

special topics. The highly successful summer institutes at Les Houches and Varenna with intensive lectures and seminars extending over a 2-week to 2-month period are examples of such activities.

2. The council has agreed that during the first year the program will be for \$150,000. The distribution of the money is to be made

by the office of the science adviser with the guidance of a panel of experts who will be representatives of various aspects of science rather than national representatives.

3. The money for the support of summer study institutes should be used both for direct grants to the institute, partially to cover teaching and administrative costs, and

for living and travel expenses of participants from NATO countries. The grants to the summer study institutes should be made as unrestricted grants so as not to influence the policy of the institute nor its selection of students or staff.

4. The method of administration of this program will be reviewed annually.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 15, 1959

The House met at 12 o'clock noon.

Rev. Guy D. Newman, president, Howard Payne College, Brownwood, Tex., offered the following prayer:

Let us pray. Almighty God, our Heavenly Father, before the mountains were brought forth or ever Thou hast formed the earth and world, from everlasting to everlasting Thou art God.

We seek divine wisdom in this hour of great world tension, our Father, because our human wisdom is so limited we cannot meet adequately the exigencies of our time without Thy divine strength.

We are grateful for our Nation. We are grateful for our National Congress, for men and women in places of public responsibility who have proved they are worthy of our trust. God help them to be strong and fearless, undaunted in faith, and help them to realize gratefully that our Nation will remain strong only insofar as it remains Christian and righteous and virile and honorable.

Bless us all, and may this year, if it please God, be the greatest year in our Nation's life, as we seek to find and to follow the great will of Thy great mind.

We ask it in the name of our Lord Jesus Christ, our Saviour. Amen.

The Journal of the proceedings of Monday, January 12, 1959, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

BOARD OF REGENTS, SMITHSONIAN INSTITUTION

THE SPEAKER. Pursuant to the provisions of 20 U.S.C. 42, 43, the Chair appoints as members of the Board of Regents of the Smithsonian Institution the following Members on the part of the House: Mr. CANNON, of Missouri; Mr. BROOKS of Louisiana; Mr. Bow, of Ohio.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection? There was no objection.

PRESIDENT OF THE REPUBLIC OF ARGENTINA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in

order at any time on Wednesday, January 21, 1959, for the Speaker to declare a recess for the purpose of receiving in joint meeting the President of the Republic of Argentina.

MAJORITY OBJECTORS' COMMITTEE, CONSENT CALENDAR

Mr. McCORMACK. Mr. Speaker, I desire to announce the appointment of majority objectors' committee members on the Consent Calendar for the 86th Congress the gentleman from Colorado, Mr. ASPINALL; the gentleman from Massachusetts, Mr. BOLAND; and the gentleman from California, Mr. McFALL.

OBJECTORS' COMMITTEE, PRIVATE CALENDAR

Mr. McCORMACK. Mr. Speaker, I desire to announce the appointment of the majority objectors' committee on the Private Calendar for the 86th Congress the gentleman from Alabama, Mr. ROBERTS; the gentleman from Massachusetts, Mr. BOLAND; and the gentleman from South Carolina, Mr. HEMPHILL.

MINORITY WHIP

Mr. HALLECK. Mr. Speaker, I take great pleasure in announcing the selection of Hon. LES ARENDs, of Illinois, to be Republican whip in the 86th Congress.

MINORITY MEMBERS OF COMMITTEE ON APPROPRIATIONS, COMMITTEE ON RULES AND COMMITTEE ON WAYS AND MEANS

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Res. 103) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Appropriations: John Taber, New York; Ben F. Jensen, Iowa; H. Carl Anderson, Minnesota; Walt Horan, Washington; Gordon Canfield, New Jersey; Ivor D. Fenton, Pennsylvania; Gerald R. Ford, Jr., Michigan; Harold C. Ostertag, New York; Frank T. Bow, Ohio; Hamer H. Budge, Idaho; Charles Raper Jonas, North Carolina; Melvin R. Laird, Wisconsin; Elford A. Cederberg, Michigan; Glenard P. Lipscomb, California.

Committee on Rules: Leo E. Allen, Illinois; Clarence J. Brown, Ohio.

Committee on Ways and Means: Daniel A. Reed, New York; Richard M. Simpson, Pennsylvania; Noah M. Mason, Illinois; John W. Byrnes, Wisconsin; Howard H. Baker, Tennessee; Thomas B. Curtis, Missouri.

The resolution was agreed to.

OPERATIONS UNDER INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR PARTICIPATION ACT OF 1956—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

In accordance with the provisions of section 9 of Public Law 860 of the 84th Congress, I transmit herewith for the information of the Congress the fourth semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1956.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, January 15, 1959.

INVESTIGATION BY COMMITTEE ON ARMED SERVICES

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 19, Rept. No. 2), which was referred to the House Calendar and ordered to be printed:

Resolved, That effective from January 4, 1959, the Committee on Armed Services, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the procurement, use, and disposition of materiel, equipment, supplies, and services, and the acquisition, use, and disposition of real property, by or within the Department of Defense;

(2) relating to the military and civilian personnel under the jurisdiction of the Department of Defense;

(3) involving the laws, regulations, and directives administered by or within the Department of Defense;

(4) involving the use of appropriated and nonappropriated funds by or within the Department of Defense; and

(5) relating to scientific research and development in support of the armed services.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpenea or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpeneas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Mr. SMITH of Virginia. Mr. Speaker, by arrangement with the leadership, I ask unanimous consent for the immediate consideration of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FEDERAL AID TO SCHOOLS

Mr. COFFIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. COFFIN. Mr. Speaker, today I have introduced a bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries. It offers the opportunity to give primary and secondary school children the kind of training they need to take advantage of the National Defense Education Act. This is identical to H. R. 22 and other bills which have been introduced on behalf of improved education for our youth.

The introduction of these bills is a healthy sign that the focus of congressional interest is once again returning to the basic need of capital investment in our most vital resource—the minds of our youth. One of the mysteries that would impress a visitor to our shores is how we could be so concerned over facilities for better education in 1957 and yet pass over them lightly in 1958. My hope now is that the klieg lights of sustained concern will center on this issue until adequate progress has been made.

If I have any reservation about any part of this bill, it applies to the "effort index," which will be used to insure an adequate effort on the part of States and communities in providing adequate buildings and teachers' salaries. This is an improvement over the effort index included in previous legislation, because it gives us 3 years in which to put our houses in order. But there is a danger that States with heavy demands for expenditures in the area of old-age assistance, highway construction and maintenance, institutions, and other necessary services may be penalized. The State of Maine has a taxload slightly above the national average, but its expenditures for education have been limited by the peculiar requirements of a sparsely settled State with an abnormally expensive highway construction and maintenance problems and the largest proportion of persons over 65 in the country. I do not want Maine to fall behind in its effort for education. Neither do I want to see it penalized because of conditions beyond its control.

I have initiated a study of this phase of the problem to determine how serious the limitations of the effort index may be. I realize that no bill can be perfect,

but we must, I believe, make certain that we do not overlook an area which could undermine the intent of the bill.

There are two ways in which the problem I have described might be approached. The first is to provide a contingency fund to be expended by the Commissioner of Education in areas of special and critical need. The second is the possibility of introducing a factor based on the ratio of per capita tax revenues to per capita income into the formula for the effort index.

Either or both of these approaches may be desirable, and I plan to present such proposals to the Committee on Education and Labor when hearings are scheduled on these bills. For the present, however, I wish to reemphasize the importance of this basic legislation to our total education effort, by placing my name with other colleagues in the list of those who believe in the future of American education.

We all recognize that school buildings do not educate children, and that salary levels do not automatically determine the quality of teaching. However, without adequate teaching facilities, with overcrowded, poorly lighted, unsafe classrooms, children do not have surroundings conducive to study. Substandard salaries drive good teachers out of teaching in too many cases, and shatter the morale of those who remain in the profession.

If we were alone on a planet, we might be able to muddle through on education. Poor educational facilities and inadequate training for our youth would then be unfortunate, but not catastrophic. But today, the stake is more than the individual achievement of young people; the stake is the survival of the free world. If children in a free society do not receive the very best education, then they will not be able to compete with highly skilled youth from the Iron Curtain countries.

We must answer the question: Do we believe in our free system of education strongly enough to give it the support it needs? Or are we token worshipers at the shrine of education, bowing to the image of education but doing nothing to perpetuate its influence?

TRANSPORTATION AND/OR POSSESSION OF EXPLOSIVES IN INTER-STATE COMMERCE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD in two instances.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the legislation I have introduced to make it a Federal crime to transport and/or possess explosives in interstate commerce, with the intent or knowledge that such explosives will be used wantonly to destroy or damage any structure, is in line with the requested needs of the Department of Justice. One of the most significant actions that can be taken by this Congress would be the early passage of such legislation so that the law-enforcing

arm of the Federal Government could effectively deal with such outrages; and, perhaps more important, I believe the passage of Federal legislation will serve as a deterrent to those who may be contemplating initial or additional acts of violence against public buildings, homes, and places of worship.

The seriousness of the situation has certainly been recognized by this Congress. There is strong congressional support, from all sections of the country, for passage of a Federal antibombing measure. I believe that the many House and Senate Members who have joined in support of legislation similar to, or exactly the same as, that which I have proposed, indicates that neither partisanship nor sectionalism can ever override positive legislation to protect the rights and, indeed, the very lives of our people.

I am confident and hopeful that the immediate need to legislate in this field will bring speedy action by the Committee on the Judiciary, followed by prompt action by this body.

REPORTING OF CERTAIN FINANCIAL TRANSACTIONS AND ADMINISTRATIVE PRACTICES OF LABOR ORGANIZATIONS AND EMPLOYERS

Mr. ROOSEVELT. Mr. Speaker, on the opening day of this session, January 7, I introduced a measure to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

It is my intention to offer some revisions or amendments and such a revised bill will be presented in the very near future. However, because of the importance of the subject at hand, I felt it necessary to introduce immediately the main substance of this proposal so that the House committee to which it would be assigned would have an early opportunity to consider thoroughly its intent and purpose.

A WORLD OF SCIENTIFIC MIRACLES

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, as Americans we are proud of our industrial and agricultural efficiency. We take pride in the transformation of an untamed frontier into a highly mechanized society. We boast of our superhighways, hydroelectric dams, factories, and science laboratories.

All of these are worthwhile achievements that have brought new opportunities and higher standards of life to the American people. Yet we are haunted by the stubborn fact that just

as man cannot live by bread alone, neither can he live by steel, concrete, and petroleum.

The editors of *Holiday* magazine warned last July that—

As we pour more and more of our thought and emotion and money into fabrications like the missile, we risk losing contact with our natural environment. The result could be a science going from success to success while we ourselves become more and more out of touch with the great flows of meaning which nature sends out to her creatures. We are already, television helps us, well along this road. To go to the end would mean a world of scientific miracles serving a human race full of trivial and deadened personalities.

I believe that the young people of today are the finest generation in our history; but all Americans, young and old alike, need to beware of the corroding effects of life in the age of gadgets. It is entirely possible that automobiles, television, escalators, paved roads, packaged foods, and innerspring mattresses could produce a crop of softies. This is a luxury we cannot afford, either in the face of the Soviet challenge or from the vantage point of our individual enjoyment of life.

In every one of us there is a basic need for the recreation of the human spirit that stems from the interplay between man and nature.

We recognize this need as we seek out the scenic vacation areas of the Nation, or as we push out from crowded metropolitan centers to the surrounding countryside or suburban areas.

Fortunately for us, America is blessed by a bounteous nature. It has always been possible for our citizens to seek out untamed, primitive wilderness areas where at least for a time they could drink to their satisfaction of the joys of nature.

