,534,000	Complete construction, estimated June 1959.

CONGRESS SHOULD NOT ADJOURN WHILE VITAL PROBLEMS REMAIN UNSOLVED

Mr. DONOHUE. Mr. Speaker, I am opposed to adjournment sine die of the House of Representatives at this time. In my opinion we should, if anything, only recess so that we may be readily available to meet projecting problems as they arise or be given definite assurance of recall to immediate session in the event any grave emergency develops.

BILLS INTRODUCED IN 85TH CONGRESS

Mr. Speaker, limitations of space and time prevent me from further dwelling on multitudinous other bills that were discussed, but I shall personally report to my people on them at length and in detail, during the next 2 months.

However, this summary would be highly inadequate if I did not list, in part, some of the bills I introduced in the 85th Congress. They follow:

H. Con. Res. 12. A concurrent resolution favoring universal disarmament.

H. Con. Res. 93. A concurrent resolution expressing the sense of the Congress that efforts should be made to invite Spain to membership in the North Atlantic Treaty Organization.

H. J. Res. 32. A joint resolution to establish a Northeastern United States Watershed Development and Flood Protection Commission.

H. R. 613. A bill to provide for the establishment of a United States Foreign Service Academy.

H. R. 614. A bill to provide for programs of public facilities construction which will stimulate employment in areas having a substantial surplus of labor.

H. R. 615. A bill to provide for loans to enable needy and scholastically qualified students to continue post-high-school education.

H. R. 1104. A bill to indemnify drivers of motor vehicles of the postal service against liability for damages arising out of the operation of such vehicles in the performance of official duties.

H. R. 1105. A bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States.

H. R. 1106. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year.

H. R. 1107. A bill to provide for emergency Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities urgently needed because of overcrowding, and to encourage full and efficient use of State and local resources in meeting school construction needs.

H. R. 3483. A bill to increase annuities payable to certain annuitants from the civil-service retirement and disability fund.

H. R. 3765. A bill to establish the Federal Agency for Handicapped and to define its duties.

H. R. 8868. A bill to remove the present $1,000 limitation which prevents the settlement of certain claims arising out of the crash of an aircraft belonging to the United States at Worcester, Mass., on July 18, 1957.

H. R. 9575. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for making payments in lieu of taxes with respect to certain industrial manufacturing plants owned by the United States.

H. R. 9858. A bill to protect the right of the blind to self-expression through organizations of the blind.

H. R. 10680. A bill to check the growth of unemployment by providing for Federal assistance to States and local governments for the construction of needed public works and public improvements.

H. R. 10856. A bill to provide for unemployment reinsurance grants to the States to revise, extend, and improve the unemployment insurance program.

H. R. 11395. A bill to stimulate residential construction.

H. R. 11418. A bill to amend the Federal-Aid Highway Act of 1956 to increase the mileage of the National System of Interstate and Defense Highways.

H. R. 13677. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education.

CONCLUSION—TIMELY COUNSEL FROM A GREAT AMERICAN

Mr. Speaker, the words of wise authority remain forever as comforting beacons of guidance in troubled, distressing hours. A counseling message to all Americans is contained in the following extract from a speech given at Harvard University graduation exercises on June 30, 1910, by the late great Chief Justice Charles Evans Hughes:

"The most important agencies of democracy are, after all, not the organs of government, but the influences that shape public opinion. * * * Democracy must prize its public life. It has stripped it almost altogether of ceremonial and of meaningless and absurd forms. It has placed the public officer in a position of power, to be used for service. * * * Having surrounded him with none of the pomp which makes appeal to the thoughtless and ignorant, it must invest him with the higher honor which should be the reward of fidelity. Those who cultivate the true democratic spirit will be as earnest in their support of faithful officers as they are unsparing in their condemnation of the faithless."