The Nation's wilderness areas provide a splendid opportunity to open the eyes and strengthen the hearts and minds of millions of young Americans. At the same time, older Americans are refreshed by the stimulus of primitive country unmarked by our mechanical civilization.

As the distinguished conservationist, Howard Zahniser, executive secretary of The Wilderness Society, has put it:

So long as it remains in its natural condition, the wild country of our parks, forests, and refuges will play an ever more vital part as the scene for a great adventure for youth. For a few precious days each year, youngsters can be Indians, trappers, wilderness explorers, and pioneers. Yet, for a lifetime after, such experiences remain to strengthen them as men and leaders of our civilization. (Outdoor America, February 1958.)

During the 1930's, many young Americans found a fresh new appreciation of life through their contacts with wilderness areas in the CCC camps. Scores of these young Americans emerged with stronger bodies, clearer minds, and more wholesome spirits after they had lived for a time in the wilderness.

In the United States, approximately 2 percent of our land area remains in a wilderness state. Most of this is within the public domain—in roadless sections of the national forests, in back areas of our national parks, and in some of our wildlife refuges and Indian reservations.

All the experience of our history points to the certainty that unless we develop a Federal policy for the preservation of our wilderness areas, they will soon be exploited and consumed for other purposes. As Mr. Zahniser has put it:

If we are to see wilderness preserved, we must preserve it deliberately.

This is the objective of the so-called Wilderness Bill introduced in the 84th Congress, reintroduced in the 85th Congress in revised form, and now further revised and presented in the 86th Congress.

With several of my colleagues, I introduced the bill in the last session of the Congress. On Monday I reintroduced the bill in improved form. The new bill represents a program which I earnestly hope will be enacted into law in the 86th Congress.

I ask unanimous consent that the bill as revised be printed at this point in the RECORD:

A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a), in order to secure for the American people of present and future generations the benefits of an enduring resource of wilderness, there is hereby established a National Wilderness Preservation System. As hereinafter provided, this System shall be composed of federally owned or controlled areas in the United States and its Territories and possessions, retaining their primeval environment and influence and being managed for purposes consistent with their continued preservation as wilderness, which areas shall serve the public purposes of recreational, scenic, scientific, educational, conservation, and historical use and enjoyment by the people in such manner as will leave them unimpaired for future use and enjoyment as wilderness.

(b) The Congress recognizes that an increasing population, accompanied by expanding settlement and growing mechanization, is destined to occupy and modify all areas within the United States, its Territories, and possessions except those that are designated for preservation and protection in their natural condition. The preservation of such designated areas of wilderness is recognized as a desirable policy of the Government of the United States of America for the health, welfare, knowledge, and happiness of its citizens of present and future generations, particularly for those uses of such areas that facilitate recreation and the preservation or restoration of health.

(c) It is accordingly declared to be the policy of Congress (1) to secure the dedication of an adequate system of areas of wilderness to serve the recreational, scenic, scientific, educational, conservation, and historical needs of the people, and (2) to provide for the protection of these areas and for the gathering and dissemination of information regarding their use and enjoyment as wilderness. Pursuant to this policy the Congress gives sanction to the continued preservation as wilderness of those areas federally owned or controlled that are within national parks, national forests, national wildlife refuges, or other public lands, and that have so far retained under their Federal administration the principal attributes of their primeval character. It is pursuant to this policy and sanction that the National Wilderness Preservation System is established. The units of this System designated for inclusion by

this Act, and those that may later be designated in accordance with its provisions, shall be so protected and administered as to preserve their wilderness character.

(d) In establishing thus a National Wilderness Preservation System to include units within the national forests it is further declared to be the policy of Congress to administer the national forests with the general objectives of multiple use and sustained yield, and in order to carry out this policy the Secretary of Agriculture is accordingly directed to administer the national forests on a multiple-use basis so that all the resources thereof, including the recreational and wildlife-habitat resources, will be used and developed to produce a sustained yield of products and services, including the establishment and maintenance of wilderness areas, for the benefit of all the people of this and future generations. Such areas of wilderness like all other national forest land shall be so managed as to protect and preserve the watersheds, the soil, the beneficial forest and timber growth, and all beneficial vegetative cover. The purposes of this Act are further declared to be within and supplemental to but not in interference with the purposes for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 34, 35; U.S.C. 475, 551).

(e) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. For the purposes of this Act the term "wilderness" shall include the areas provided for in section 2 of this Act and such other areas as shall be designated for inclusion in the National Wilderness Preservation System in accordance with the provisions of this Act.

NATIONAL WILDERNESS PRESERVATION SYSTEM

Sec. 2. The National Wilderness Preservation System (hereafter referred to in this Act as the Wilderness System) shall comprise (subject to existing private rights, if any) the federally owned or controlled areas of land and water provided for in this section and the related airspace reservations.

NATIONAL FOREST AREAS

(a) The Wilderness System shall include as wilderness areas the areas within the national forests classified on June 1, 1958, by the Department of Agriculture or the Forest Service as wilderness, wild, primitive, or roadless:

Provided, That the Wilderness System shall not include any primitive area which the Secretary of Agriculture shall determine to be not predominantly of wilderness value, and each primitive area included in the Wilderness System shall be subject to such boundary modification as the Secretary shall determine to be needed to exclude any portions not predominantly of wilderness value or to add any adjacent national forest lands that are predominantly of wilderness value. Determinations regarding national forest areas classified as primitive shall be made within fifteen years after the date of this Act, and any such area regarding which such determinations have not been made shall then, with the exception of any roads, motor trails, structures, or other installations then existing, become a part of the Wilderness System without regard further to this proviso.

Additional areas for inclusion in the Wilderness System may be designated within national forests by the Secretary of Agriculture, after not less than ninety days' public notice and the holding of a public hearing, if there is a demand for such a hearing, and such designations shall take effect as provided in subsection (f) below. The publication of a proposal to add any national forest

area or part thereof to the Wilderness System shall segregate the public lands involved from any or all appropriations under the public-land laws to the extent deemed necessary by the Secretary of Agriculture.

NATIONAL PARK SYSTEM AREAS

(b) At the times, in the manner, and with the exceptions hereinafter provided for, the Wilderness System shall include each park and monument in the National Park System on June 1, 1958, embracing a continuous area of five thousand acres or more without roads, and such additional units of the National Park System as the Secretary of the Interior shall prescribe.

Not later than ten years after the date of this Act, or within two years after the unit has been prescribed for addition to the Wilderness System, whichever is later, and ninety days after giving public notice in accordance with section 4 of the Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003), the Secretary of the Interior shall designate within each unit of the National Park System to be included in the Wilderness System such area or areas as he shall determine to be required for roads, motor trails, buildings, accommodations for visitors, and administrative installations. Each such unit, with the exception of the particular area or areas determined to be required for the aforesaid purposes, shall become a part of the Wilderness System when the designation of such area or areas has been made. Should the Secretary fail to make such a designation within the time limits specified, each such unit shall then become a part of the Wilderness System with the exception of roads, motor trails, buildings, accommodations for visitors, and administrative installations then in existence.

No designation of an area for roads, motor trails, buildings, accommodations for visitors, or administrative installations shall modify or affect the application to that area of the provisions of the Act approved August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (39 Stat. 535, as amended; 16 U.S.C. 1 and the following). The accommodations and installations in such designated areas shall be incident to the conservation and use and enjoyment of the scenery and the natural and historical objects and flora and fauna of the park or monument in its natural condition. Further, the inclusion of any National Park System area within the Wilderness System pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such National Park System areas in accordance with the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 1952 edition, sec. 1 and the following), the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such National Park System area, including but not limited to the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 1952 edition, secs. 432 and the following); the provisions of title 16, United States Code, 1952 edition, section 796; and the act of August 21, 1935 (49 Stat. 666; title 16, U.S.C., 1952 edition, sec. 461, and the following).

NATIONAL WILDLIFE REFUGES AND RANGES

(c) The Wilderness System shall include such wildlife refuges and game ranges, or portions thereof, as the Secretary of the Interior shall designate. Within 5 years after the date of this Act the Secretary shall survey the refuges and ranges under his jurisdiction on June 1, 1958, and designate for inclusion in the Wilderness System those refuges and ranges, or portions thereof, that he determines to be appropriate. Further, the Secretary shall survey any refuges or ranges added to his jurisdiction after June 1, 1958, to determine if they are, or contain areas that are, suitable for inclusion in the

Wilderness System, and shall make such determination and so designate the appropriate refuge, range, or portion thereof, within 2 years after the refuge or range is added to his jurisdiction.

Within two years after the designation of any refuge or range in its entirety, and ninety days after giving public notice in accordance with section 4, Administrative Procedure Act of 1946 (60 Stat. 238; 5 U.S.C. 1003), the Secretary of the Interior shall designate within such refuge or range such area or areas as he shall determine to be required for roads and buildings and other installations for administration and protection of the wildlife, which area or areas shall be excluded from the Wilderness System. Should the Secretary fail to make such designation within the time limit specified, the refuge or range, with the exception of any road, building, or other installation for administration and protection then existing, shall automatically then become a part of the Wilderness System.

THE INDIANS' WILDERNESS

(d) The Wilderness System shall include such areas of tribal land on Indian reservations as the Secretary of the Interior may designate as appropriate for inclusion upon the recommendation of or with the consent of the tribes, bands, or group concerned, acting through their tribal councils or other duly constituted authorities. Such designation shall not change title to the land or any beneficial interest therein, and shall not modify or otherwise affect the Indians' right to the land.

The Secretary of the Interior shall make any addition, modification, or elimination recommended by any tribal council or other duly constituted authority of any tribe or band with regard to any area of its tribal land.

Nothing in this Act shall in any respect abrogate any treaty with any band or tribe of Indians, or in any way modify or otherwise affect the Indians' hunting and fishing rights or privileges.

OTHER UNITS

(e) The Wilderness System shall also include such units as may be designated within any federally owned or controlled area of land and/or water by the official or officials authorized to determine the use of the lands and waters involved, including any area or areas acquired by gift or bequest by any agency of the Federal Government for preservation as wilderness. Addition to or modification or elimination of such units shall be in accordance with regulations that shall be established in conformity with the purposes of this Act by the official or officials authorized to determine the use of the lands and waters involved, including, but not limited to, provisions for segregating any public lands involved from any or all forms of appropriation under the public-land laws pending addition of such units to the Wilderness System, and shall take effect as provided in subsection (f) below. Such regulations with regard to any privately owned area given or bequeathed to a Federal agency for preservation as wilderness shall be in accordance with such agreements as shall be made at the time of such gift or bequest.

ADDITIONS, MODIFICATIONS, AND ELIMINATIONS

(f) Any proposed addition to, modification of, or elimination from any area of wilderness established in accordance with this Act, and any proposed addition or elimination of any unit to or from the Wilderness System, shall be made only after not less than ninety days public notice and the holding of a public hearing, if there is a demand for such a hearing, and shall be reported with map and description to Congress by the Secretary of Agriculture, the Secretary of the Interior, or other official or officials having jurisdiction over the lands involved and shall take effect

upon the expiration of the first period of one hundred and twenty calendar days, of continuous session of Congress, following the date on which the report is received by Congress; but only if during this period there has not been passed by Congress a concurrent resolution opposing such proposed addition, modification, or elimination: *Provided*, That nothing in this Act shall restrict or affect the authority of officials of the United States, acting pursuant to other law, to establish in the manner prescribed by such law, areas of the National Park System, or to make additions, modifications, or eliminations, from any area of such National Park System pursuant to such authority. Within any unit of the Wilderness System the acquisition of any privately owned lands is hereby authorized, and such sums as the Congress may approve for such acquisition are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

USE OF THE WILDERNESS

SEC. 3. (a) Nothing in this Act shall be interpreted as interfering with the purposes stated in the establishment of any national park or monument, national forest, national wildlife refuge, Indian reservation, or other Federal land area involved, except that any agency administering any area within the Wilderness System shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes as also to preserve its wilderness character. The Wilderness System shall be devoted to the public purposes of recreational, educational, scenic, scientific, conservation, and historical use. All such use shall be in harmony, both in kind and degree, with the wilderness environment and with its preservation.

(b) Except as specially provided in this section, and subject to existing private rights (if any), no portion of any area constituting a unit of the Wilderness System shall be used for any form of commercial enterprise not contemplated in the purposes of this Act. Within such areas, except as otherwise provided in this section and in section 2 of this Act, there shall be no permanent road; nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft, nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of the area for the purposes of this Act.

SPECIAL PROVISIONS

(c) The following special provisions are hereby made:

(1) Within national forest areas included in the Wilderness System grazing of domestic livestock and the use of aircraft or motorboats where these practices have already become well established may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. Within national forest areas included in the Wilderness System such measures may be taken as may be necessary in the control of insects and diseases, subject to such conditions as the Secretary of Agriculture deems desirable.

(2) Within national forest areas included in the Wilderness System the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting, mining, or the establishment or maintenance of reservoirs and water-conservation works, including the road construction found essential to such mining and reservoir construction, upon his determination that such use in the specific area will better serve the interests of the United States and the people thereof than will its denial.

(3) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou roadless areas in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats. Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act, Public Law 539, Seventy-first Congress, second session, July 10, 1930, and the Humphrey-Thye-Blatnik-Andresen Act, Public Law 607, Eighty-fourth Congress, second session, June 22, 1956, as applying to the Superior National Forest or the regulations of the Secretary of Agriculture. Modifications of the Boundary Waters Canoe Area within the Superior National Forest shall be accomplished in the same manner as provided in section 2 (a) and (f).

(4) Any existing use or form of appropriation authorized or provided for in the Executive order or legislation establishing any national wildlife refuge or range existing on the date of approval of this Act may be continued under such authorization or provision.

(5) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

NATIONAL WILDERNESS PRESERVATION COUNCIL

Sec. 4. (a) The National Wilderness Preservation Council is hereby created, to consist ex officio of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Smithsonian Institution, and also three citizen members to be appointed by the President by and with the advice and consent of the Senate. The Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Smithsonian Institution may each designate an official of his Department or Institution to serve as his alternate on the Council. The citizen members shall be persons known to be informed regarding, and interested in the preservation of, wilderness; one of them shall be appointed initially for a term of two years, one for a term of four years, and one for a term of six years. After the expiration of these initial terms, each citizen member shall be appointed for a six-year term. The President shall designate from among the citizen members a chairman, who shall serve for a two-year term. The Secretary of the Smithsonian Institution shall be ex officio the secretary of the Council and, subject to the Council, shall maintain its headquarters.

(b) Copies of regulations established or issued in connection with the administration of any unit or units of the Wilderness System, and copies of any subsequent amendments thereto, and copies of any reports with map and description submitted to Congress regarding additions, modifications, or eliminations in accordance with Section 2(f) of this Act shall be forwarded to the secretary of the National Wilderness Preservation Council by the Secretary of Agriculture, the Secretary of the Interior, or such other official or officials as shall establish or issue them. The Council shall maintain a public file of such copies, but shall have no administrative jurisdiction over any unit in the Wilderness System nor over any agency that does have such jurisdiction.

(c) The Council shall serve as the repository for, and shall maintain available for public inspection, such maps and official papers regarding the Wilderness System as may be filed with it. The Council shall serve as a nonexclusive clearinghouse for exchange

of information among the agencies administering areas within the Wilderness System. The Council may make, sponsor, and encourage the coordination of surveys of wilderness needs and conditions and gather and disseminate information, including maps, for the information of the public regarding use and preservation of the areas of wilderness within the Wilderness System, including information and maps regarding State and other non-Federal areas. The Council is directed to consult with, advise, and invoke the aid of appropriate officers of the United States Government and to assist in obtaining cooperation in wilderness preservation and use among Federal and State agencies and private agencies and organizations concerned therewith. The Council, through its Chairman, shall annually present to Congress, not later than the tenth day of January, a report on the operations of the Council during the preceding fiscal year and on the status of the Wilderness System at the close of that fiscal year, including an annotated list of the areas included showing their size, location, and administering agency, and shall make such recommendations to Congress as the Council shall deem advisable.

(d) The Council shall meet annually and at such times between annual meetings as the Council shall determine, or upon call of the Chairman or any three members. Members of the Council shall serve as such without compensation but shall receive transportation expenses and in addition a per diem payment to be fixed by the Council, not to exceed \$50 a day, as reimbursement for expenditures in connection with attending any meeting of the Council. A sum sufficient to pay the necessary expenses of the Council, including printing and binding and rent, not to exceed an annual expenditure of \$100,000, is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated. Disbursements from such appropriations shall be made by the Secretary of the Smithsonian Institution. The Secretary of the Smithsonian Institution in behalf of the Council is authorized to accept private gifts and benefactions to be used to further the purposes of this Act, and such gifts and benefactions shall be deductible from income for Federal tax purposes and shall be exempt from Federal estate tax.

Sec. 5. This Act shall be known as the "National Wilderness Preservation Act."

DEPARTMENT OF DEFENSE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. I have introduced legislation this week to return the budget processes to the legislative branch of the Government and thereby do away with the dangerous executive budget concept set up in 1921.

The unconstitutional operations of the present Bureau of the Budget, its presumption to dictate policy at the highest level, its encroachment upon the prerogatives of the Congress all go to show the present concept of the budget structure has outlived its usefulness and is now a menace to the general welfare.

Any class B dictator will soon become a full-fledged evil unless put out of existence. The integrity of the budget processes can only be preserved by the provisions of my bill to create a Com-

missioner of the Budget to head a U.S. Budget Office under the legislative branch of the Government.

The insolence of the Bureau of the Budget is evidenced clearly in a memorandum, dated December 31, 1958, from Maurice H. Stans, Director of the Budget Bureau in the Executive Office of the President, to the Honorable Neil H. McElroy, Secretary of Defense.

It is a shocking circumstance when a creature of executive appointment will exhibit such haughtiness and pretension. This gag rule, this conspiracy to handcuff witnesses before a congressional committee in performance of its constitutional duty borders on high crime and misdemeanor.

There is no law or regulation issued under any law and no constitutional provision direct or indirect which can justify such a memorandum as this. The next thing will be an order to place the Director of the Bureau of the Budget in some sort of Graustarkian uniform with swagger stick and a new title: "Pooh-bah and Lord High Executioner."

I call upon Congress to direct an immediate investigation of this latest affront to its dignity.

Is this what is meant by the general staff system? Is this what is meant by team play? What kind of groveling, heel-clicking, faceless wonders will this memorandum make of Defense Department witnesses before the Armed Services and Appropriations Committees of the Congress?

No wonder Gen. James Gavin and Gen. Matthew Ridgway and many other civilian and military leaders of the Department of Defense could not stomach this regimentation.

This letter flaunts the clear language of the act of Congress passed last year when, after much debate, expressed language was written to prevent the very thing this memorandum directs.

It is a sham and a fraud to say that this memorandum is other than a deliberately intended threat and gag to witnesses. It is what the letter leaves unsaid that is the true evil. The Sword of Damocles, indeed. Or, as said in the game of little children, "Heavy, heavy what hangs over thy head: fine or superfine?"

In this atmosphere, Machiavelli would be a rank amateur.

I have the highest respect for the integrity of Secretary of Defense McElroy and I know he must be greatly embarrassed and chagrined to receive this pernicious document from the Director of the Bureau of the Budget. Far be it from me to put my friend on a spot, but I say to him and to all of his witnesses, in and out of uniform, they better not bring this memorandum to any hearings of the Appropriations Subcommittee for the Department of Defense.

The memorandum mentioned above follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., December 31, 1958.
Memorandum for the Honorable Neil H. McElroy:

The President will shortly present his budget for the fiscal year 1960 to the Congress. As you know, the normal process of

budgeting results in recommended amounts that in many cases are less than the agency head had requested.

It is understandable that officials and employees will feel strongly about the importance of their own agency's work, and will sometimes believe that a larger budget might be in order. Such feelings, however, must be related to an awareness that our budget resources are not adequate to accommodate in any one year all of the things that might be desired. The President is responsible for reviewing the total needs of the executive branch in the light of tax and debt policy and for deciding among competing requests for priorities. Executive branch personnel are expected to support the President in his budget recommendations.

As you and your staff prepare to justify your portion of the budget before Congress, you will want to observe the requirements set forth at the President's direction in Bureau of the Budget Circular No. A-10. It is expected that witnesses will carefully avoid volunteering views differing from the budget, either on the record or off the record. While direct questions at hearings must be answered frankly, it is expected that a witness who feels that he must set forth a personal view inconsistent with the President's budget will also point out that the President's judgment on the matter was reached from his overall perspective as the head of the Government, and in the light of overriding national policy. The witness should make it clear that his personal comments are not to be construed as a request for additional funds.

Please see that a reminder of this reaches all officials and employees who participate in hearings on appropriations and on legislation directly related to budget proposals, including civil functions of the Corps of Engineers.

MAURICE H. STANS,
Director.

THE CUBAN REVOLUTION

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, Cuba has 6 million people. One hundred and eighty of them reportedly have been executed by the new government. For 2 years Cuba was torn by a civil war which alined Batista and his military power against 95 percent of the Cuban people. Batista held on through a policy of terror. This meant one atrocity after another usually by government officials. Now these officials and others are being called to answer for their crimes. A long trial may not be needed in many instances.

Of course no one should be executed without a fair trial. To date I have seen no direct evidence that this has happened. There is now a free press in Cuba. Many correspondents from the United States are freely circulating there. This was not true under Batista. The estimated 20,000 murders committed to keep him in power did not receive the coverage given these executions. A free press helps insure fair trials.

It is my hope that the Inter-American Bar Association will be asked to consult with the Cuban Government. Leading lawyers from the Western Hemisphere

could be of timely assistance in reestablishing the Cuban court system and in assuring everyone, including Cubans, that the new government is not embarking on the bloody road of Batista.

UNEMPLOYMENT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, the President of the United States in his recent state of the Union message said that the current recession is "fading into history."

Within the borders of the 32d Congressional District of New York the recession and unemployment connected with it are by no means fading into history.

Last month the Navy announced the closing down of a number of naval facilities scattered throughout the United States, including the U.S. Naval Supply Depot at Scotia, N.Y. At Scotia over 600 civilian employees are slated to lose their jobs because of this action.

It just doesn't make sense for any agency of the U.S. Government to take deliberate action in an area which already is suffering from substantial unemployment without any consideration of the impact which this action will have on the overall economic life of the community. The right hand of the Government ought to know what the left hand is doing. It is just plain bad administration to speak in one moment about relieving distressed areas and at the same moment to allow some other agency of the Government to contribute to the distress of those very areas.

I have today offered legislation to require congressional consideration of any reduction in civilian personnel at any military or naval installation located in an area of substantial labor surplus. Under my legislation such reductions could not be made without first being submitted to Congress, and could not take effect if either House of Congress disapproves.

My bill, if adopted, will enable all of the facts bearing on the economic life of any distressed area to be fully presented and considered before any jobs can be cut in such an area.

Mr. Speaker, I urge Members of the House to join in supporting this legislation.

THE FARM PROGRAM MESS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, there is an old saying to the effect that a weak law in the hands of an able and sympathetic administrator is often much more effective than a good law in the hands of an

incapable or unsympathetic administrator.

There is no question but that there have been defects in the farm programs that were designed to be established through legislation enacted by Congress. But as the editorial from a recent issue of the Des Moines Register well points out:

Secretary Benson has been so fanatically opposed to Government farm programs that there is considerable reason to believe that he has tried to make the programs look bad in the way he has administered them.

Secretary Benson has played a major role in driving price supports ever lower, and this at a time when nearly all costs of farm operation have steadily increased. He is either incapable of understanding or deliberately ignores the fact that continued underpricing of the raw materials (new wealth) of the farms must eventually have dire consequences for the entire economy of the Nation.

The crutch that has been and is now being used to prop up the Nation's economy is deficit financing and borrowed money. That cannot continue indefinitely.

Mr. Benson has long since outlived his usefulness as Secretary of Agriculture. The vast majority of American farmers have little or no confidence in him. The hour is late, but in the best interests of this vast and vital industry and the national economy, Benson ought to tender his resignation, step aside, and make way for a new Secretary who earnestly desires to work with Congress and the various farm organizations in solving the mess that is the present farm program.

The editorial from the Des Moines Register follows:

The indications now are that in January 1961, after 8 years of Ezra Benson's dedicated effort to master the farm problem, the costs of the Federal programs and the size of the crop surpluses will be two to four times what they were in January 1953, when Secretary Benson came into office. This is the lead sentence of an article in the January Fortune magazine. The article goes on to ask, "Why, after 6 years of Eisenhower-Benson management, is the farm problem getting worse instead of better?"

Fortunes' answer is that Benson has made too many compromises and has not pushed harder and more consistently to dismantle the acreage-control and price-support programs.

Of course, if the farm problem is viewed simply as a matter of reducing the Federal budget, that is the correct solution. If the farm price support programs were abandoned, the cost of the programs would disappear. But not even Mr. Benson has recommended such a stern measure. It would mean a drastic further decline in farm income, which is already down substantially since 1947.

However, the Secretary has recommended consistently that price supports be reduced, and Congress has given him considerable authority to do so. Price supports are much lower now than in 1953.

Why has the cost of the programs gone up while price supports were going down?

One big reason is that weather has been favorable and production high. Secretary Benson hoped that as price supports were lowered, farmers would produce less of the basic crops. But it didn't work out that way. Farmers have been producing more corn and wheat than ever. Even though price supports are lower, it costs the Government

more to carry out the program, because there is more grain to be covered.

In the last 2 years, by making corn loans available to everyone, Benson deliberately increased the cost of that program. Farmers who failed to comply with their acreage allotments could get loans about 25 cents below the regular rate.

Crop acreage controls never have worked very well in limiting production, but Secretary Benson has not tried to make them work even as well as in the past. The noncompliance corn loan was a strong incentive to farmers to grow as much corn as possible. The Secretary campaigned to get rid of the allotments, and this has now been accomplished as a result of the farmer referendum last November. In addition, Mr. Benson worked against limitation of production by refusing to require farmers to comply with allotments on all crops if they were to receive benefits on any. So wheat and cotton producers, for example, have been free to expand corn production.

It is paradoxical that the man who was going to get Government out of agriculture has got Government deeper into agriculture than ever before. Surpluses have mounted and are still mounting. Government expenditures for price support, storage, and disposal of surpluses have risen from less than \$1 billion a year to more than \$3 billion a year and are still rising.

The cost of farm programs would have been much lower in the last 3 years if Secretary Benson had done his best to make the crop acreage controls work—and had limited corn loans to those who comply with acreage allotments.

Secretary Benson has been so fanatically opposed to Government farm programs that there is considerable reason to believe that he has tried to make the programs look bad in the way he has administered them.

DIRECTIVE FROM THE BUREAU OF THE BUDGET

Mr. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORD. Mr. Speaker, the memorandum from the Director of the Budget, Maurice H. Stans, dated December 31, 1958, will not in any way whatsoever interfere with the hearings of the House Committee on Appropriations. Any witness for the executive branch of the Government under this memorandum is given full authority to answer questions frankly.

The full text of the memorandum from Mr. Stans to the Secretary of Defense is as follows:

MEMORANDUM FOR THE HONORABLE NEIL A. MCELROY

The President will shortly present his budget for the fiscal year 1960 to the Congress. As you know, the normal process of budgeting results in recommended amounts that in many cases are less than the agency head had requested.

It is understandable that officials and employees will feel strongly about the importance of their own agency's work, and will sometimes believe that a larger budget might be in order. Such feelings, however, must be related to an awareness that our budget resources are not adequate to accommodate in any one year all of the things that might be desired. The President is

responsible for reviewing the total needs of the executive branch in the light of tax and debt policy and for deciding among competing requests for priorities. Executive branch personnel are expected to support the President in his budget recommendations.

As you and your staff prepare to justify your portion of the budget before Congress, you will want to observe the requirements set forth at the President's direction in Bureau of the Budget Circular No. A-10. It is expected that witnesses will carefully avoid volunteering views differing from the budget, either on the record or off the record. While direct questions at hearings must be answered frankly, it is expected that a witness who feels that he must set forth a personal view inconsistent with the President's budget will also point out that the President's judgment on the matter was reached from his overall perspective as the head of the Government, and in the light of overriding national policy. The witness should make it clear that his personal comments are not to be construed as a request for additional funds.

Please see that a reminder of this reaches all officials and employees who participate in hearings on appropriations and on legislation directly related to budget proposals, including civil functions of the Corps of Engineers.

MAURICE H. STANS,
Director.

It should also be pointed out that the executive branch of the Federal Government, whether Democratic or Republican, has pursued the same policy. As a matter of fact under the Truman administration a much more severe and restrictive limitation was imposed on witnesses from the executive branch of the Federal Government when they were testifying on behalf of the President's budget.

For example on November 15, 1946, the following memorandum was issued and personally signed by former President Truman:

MEMORANDUM FOR THE DIRECTOR OF THE BUREAU OF THE BUDGET

I have noticed that on several occasions certain department and agency officials have shown a tendency to seek from Congress larger appropriations than were contemplated in official budget estimates.

The estimates which I transmit to Congress reflect a balanced program for the executive branch as a whole, and each individual estimate is considered in the light of this program, its relationship to other estimates, and the fiscal position of the Government. While agency witnesses before congressional committees must feel free to supply facts in answer to questions of committee members, I cannot condone the practice of seizing upon any opportunity which presents itself to indicate an opinion, either directly or indirectly, that my estimates are insufficient.

When you notify the heads of the various departments and agencies of the amounts to be included in the 1948 budget for their activities, I wish you would include a reminder that I shall expect them and their subordinates to support only the President's estimates in hearings and discussions with Members of Congress.

HARRY S. TRUMAN.

It should be stated on behalf of the Chief Executive whether Mr. Truman or Mr. Eisenhower, that as head of the executive branch of the Government the President has the right to expect that his aids and assistants will represent his

views. This is the orderly and proper way to run such a vast and complicated business involving over 4½ million military and civilian employees and a budget totaling \$77 billion.

It should be reemphasized that as long as all witnesses are given clearance to express their personal views when interrogated by a direct question there will be no interference with the responsibility of the Committee on Appropriations to carry out its duty to determine the validity of budget or executive programs.

ADDITIONAL JUDGESHIP FOR THE NORTHERN DISTRICT OF TEXAS

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, today I am introducing a bill to provide for an additional judgeship for the northern judicial district of Texas. In this action I become a cosponsor with the gentleman from Texas [Mr. ROGERS].

The need for the judgeship is exceptional and of an emergency nature, it is also critical. By the test of any criteria this need can be clearly shown, by population, area of backlog of cases, as compared to other districts. In fiscal 1958 there were 1,837 civil cases filed in the northern district, an average of 612 per judge, far beyond, almost twice, the 273 nationwide average per judge. The northern district serves 100 counties, 92,955 square miles, and 3,093,000 people.

Last year the Judiciary Committee approved the Judicial Conference recommendations for additional judgeships. I had the privilege of testifying before the committee. The omnibus judgeship bill included judgeships in the southern, western, and northern districts of Texas.

Comparatively, the northern district had the same number of cases filed as the southern district which had four judges, not three as in the northern district. Judge Whitfield Davidson, Judge Joe Estes, and Judge Joe Dooley have been carrying this load. Now Judge Dooley has been injured, a broken leg, and will be out 5 or 6 months. This adds to the almost impossible situation. Another judge, at least one, is urgently needed right now, long overdue.

So it is that I am requesting the judgeship for the northern district before the needs of other districts are considered. The facts support this need. The need transcends partisan politics.

Elmore Whitehurst, U.S. referee in bankruptcy for the northern district, formerly Assistant Director of the Administrative Office of U.S. Courts in Washington has said that he didn't know of any district in the same population area any place in the Nation in worse shape, regarding the number of Federal judges, than northern Texas.

It is my hope, my request, that the members of the Judiciary Committee and then this House will take the action so

urgently needed, even though the help for other judicial districts is postponed. Later in the session we can alleviate the need in other districts.

THE REPUBLICANS ARE GETTING READY TO FIGHT

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the attention of the Speaker and the majority leader is desired, for a moment.

It has been rumored around that Republicans would not fight, that we had lost our courage, our determination to make a fight for the principles of our party.

It is my hope that the Speaker realizes from what has been said here this morning—and the gentleman from Iowa [Mr. Gross] has long been my leader—that we are just getting ready to fight the opposition—though there may be one or two individuals in the executive department we have not attacked. And I assume that we will start—well, along about July—well, at least before the Congress adjourns to tell the people just how we will implement the party's policy.

NORMAN P. MASON

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I was very happy and very proud that President Eisenhower announced he had promoted Mr. Norman P. Mason, who has been the head of the Federal Housing Authority, to the position of Administrator of the Housing and Home Finance Agency. Mr. Mason is one of the finest men I have ever known and has a splendid record both as a businessman and as a great civic leader. The people who have worked for him for years have nothing but the highest praise and approval for him. He was always anxious to improve the position of labor. He lives in Chelmsford, which is in my district. I rejoice in the fact that the Congress and the country are going to have the benefit of his great abilities.

Mr. Mason is blessed with a beautiful wife and a fine son and a fine daughter, and with four grandsons he can help develop a new generation of public spirited citizens.

The following article from the New York Times gives a résumé of some of the new Administrator's accomplishments. May he have a very successful term of office I am sure is the wish of all

of us—I know he is well and favorably known to both branches of Congress:

A YANKEE FROM UPSTATE: NORMAN PEIRCE MASON

WASHINGTON, January 14.—A native of upstate New York with the characteristics of a New England Yankee will be the Government's new housing chief. He is Norman Peirce Mason, a 62-year-old former lumber dealer. For the last 4 years he has headed the Federal Housing Administration. In his new job as Administrator of the Housing and Home Finance Agency, to which he was named today by President Eisenhower, he will supervise his old agency, the FHA, as well as a conglomeration of other activities ranging from slum clearance to loans for college dormitories and from community planning to public housing.

Mr. Mason's Yankeeess is readily explainable. Though he was born in the small town of Willsboro along Lake Champlain in New York, he has lived since 1923 in New England in the town of Chelmsford, Mass.

AGENCY UNDER FIRE

Mr. Mason came to Washington in 1954 in unusual circumstances. The FHA—the oldest of the housing agencies and among the least controversial—had suddenly been tinged with scandal. The activities were connected with two of its half dozen mortgage insurance activities—Involving both high officials of the agency and private operators in various home building and re-pair fields.

They had mostly taken place before the Eisenhower administration, but the President ousted Guy T. O. Hollyday as Commissioner and named Mr. Mason to take over. There has not been a breath of scandal since.

The road to high government service for this New Englander was in no significant way through his participation in politics. Over the years he had been president of his local, State, regional, and then national head of the Retail Lumber Dealers Association. From that post he was nominated for and won election as New England member of the board of directors of the United States Chamber of Commerce.

LED CONSTRUCTION GROUP

Quickly named to head the chamber's construction committee, he found himself becoming acquainted with the leaders in all facets of the home-building and construction industry (there are 134 trade associations in the industry). As a natural next step, he became a member of the advisory committee named by the new administration to recommend changes in the Nation's housing laws.

When the scandal broke, Mr. Mason was a "natural" for a new commissioner. He was well known to the industry, had administrative experience in business and was an Eisenhower supporter. He has served ever since under Albert M. Cole, whose place he will take as head of HHFA.

His job has been widely commended within the building industry and even among Democrats in Congress.

In his hometown of Willsboro, Mr. Mason, as he puts it today, "lived in the house at the top of the hill." His father was one of the two or three leading citizens of the town. When Mr. Mason was 14, the family moved to Plattsburgh after his father had made an unsuccessful venture into politics.

Mr. Mason served in the Navy as an enlisted man in World War I after graduating from high school. When his father died in 1922 he took over the family hardware business in Plattsburgh. Then in 1923 he pooled his inheritance and that of his wife's to purchase a languishing lumber firm in Chelmsford. He built it up over the years to a thriving firm with 5 lumberyards, a box manufacturing plant, 100 employees, and a \$1,300,000 annual volume of business.

Short and stocky with gray hair and a slight bald spot on the back of his head, Mr. Mason counts golf and photography as his main hobbies.

His son David runs the business in Chelmsford. A married daughter, Mrs. Charles Svenson, also lives in Chelmsford.

REPEAL OF FEDERAL EXCISE TAX ON AUTOMOTIVE VEHICLES

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker and distinguished colleagues, I have just introduced in the Congress a measure designed to repeal the Federal excise tax on automotive vehicles. In my judgment, early enactment of this measure will insure employment in our automotive industries, have a stabilizing effect on the national economy, and help to build a barrier against future economic recession.

But of equal importance, passage of this measure will remove a long-standing inequity from our present tax structure, as this excise tax was originally enacted as a wartime measure.

As many of my colleagues will recall, I introduced this same bill early in the 85th Congress but no action was taken, despite the fact that such legislation was strongly endorsed and supported by many of our outstanding leaders in our business communities and in the field of organized labor. In my own mind, I am confident that failure of the 85th Congress to take action on that legislative proposal contributed immensely to the crippling recession that plagued our Nation during the past year.

We are trying to get our economy rolling at full speed without taking off our emergency brake that was once needed for an emergency that no longer exists. How long are we going to be blind to the effects of this tax that has depressed a major national market and deprived our working people of full employment?

I ask today: Will the 86th Congress make the same mistake? Will we pass up another opportunity to correct a gross tax inequity and, at the same time, to enact an important antirecession measure?

To me the reasons for repealing the Federal excise tax on automotive vehicles are little different today than 2 years ago when I first made this proposal to the Congress. The urgency for such legislative action on our part is just as great today as it was in January 1957—if not greater.

I was, indeed, encouraged to hear the President in his state of the Union message last Friday say that:

I am requesting the Secretary of the Treasury to prepare appropriate proposals for revising, at the proper time, our tax structure, to remove inequities and to enhance incentives for all Americans to work, to save, and invest.

It is my hope that this is one of the areas of revision that he had in mind—

together with many of our other wartime excise taxes. In my opinion there is urgent need for the House to give most serious study to correcting excise tax inequities—including telephone, leather products, jewelry, and transportation, to mention but a few.

Mr. Speaker, let me point out just a few important aspects of the automotive industry that cannot be overemphasized. I feel qualified to speak on this subject, because in our congressional district a significant portion of the automobile industry of America is centered.

Into the Sixth Congressional District of Michigan come an estimated 15,000 different parts that comprise a motor vehicle. From 57 different foreign lands and each of the 49 States of the Union come various raw materials that are used in the manufacture of a motor vehicle.

The automobile industry uses more plate glass than the entire building and construction industry of America. The automobile industry uses more leather upholstery than the entire furniture industry. Equally significant, the automobile industry uses more iron and steel than any other single industry in the world.

Thus with such multifarious ramifications that extend into nearly every segment of our society, one can easily discern the tenacious relationship of the automobile industry to both national and international economy. In a word, literally millions of jobs, not only in Michigan, but in every other State of our Union depend entirely upon the production of automobiles. It follows naturally that any slump in the automobile industry is soon reflected in countless other business enterprises which also provide Americans with economic livelihood. I feel that you should be reminded that one out of every seven employed persons in the United States is engaged in the manufacture, distribution, service or commercial use of motor vehicles.

Thus Mr. Speaker, while calling for repeal of the excise tax on automotive vehicles, I speak in behalf of the economic welfare of millions of wage earners throughout our entire country. This is not an isolated economic concept; it is nationwide in scope.

Just what would be the result if we repealed the Federal excise tax on automotive vehicles?

At once the price of automobiles would be reduced, and it is elemental that this in turn could stimulate sales and ultimately increase production. More jobs would be created in hundreds of other manufacturing enterprises that are dependent in large part upon automobile production. These enterprises would include the steel industry, the brass and copper industries, and literally thousands of others, including many small business concerns.

Such tax relief would be fair and equitable. Seventy-three percent of our American families own automobiles, and 61 percent of all American adults are licensed drivers. In addition, we must remember 68 percent of all employed persons in the United States drive automobiles to work, and 75 percent of all business trips are made by automobile. Sig-

nificantly, 75 percent of all American automobiles are used for business purposes. It can no longer be argued that the automobile is a luxury.

To those who recognize that we have a growing national economy, to those that talk of a higher standard of living for all Americans, to those who believe that we are in a vital economic struggle that makes it imperative for our economy to expand if our system of free enterprise is to maintain its position of world leadership, to all of you, I urge that you join with me in asking for early and favorable consideration of the measure that I have introduced here today.

CUBA

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, Castro's executions now total 185. Four to six thousand are in jail awaiting drumhead courts-martial and the number increases daily. Fidel Castro boasts that the slaughter shall continue despite condemnatory world opinion.

Many innocents have been caught in the dragnet. It may be a gay pastime for Castro but bodes ill for Cuba.

We did not send Gen. Leonard Wood and "Teddy" Roosevelt to rescue Cuba from Spanish oppression in 1898, only to have that unhappy country now plunged into a blood bath. The President and the administration should publicly express horror and indignation and have the matter placed before the United Nations.

Castro might well follow the courageous and majestic example of General de Gaulle, who has granted amnesty to some 7,000 Algerian rebels.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. WALTER] is recognized for 30 minutes.

Mr. WALTER. Mr. Speaker, on Monday last, the gentleman from California [Mr. ROOSEVELT] addressed the House and explained his resolution designed to abolish the Committee on Un-American Activities of the House and to add to the list of matters within the jurisdiction of the Committee on the Judiciary just two words, "seditious activity."

I waited in vain, Mr. Speaker, to hear the gentleman from California describe how his resolution would strengthen the investigation of communism by abolishing the Committee on Un-American Activities and vesting certain limited investigating jurisdiction of subversion in the Judiciary Committee when the Judiciary Committee itself is presently overworked and handles now over 50 percent of all bills introduced into the House.

Let us make no mistake about it, Mr. Speaker, the resolution of the gentleman from California is not designed to

strengthen the investigation of subversion. It is designed to strangle the investigation of subversion.

I am not irrevocably wedded to any particular structural organization of a unit of the House charged with the investigation of subversion. As this House knows, I myself have recently made certain suggestions for jurisdictional changes in the present committee and from time to time I have given considerable study to possible new language relating to powers and duties of the present committee.

I am, however, Mr. Speaker, irrevocably committed to do all in my power as a Member of this Congress and as a citizen of this Republic to resist and fight communism and to fight it with all my might, and for that I make no apologies to anyone.

The issue presented by the resolution of the gentleman from California is simply this: Are we going to investigate and legislate against the Communist conspiracy, or are we not?

And now, Mr. Speaker, let me take a few minutes to analyze the basic fallacy of the contentions of the gentleman from California respecting the legal implications of his resolution. He contends that his resolution will resolve difficulties stemming from the decision of the Supreme Court of the United States in Watkins against United States, and he quotes certain of the dicta of that case respecting pertinency of questions posed to a witness under interrogation by a congressional committee. In essence, Mr. Speaker, all the Watkins decision said on this point is that a witness before a congressional committee is entitled to know the pertinency of questions posed to him and that his knowledge of the pertinency of questions can be made clear by several devices, including the authorizing resolution, the opening remarks of the chairman, members, or counsel for the committee, the nature of the proceedings, the questions themselves, and the chairman's response to an objection on pertinency.

How, Mr. Speaker, could the abolition of the Committee on Un-American Activities and the addition to the jurisdiction of the Judiciary Committee of two words possibly have any bearing upon the pronouncements of the courts respecting pertinency of a question asked of a witness?

Since the pronouncements of the court in the Watkins case, the U.S. Court of Appeals of the District of Columbia in the case of Barenblatt against United States has rejected the thesis that the Watkins case voided the basic authority of the Committee on Un-American Activities to compel compliance with its mandate to investigate subversion. I shall not comment further on the Barenblatt case because it is pending in the Supreme Court of the United States and it would be highly inappropriate for me as well as for any Member of this House, including the gentleman from California, to make any public remarks which would prejudice the Court's position in that case.

In his remarks in support of his resolution, the gentleman from California

assured the House that his resolution did not involve any direct or indirect criticism of the members of the Committee on Un-American Activities or of any particular situation. If this is to be taken at face value, if he has no criticism of the committee or of any particular situation in connection with the functioning of the committee, does he expect a similar state of affairs to prevail if the investigation of subversion should be vested in another committee whose power would stem from a jurisdiction described in two words, "seditious activity"? If the Committee on the Judiciary were to conduct a hearing on "seditious activity," how would these two words resolve issues of pertinency of questions posed by the committee to a witness? The fact is, Mr. Speaker, that the words "seditious activity" unlike the phrase in the present charter of the Committee on Un-American Activities have never been interpreted by the courts and it would necessitate a complete new cycle of litigation over the course of many years before there would be a body of law which could guide the investigators as to their powers and duties.

Irrespective of the motive of the author of this resolution, I say that it is a subterfuge and a fraud when it is presented to this House under the guise of strengthening investigation of subversion. If it is the will of the House that we no longer resist, investigate and legislate against communism, let us meet the issue squarely by passing a resolution precluding investigations of communism. Let us repeal the some three dozen laws now on the statute books and which have stemmed from investigations of the Committee on Un-American Activities. Let us then, Mr. Speaker, have the courage to face the American people and tell them what we have done.

I am a little amused that the gentleman from California would profess that he has no criticism of the committee or of any particular situation because most of those who are presently clamoring for the destruction of the Committee on Un-American Activities did not take this position. Most of those who join in the move to abolish the Committee on Un-American Activities complain that the committee is witch hunting, is violating fundamental rights, is promiscuously destroying reputations, and the like, that the Members of the Committee, particularly myself, are Fascist warmongers and possess other characteristics which are so vile as to be unfit for repetition. Such, Mr. Speaker, is the position of Communist agents and those under Communist discipline who constitute the leadership of the Emergency Civil Liberties Committee and its affiliate organizations, including the Citizens Committee To Preserve American Freedoms which are controlled lock, stock and barrel by the Communists.

Such is likewise the position of the National Lawyers Guild which has been bombarding the Members of this House with appeals to abolish the committee. And what might be the reason for this position by the National Lawyers Guild? Could it be that this organization has a deadly ax to grind? Well, the National Lawyers Guild has been thoroughly in-

vestigated by the committee and found to be the legal arm of the Communist Party.

A year ago, the Committee on Un-American Activities published a booklet entitled "Operation Abolition" in which is set forth complete details of the campaign against the House Committee on Un-American Activities, the Federal Bureau of Investigation and the entire Government security program spearheaded by the Communist front, the Emergency Civil Liberties Committee and its affiliates. The man who is the chief ring-leader of the campaign is one Frank Wilkinson, whose headquarters have been in southern California. Why should Frank Wilkinson want to see an extinction of the investigating powers of the Congress in the field of subversion? Could it be, Mr. Speaker, that Mr. Wilkinson might have a personal interest in the matter? Well, Mr. Wilkinson has been identified before the Committee on Un-American Activities by former FBI agents, working underground in the Communist movement, as a hard-core Communist agent. Twice Mr. Wilkinson has been summoned before the Committee and is presently under indictment in Georgia for contempt of the committee. Under date of November 9, 1958, just 2 months ago, Mr. Wilkinson held a strategy meeting at the First Unitarian Church in Los Angeles. He was introduced as Secretary of the Committee To Preserve American Freedoms, on leave of absence to direct the campaign of the Emergency Civil Liberties Committee To Abolish the Committee on Un-American Activities. In this meeting, Mr. Wilkinson explained the importance of getting 100,000 signatures as quickly as possible sent to the Congress of the United States, and particularly those in certain districts in California, to abolish the Committee on Un-American Activities.

Wilkinson further explained that Allen Barth, chief editorial writer of the notorious Washington Post and Times Herald, would appear in California for a big kickoff drive against the House committee. Wilkinson likewise explained how he had lined up various other groups and organizations to join in the campaign. Rallies have been held, Mr. Speaker, under the auspices of the Emergency Civil Liberties Committee in over a dozen sections of the country. The chairman of the Emergency Civil Liberties Committee is an identified Communist, Harvey O'Connor, who, like Frank Wilkinson, has been cited for contempt of the committee.

Mr. Speaker, the gentleman from California is the only person I know who has no criticism to offer of the Committee on Un-American Activities, but who wants to abolish the committee for the purpose of strengthening the investigation of subversion.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER. Under the previous order of the House, the gentleman from California [Mr. DOYLE] is recognized for 30 minutes.

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to revise and extend my

remarks and include therein the texts of H. Res. 151 and H. Res. 307.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I speak in opposition to the proposal of my distinguished colleague from California, Hon. JAMES ROOSEVELT, as contained in his resolution recently filed to abolish the House Un-American Activities Committee and to transfer its jurisdiction to a subcommittee on the House Committee on the Judiciary. I will not try to cover the same field treated by my distinguished colleagues, the gentleman from Ohio [Mr. SCHERER] and the gentleman from California [Mr. JACKSON]. I had the benefit of listening to Mr. ROOSEVELT's discussion on this floor in support of his resolution on Monday, January 12, and having now already been an active member of the House Committee on Un-American Activities for 7 years last passed, I deem it fitting that I give the House the benefit of my considered opinion and include a recommendation of my own on the subject involved. Those of you who have been Members of this great legislative body for several years will remember that I became a member of the House Un-American Activities Committee at the urgent request of the distinguished Speaker of our House, Hon. SAM RAYBURN. I did not seek it at that time and it still is a fact that I am actively at work as a member of the House Armed Services Committee.

I do not disagree with the statement frequently made by Members of this House that, on account of the extremely difficult and pressing nature of its work, the House Un-American Activities Committee is likely the most difficult committee of the House to serve as a member. Included in my remarks for the benefit of the large number of new Members of this House and also for the purpose of refreshing the recollection of the older Members, I will state that I will only have time on this occasion, to cite a very few of the major facts, showing definite progress of the Committee on Un-American Activities during the last few years, especially in the field of policies, practices and procedures. For instance, a booklet containing the revised rules of procedure of the committee was printed July 15, 1953, and since that time has been distributed or easily available to every witness and distributed to every legal counsel for every witness appearing before the committee. This major development and improvement was under a Republican administration when the Honorable Harold Velde was chairman of the Un-American Activities Committee. It was my good fortune to have the experience and responsibility of being chairman of that Committee on Rules. This printed booklet also included the text of Public Law 601 of the 79th Congress which created the Committee on Un-American Activities which consists of only nine members as a standing committee.

I understand that since the issuance of that set of committee rules on July 15, 1953, some other committees of the House

have likewise such a set of rules for information and instruction and guidance of their committee. This set of committee rules is some proof of a continuing desire and determination on the part of the committee to be eminently fair and just to witnesses before it and to their legal counsel and also to perform the committee responsibility in accordance with the intent of Congress creating said committee.

In making this statement, I do not contend that there is not still room for further improvements. There always will be. But, my colleagues, since the committee rules are generally recognized substantially fair and just to the witnesses and counsel appearing before it, then of course, this fact eliminates any claim for abolishing the committee on the grounds it has no rules, nor on the grounds its rules are not substantially fair and just and just to all concerned.

Nor, did Mr. ROOSEVELT claim that the committee rules were not fair nor just. He frankly stated he was not criticizing the committee on any particular point.

I am never satisfied to have the committee stand still nor to neglect to make advancements and improvements in its policies, its procedures, and practices. Hence, what I say further today, in objection to Mr. ROOSEVELT's resolution to abolish the committee, is not because I am entirely satisfied with my committee procedures or policies or even with its functioning in every facet, but because I believe the abolition of the committee and the transference of its necessary strategic responsibility to a subcommittee of the House Judiciary Committee, would markedly weaken the position of the House of Representatives in performance of its responsibilities to continue active, diligent, adequate investigation of subversive activities. And, also in the essential area of remedial legislation: It would naturally lessen the effectiveness of the House of Representatives in the vital field of remedial legislation to meet the vigorous and ever-present conspiracy of Communist subversive infiltration wherever it chose to stick its ugly head. Also, growing out of the committee's marked advances in functioning and as further proof that substantial progress has been made by the House itself in this area, is the fact that House Resolution 151 which was filed February 22, 1955, and which was voted out of the House Committee on Rules on March 23, 1955, by unanimous committee vote and likewise unanimously agreed to by the House itself.

That resolution not only applied to the Committee on Un-American Activities, but it amended rule XI, section 25, by providing that every committee of the House, in fixing the number of its members to constitute a quorum for taking testimony and taking evidence, shall not fix a quorum of less than two committee members; that the chairman of every investigative hearing shall announce in an opening statement, the purpose of such investigation, and that witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their

constitutional rights; that if the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall then receive such testimony in executive session.

House Resolution 151 contained other major provisions; and while it was my privilege to offer House Resolution 151, most of the text thereof came from experiences had in the committee and from other House Members, including the distinguished Speaker, and also the distinguished majority leader contributed to its provisions. May I make it crystal clear that in retrospect of my active participation as one of the nine members of this committee over a term of 7 years I recollect more than one occasion wherein if I had to do it over again I am sure I could and would do differently and that my revised action would be an improvement on what I had previously done. I include the text of House Resolution 151 in my remarks at this point:

[84th Cong., 1st sess.]

H. Res. 151

Resolved, That rule XI 25(a) of the Rules of the House of Representatives is amended to read:

"25. (a) the Rules of the House are the rules of its committees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees. Committees may adopt additional rules not inconsistent therewith."

Sec. 2. Rule XI 25 is further amended by adding at the end thereof:

"(h) Each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which shall be not less than two.

"(i) The chairman at an investigative hearing shall announce in an opening statement the subject of the investigation.

"(j) A copy of the committee rules, if any, and paragraph 25 of rule XI of the House of Representatives shall be made available to the witness.

"(k) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

"(l) The chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the committee may cite the offender to the House for contempt.

"(m) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—

"(1) receive such evidence or testimony in executive session;

"(2) afford such person an opportunity voluntarily to appear as a witness; and

"(3) receive and dispose of requests from such person to subpoena additional witnesses.

"(n) Except as provided in paragraph (m), the chairman shall receive and the committee shall dispose of requests to subpoena additional witnesses.

"(o) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee.

"(p) In the discretion of the committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

"(q) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if

given at an executive session, when authorized by the committee."

Furthermore, my own opinion is that nine members on the committee is not a sufficient number to adequately meet the increasing challenge of very heavy and necessary daily work to be accomplished. It is not a committee the functioning of which can be, or should be too much done by staff members, for the nature of its work requires and depends upon the fullest possible informed functioning of each and every committee member. In fact, if the committee were an exclusive committee and its members were not on any other major committee, it, I believe, would materially strengthen the performance of the committee's jurisdiction.

I welcome decisions of the Supreme Court of the United States bearing on the functioning of our committee. I welcome them as guideposts. For, my colleagues, the work of this committee has only been in being for comparatively a few years and I am sure considerable basic law involving the work of the committee and its jurisdiction will still necessarily be promulgated by the Supreme Court. The work of this committee will continue to be under legal attack by the enemies of internal security of the United States.

It will not surprise you for me to say that every now and then the committee cooperates to see that cases which arise, growing out of the committee's functioning, are as promptly as possible pressed forward to the final decision of the Supreme Court of the United States, so that the committee can be fully advised of just what the law in the premises is. This, I believe, is as it should be; for ours must be a government by law. There is no other source from which the committee can be guided, as to what the law in a parallel is.

There is no other way provided under our system of Government, whereby the committee can constructively function, in legal protection of the rights of individuals; and having the duty also to protect the rights and safety of the public in this very sensitive area.

Some of you have heard me frequently state, that I will fight for the right of any American citizen to exercise his right of petition; to say what he thinks; to think as he pleases; to write as he pleases; to print what he pleases and to pray as he wishes—as long as he does it within the four corners of the United States Constitution. This means he must be a law-abiding citizen. And whenever I meet a man who has an opinion different than mine, I again thank God, that under our Constitution and law, there is no legal way by which I can force him to believe as I do. Rigid conformity in thinking and doing is not on the highway to freedom, of either individuals or nations.

Now, let us further look at Mr. ROOSEVELT's resolution and his speech in support thereof. First, I call your attention to the very first paragraph of his speech on Monday last wherein he stated:

At the outset I wish to emphasize that by abolishing the committee it is not my in-

tention to have the House cease its activity in investigating subversion.

It therefore is crystal clear, is it not, that he recognizes that there is a continuing need for the House of Representatives to have a committee active, diligent, and adequate to continue activity in investigating subversion and in remedial legislation? By his statement, he recognizes the continuance of subversion and is in favor of the House continuing to expend tax dollars through the medium of a House committee. But he argues the present long experienced House committee should be entirely abolished and the obligation and responsibility turned over in its entirety to a different group, also of able members, but which is merely a subcommittee of the very able House Judiciary Committee with already most burdensome duties. In this connection, I have not yet heard that the House Judiciary Committee chairman or any member of the House Judiciary Committee indicate that they would welcome such new duties being placed upon them.

As one reason for advocating his resolution, the gentleman from California [Mr. ROOSEVELT] states that, on the Judiciary Committee there are two present members of the House Un-American Activities Committee, to wit: the distinguished gentleman from Pennsylvania [Mr. WALTER], the chairman, and the distinguished gentleman from Louisiana [Mr. WILLIS], and that they would be there to guide the Judiciary subcommittee in the event the Un-American Activities Committee is transferred to an unwilling House Judiciary Committee. It is very true that these two gentlemen are able, distinguished lawyers and do render extremely valuable service in their duties on the Un-American Activities Committee, but may I state that the policy of the Democratic side of the House requires that all Democratic members of the Un-American Activities Committee be lawyers and that only one of the nine members of the present committee is not a lawyer.

Since the gentleman from California [Mr. ROOSEVELT] in his speech to the House the other day states that he had informed Committee Chairman WALTER with his "full assurance that there is no direct or implied criticism of the committee members in any fashion nor is it predicated on direct or implied criticism of any particular situation," I think it is therefore fair to conclude that he rests his case for the abolition of the Un-American Activities Committee primarily on whatever import the decision in the Watkins against U.S. case has on the Committee on Un-American Activities and its operation under Public Law 601 of the 79th Congress enacted in 1946, constituted by rules X and XI of the existing rules of the House of Representatives.

I hope I have made it crystal clear that I feel strongly that abolishing the committee, as proposed by my colleague from California, would be a major catastrophe and that transferring its duties to merely a subcommittee of the House Judiciary Committee would be likewise a

definite step toward minimizing the need of investigating subversion. Now, let us take a necessary brief look at the case of Watkins against United States upon which the gentleman from California [Mr. ROOSEVELT] relies to support his resolution.

In what I believe has been a diligent study by me of that case, and related cases also, I wish to state, that while my distinguished colleague and I are miles apart and diametrically opposed in our respective positions on his resolution, he strongly favoring it and I just as strongly disfavoring it, I do recognize that the case of Watkins against United States makes it very timely and necessary that this House review and reconsider the text of Public Law 601 under which the committee presently operates and to bring the operating jurisdiction and governing the committee clearly within the purview of the Supreme Court decisions. As Mr. ROOSEVELT informed you on Monday last, the highest court in our land in that case clearly indicated that it considered the text of Public Law 601 as being so indefinite and uncertain, and subject to so many different possible interpretations and opinions, that a witness before the committee might well not be able to know clearly from the text of Public Law 601, just what his position was, as to being subject to criminal contempt if he refused to answer certain questions by the committee. May I humbly state, that in connection with my study as chairman of the committee on rules for the Un-American Activities Committee in 1953, in my study of the then existing decisions of the Supreme Court of the United States and district court of appeals, I then became convinced that it was a fact that the text of Public Law 601 in some places was ambiguous and uncertain and that especially the terms "un-American activity" and "un-American propaganda" were such. At that time, July 1953, and I want to emphasize that year, I so stated but it was then reasoned that sooner or later, probably sooner, the Supreme Court of the United States would find that issue squarely before it, and would no doubt make a ruling for the guidance of the committee. So I bided my time, still firmly believing and stating my firm opinion in the premises. I know some of my fellow Members realized I was not exactly satisfied with the situation.

But then on July 1, 1957, 85th Congress, under House Resolution 307, I filed a resolution which was referred to the House Committee on Rules suggesting a change in the name of the committee from Un-American Activities to Committee on Subversive Activities, also eliminating the term "un-American" wherever it appeared in Public Law 601 and establishing the jurisdiction of the Committee on Subversive Activities as set forth in my resolution in House Resolution 307. I wish to advise the House at this time, that this day, with only one or two minor changes, I have again filed the text of which originally appeared on July 1, 1957, in my House Resolution 307, referred to the House Rules Committee.

I include the text of my House Resolution 307 as part of my remarks:

[86th Cong., 1st sess.]

H. Res. 307

Resolved, That clause 1(q) of rule X of the Rules of the House of Representatives of the United States is amended to read: "(q) Committee on Subversive Activities, to consist of nine members;" and that clause 17, rule XI of the Rules of the House of Representatives is amended to read:

"COMMITTEE ON SUBVERSIVE ACTIVITIES

"(A) SUBVERSIVE ACTIVITIES

"(b) The Committee on Subversive Activities is authorized to make investigations of (i) the extent, character, and objects of subversive activities and propaganda in the United States, (ii) the Committee on Subversive Activities as a whole or by subcommittee is authorized to make from time to time investigations of the origin, extent, character and control and objects of any subversive movement in the United States which seeks to establish a totalitarian dictatorship in the United States and to destroy the representative form of government provided for in the United States Constitution, by its use of deceitful infiltration of other groups; conspiracy, treachery, sabotage, espionage, terrorism, subversion, and any subversive activity and propaganda, (iii) or by any means designed and used by it to accomplish its subversive purpose, (iv) whether it is of a domestic origin or is instigated from a foreign country, (v) any and all other pertinent questions that would aid and assist the U.S. Congress in any constitutional legislative purpose.

"The Committee on Subversive Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable in aid of a constitutional legislative purpose.

"For the purpose of any such investigation, the Committee on Subversive Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpoenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member."

I ask for as early a hearing on this total matter before the House Rules Committee as soon as consistent and appropriate in the premises and taking into consideration the possibility that the Supreme Court may render a decision in the Barenblatt and related cases before too long.

I naturally would not do this at this time, or any time, if I did not conscientiously and urgently feel and believe that it is imperative that our House committee and every committee of the House operate in accordance with the decisions of the Supreme Court of the United States. Also if, at any time, said Supreme Court rules that we are not doing so in any case, that then we should bring our policies and procedures within the definition and interpretation laid down by the Supreme Court. Therefore, I trust that in view of the fact that I have now again taken this same position with

reference to Public Law 601 as I took in 1953 and again in my resolution, House Resolution 307, on July 1, 1957, as is well known to many of you, you will not underestimate the vigor with which I oppose the Roosevelt resolution.

A few minutes ago you heard my distinguished chairman, the gentleman from Pennsylvania [Mr. WALTER] remind you that within the last month it had been proposed by him to initiate a substantial change in the jurisdiction and duties of this committee. My proposal today again filed, is not without precedent in proposing changes, the filing of the resolution, House Resolution 307, by me was considerably before we were presented with the problem before us today. I had planned to file this resolution on the opening day of this 86th Congress.

If my action in filing this resolution again, after waiting about 19 months, for a decision of the Supreme Court, be misunderstood or misinterpreted by any person, then I regret it, but my service of more than 12 years in this great legislative body dictates that it is essential to me that I stand clearly and definitively in support of principles which involve the rights of individuals and the security of our Nation against subversive activities by Communists advocating force and violence or by any other subversives against the Constitution of the United States.

You will recall that on last Monday, when the gentleman from California [Mr. ROOSEVELT] was arguing in support of his resolution, the gentleman from Pennsylvania [Mr. WALTER], my distinguished and able chairman of the House Un-American Activities Committee, called his attention as set forth on page 568 of the CONGRESSIONAL RECORD for January 12 to the fact that the very question the gentleman from California [Mr. ROOSEVELT] had raised as to the meaning of un-American had been raised in the Barenblatt case now pending before the Supreme Court of the United States. I also recognize that fact and hope the Supreme Court will meet that issue squarely and render an opinion which will be another definite guidepost for Congress itself, as well as for our Committee.

On Monday you also heard my distinguished committee colleague, the gentleman from Ohio [Mr. SCHERER], as appears on page 572 of the CONGRESSIONAL RECORD of that date, state that the committee can and would change its charter as at present to agree with the decision of the Supreme Court, so as to comply with that decision if and when it came, and he stated that can easily be done.

But, lest any of you have not had opportunity to read the full text of the decision of the Supreme Court on which the gentleman from California [Mr. ROOSEVELT] relies, said Court in that decision stated amongst other pertinent language, it would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of un-American?

I do not believe that was mere dictum. However, I submit that, if the Supreme Court felt that on account of the Public Law 601 being, as it stated in its deci-

sion, there, nevertheless I call your attention to the fact that said Court did not hold nor infer that Public Law 601 was unconstitutional. It could have done so, had it so concluded. Of course, by referring exclusively to the text of Public Law 601, is not the only way in which a witness can be advised and fully informed of the pertinency of questions asked him by the committee. For instance, the U.S. Court of Appeals for the District of Columbia in the case of Lloyd Barenblatt, appellant, in consideration of that case, which was remanded back to it from the U.S. Supreme Court on reargument of appeal, rendered its decision on January 16, 1958, in discussing the Watkins against U.S. case, stated:

We do believe that the Supreme Court was of the opinion that the vagueness of the resolution made it necessary and only fair that the witness be apprised of the particular matter under inquiry by the committee or subcommittee holding the hearings, and, on objection, of the pertinency of the questions involved in the inquiry.

And, the U.S. Court of Appeals in said case illustrated one of the other ways by quoting from the record of the hearings before a subcommittee of the Un-American Activities Committee on which subcommittee I sat during the 2d session of the 83d Congress, at which time Committee Chairman Velde and I participated in a brief discussion so as to clarify the pertinency of the questions which were being asked witness Barenblatt. I now quote from the decision of the U.S. Court of Appeals on page 12 and 13 thereof as follows:

Mr. DOYLE (Representative DOYLE). Mr. Chairman, I think the record should show that at this time there are pending before the United States Congress several active bills dealing with the question of subversive activities, dealing with the question of the Communist Party, dealing with the question of the responsibility that we have as a congressional committee under Public Law 601.

I am sure that is the record, and I would like the record of this hearing of this committee to especially show it—

Mr. VELDE (Representative Velde). Yes, I think—

Mr. DOYLE (continuing). And that this witness and these other witnesses could help us in line with our Public Law 601 responsibility to have hearing with reference to recommendations for legislation in this area under Public Law 601 in accordance therewith.

Mr. VELDE. I concur with you, Mr. DOYLE, and I wish to further state that the record should show that the evidence or information contained in the files of this committee, some of them in the nature of evidence, shows clearly that the witness has information about Communist activities in the United States of America, particularly while he attended the University of Michigan.

That information which the witness has would be very valuable to this committee and its work.

It is the opinion of the committee, at least the Chair, that the committee has a constitutional legal right in all ways and forms, and means, to get the information which has been requested from the witness.

The court of appeals affirmed the decision in the Watkins case and held that this discussion was part of definite in-

formation to Barenblatt as to the pertinency of questions being asked him.

I might say that the district court affirmed the opinion in the case of Watkins versus the United States.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield.

Mr. SCHERER. The gentleman from California [Mr. DOYLE] has been discussing the decision in the Watkins case because, as the gentleman has pointed out, one of the principal points decided by the Supreme Court in the Watkins case was that a witness called before the committee was entitled to have explained to him in detail the relevancy and pertinency of any question asked. I would like to ask the gentleman this question. Since that decision was handed down by the Supreme Court—has or has not the committee followed religiously the instruction of the Court in the Watkins case and explained to every witness the pertinency and relevancy of a question when the issue was raised?

Mr. DOYLE. I will say that whenever I have been present, it did. I do not know what it did when I was not present. But, I believe, it probably did because the committee tries to follow the decisions of the Supreme Court.

Mr. SCHERER. Whether we agree with them or not?

Mr. DOYLE. That is right.

And now, calling your attention to Mr. ROOSEVELT's statement on Monday made in his speech appearing on page 568 of the CONGRESSIONAL RECORD of that date, wherein he states:

There are, and have been for many years, citizen groups throughout the country who have urged the abolition of the Un-American Activities Committee. There is no doubt in my mind that a fringe of these groups have been Communist dominated, or Communist inspired.

I wish to further inform the House I have recently seen what appears to be a photostat of a letter dated November 14, 1958 on the stationery of what appears to be headed, "Emergency Civil Liberties Committee, 421 Seventh Avenue, New York, N.Y." The person's name to whom this original letter was addressed does not appear, but the last paragraph thereof states:

I am enclosing a copy of the draft of our program for 1959. This program will be submitted to our national council at its New York meeting on December 14. We genuinely hope that you will read this draft carefully and give us the benefit of your criticisms and suggestions in time for the December meeting. An envelope is enclosed for this purpose.

And I have recently seen also the photostat of what appears to be the draft program for 1959 of said Emergency Civil Liberties Committee. I wish to read two paragraphs thereof:

ABOLITION

We call upon Congress to heed the clear decision of the Supreme Court in the Watkins case and to put an end to the unconstitutional Un-American Activities Committee. We support heartily the action of our chairman, Harvey O'Connor, in refusing to recognize the authority of that committee to inquire into his private affairs. If he should be indicted we will give all possible support to his defense in the courts.

REPEAL

We will work for the repeal of repressive legislation that was pushed through in the McCarthy days. Specifically we call for the repeal by Congress of:

1. The Smith Act.
2. The Internal Security Act.
3. The Communist Control Act.

Please also note that the abolition of the House committee is but one item of their package deal of four, designed to practically obliterate all existing internal security programs.

You will note in this last by Chairman O'Connor about 1½ months ago that he designates the Un-American Activities Committee as an unconstitutional committee. I submit that I know of no decision of any high court which makes that holding.

I have in my possession a printed petition which I received through the mail on or about January 15, 1959, from the American Civil Liberties Union of Southern California at 2863 West Ninth Street, Los Angeles, Calif. I have also received from the Committee To Preserve American Freedoms a similar petition of which I have received several copies. A letter accompanying same states:

In light of the short term of the petition's circulation, during the busy holiday season, we consider the total signature impressive. We found, you will be interested to know, that a great many of those who also feel that the committee should be eliminated declined to put their names on this petition for fear of reprisal by the committee, hardly a healthy state for this democratic Nation.

This letter from the American Civil Liberties Union addressed to me notifies me that Hon. JAMES ROOSEVELT will offer a resolution to eliminate the Committee on Un-American Activities and my support of the resolution is requested. It then states that on the date the letter was written, to wit, December 31, 1958, there had been secured on these petitions in support of Mr. ROOSEVELT's resolution only 8,596 signatures.

I can also inform the House that there was a definite campaign in California over a considerable period by the said American Civil Liberties Union and by the Committee To Preserve American Freedoms in which they announced jointly and severally that they were undertaking to secure 100,000 signatures to these petitions by December 15, 1958. One parcel of printed matter from the Committee To Preserve American Freedoms with offices at 617 North Larchmont Boulevard, Los Angeles, Calif., directed that persons in favor of supporting the Roosevelt resolution be especially active in letting their support thereof be known to Congressmen CLYDE DOYLE and DON JACKSON, members of the committee and Democratic and Republican Congressmen respectively from Los Angeles County, Calif. I further state that I have not received a single one of these petitions signed by even one person from the great 23d Congressional District, which I have the honor to represent. I have received several unsigned sent me by leaders of the Democratic Party and Democratic groups in the great 23d Congressional District with statements that they were opposed to the Roosevelt resolution. In making this reference to

these petitions, the origin of the support thereof, together with the campaign to repeal the Smith Act and the Internal Security and Communist Control Act, my opinion is, shows it is all one package, emanating from Communist-dominated or Communist-inspired persons.

I realize that there are some patriotic American citizens who have apparently lent their names in support of this program of abolition of the committee. I again reiterate my support of the right of petition to Congress of any American citizen. But, I also wish to emphasize that in support of this abolition program against the Un-American Activities Committee, the Smith Act, the Internal Security Act, and the Communist Control Act as announced by Mr. Clark Foreman and the Emergency Civil Liberties Committee and the Committee To Preserve American Freedoms, Los Angeles, Calif., are some very active persons the House Un-American Activities Committee has reason to believe have been and, as far as is now known, they still are active subversive Communists. It is clear to me, that no matter how so-called liberal or openminded any patriotic person in America is, in support of the right of freedom of thinking and nonconformity, that such persons should investigate with vigilant scrutiny whether or not the petitions or documents they are being asked to sign directed against the internal security of our Nation are not, in fact, part of the fringe of the groups that have been Communist-dominated or Communist-inspired and stated and described by Mr. Roosevelt on page 568 of his speech on last Monday in support of his resolution.

In closing, I present the partial text of a letter written to me by Director J. Edgar Hoover, U.S. Department of Justice, Federal Bureau of Investigation, in answer to my inquiry to him asking his opinion as to the work and value of congressional investigative committees. Here is what he said:

The American people owe a great debt of gratitude to the work over the years of congressional investigating committees. These committees, day after day, secure information vitally needed in the consideration of new legislation. They are indeed indispensable parts of the American legislative process.

We in the FBI have the highest appreciation for the contributions rendered by congressional investigating committees dealing with Un-American activities. Each in its own way is serving the American people. The FBI is strictly a fact-gathering agency. It does not express opinions or make recommendations on the information it secures. That is the function of other officials of the Government. As the investigative arm of the Department of Justice, the FBI is charged with the duty of investigating violations of the laws of the United States, collecting evidence in cases in which the United States is or may be a party in interest, and performing other duties imposed by law. Its function is not exposure or securing information for legislative purposes. That is the function of the congressional investigating committees.

I feel that both the FBI and congressional investigating committees, in the field of internal security, have important roles to play. We are working for the same goal—protecting our great Nation from enemies who seek to destroy us. Our work is not contradictory,

but mutually helpful. That is as it should be.

My colleagues, the abolition of the House Un-American Activities Committee would give to every subversive person or group of persons, not only domestic, but foreign, cause for great glee and would dangerously weaken and even destroy effective defenses or deterrents against the enemies of the American way of life as promulgated by the Constitution of the United States.

COMMITTEE ON UN-AMERICAN ACTIVITIES

The SPEAKER pro tempore (Mr. ROGERS of Florida). Under the previous order of the House, the gentleman from California [Mr. JACKSON] is recognized for 40 minutes.

Mr. JACKSON. Mr. Speaker—

Mr. Hiestand. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield briefly.

Mr. Hiestand. Mr. Speaker, apropos the remarks of our distinguished colleague the gentleman from California [Mr. DOYLE], I am sure he realizes that this petition of last fall by the American Civil Liberties Union of Southern California calling for the elimination of the Un-American Activities Committee was and is dangerous. I considered this a dangerous attack on an important instrument of our internal security program, and expressed this conviction at several public meetings. Soon citizens of the district I represent began a spontaneous counterattack with petitions supporting the committee. The movement spread to other districts and to other States.

I have here hundreds of these petitions, and I understand hundreds more are on the way. Signed by many thousands of patriotic and clear-thinking southern Californians, these petitions are a spontaneous voice of the people that cannot be ignored. Furthermore, I have been told by colleagues from other districts and States that they too are receiving petitions. I am proud of the people of my district who started this movement. I am proud to represent such citizens.

The Un-American Activities Committee must be preserved. The attack that was launched this week followed months and years of careful preparation. The Communist-inspired front organizations, the American Civil Liberties Union, the Emergency Civil Liberties Committee, and the Communist Party itself have finally found dupes to undertake their program for undermining America. We must stop them in their tracks. I feel sure we can do it and these petitions should prove very effective.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and also ask unanimous consent that my colleague, the gentleman from California [Mr. McDONOUGH], may extend his remarks immediately following mine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON. Mr. Speaker, continuing Un-American Activities Day, whether the Trojan Horse is hauled inside the walls of a besieged city during daylight hours by iron chains or whether it is surreptitiously pulled through the gates at night by silken cords, the threat posed to the inhabitants of the community is not diminished in any manner. By the same token, whether a bulwark against organized subversion and treachery is demolished by triphammer blows or through a process of slow erosion, the flood will eventually come through the breaches to overwhelm those who live behind the protective wall.

The antipathy toward the House Committee on Un-American Activities evidenced by some organizations and individuals within the American community is nothing new. For many years, and for a variety of reasons best known to those who seek to destroy the House Committee on Un-American Activities, efforts have been made to abolish this standing committee of the House, or, failing that, to so limit its effectiveness as to render it a completely innocuous and ineffectual instrument for the detection of threats directed against our national security and welfare. The independent activities of the several organizations in opposition have not been marked by any significant success in the past, and it was not until 2 years ago that any great effort was exerted by Red-tinted organizations in the United States to coordinate and make more effective the work of the groups which had long opposed the committee's work. In 1957 the House Committee on Un-American Activities documented the work being done nationally by these organizations to bring about the abolition of the committee, and this material was released in November 1957, by the committee in a report entitled "Operation Abolition." The report documented the campaign against the committee, the Federal Bureau of Investigation, and the Government security program. The attack was at that time, and presently is, spearheaded by an organization called the Emergency Civil Liberties Committee.

Parenthetically, the Emergency Civil Liberties Committee should not be confused with the American Civil Liberties Committee. I say it should not although I confess that there are times when in my own mind I question whether it should or not.

Groups coordinating with the Emergency Civil Liberties Committee are named in full in the report, including that of the Los Angeles Citizens Committee To Preserve American Freedoms, certainly a fine and fancy title. Also documented were the Communist-action records of the principal officers of the groups. The report was given wide circulation in the fall of 1957, with copies going to all Members of the Congress.

In the event the report did not personally reach all Members of the House, a copy can presently be obtained by calling the House Committee on Un-American Activities.

Failing to make any considerable headway in the House in the matter of curtailing annual appropriations for the

committee's use, the organizations principally concerned with the abolition of the committee, or the restriction of its powers, last year increased the scope of their operations and launched an all-out campaign from coast to coast, seeking to achieve this year the goal pursued so assiduously for many years past. To this end a nationwide campaign to obtain signatures to petitions calling for the abolition of the House Committee on Un-American Activities was launched simultaneously in a number of cities throughout the country, and the important task of mustering public support was assigned to one Frank Wilkinson, identified under oath before the House Committee on Un-American Activities as a member of the Communist Party.

On December 7, 1956, Mrs. Anita Schneider, former undercover agent for the Federal Bureau of Investigation in the Communist Party, was a witness at a public hearing of the Committee on Un-American Activities. The following reference to Frank Wilkinson appears in her testimony:

Mrs. SCHNEIDER. The two outlines, or rather, the letter and the outline that I have in my hand—"Facts and Opinions on the Brownell-Butler Law"—were put out by the Citizens Committee To Preserve American Freedoms.

Mrs. SCHNEIDER. I had some contact with that committee.

Mr. ARENS. Was it Communist controlled?
Mrs. SCHNEIDER. Yes.

Mr. ARENS. Who was the ringleader in that organization?

Mrs. SCHNEIDER. I didn't work in that organization, and I don't know who the ringleader was. My contact on that occasion was with Frank Wilkinson, I believe.

Mr. ARENS. Do you know him as a Communist?

Mrs. SCHNEIDER. Yes.

Frank Wilkinson appeared as a witness at the same hearings, December 7, 1956, and refused to answer questions, stating:

As a matter of conscience and personal responsibility, I am refusing to answer any questions of this committee * * * because I challenge * * * the constitutionality of this committee.

On July 30, 1958, Frank Wilkinson was called again as a witness before the Committee on Un-American Activities, and because of refusal to answer questions was subsequently cited for contempt of Congress.

Frank Wilkinson was a speaker at a meeting of the Emergency Civil Liberties Committee—I-1956—on May 18, 1955, according to the organization's publication Rights, July 1955, page 6. An announcement of a meeting to be held jointly by the Philadelphia Committee To Uphold the Supreme Court and the ECLC on October 18, 1958, at the Adelphi Hotel, Philadelphia, showed Frank Wilkinson on the program. Letterheads of September 30, 1954, April 3, 1955, February 21, 1957, and a dinner invitation of December 15, 1958, listed Frank Wilkinson as a member of the National Council of the ECLC. As shown on letterheads of the organization, May 8, 1957, and February 14, 1958, Frank Wilkinson was a member of the executive committee of its national council.

It is abundantly clear, Mr. Speaker, that Wilkinson was given a full-time task to coordinate, and in large part, direct the drive against the committee. This task, as will be demonstrated, took Wilkinson into many parts of the Nation on behalf of "Operation Abolition." Because I am more familiar with the course of events as they transpired in Los Angeles, I shall not attempt to sketch a broad picture of the national campaign, but relate from various sources the activity in southern California. It may be presumed that the campaign on a national scale differed only in the matter of details and personalities. The interlocking and coordinated activity of Communist and non-Communist groups is significant and characteristic of the tactics of the Communist Party and its agents in pursuing any given goal. It would appear that a tactical error was committed in assigning a publicly identified member of the party to coordinate the abolition drive on behalf of the Emergency Civil Liberties Committee and the other sponsoring bodies.

Certainly, so far as the public was concerned, it put a red flag on the drive for petitions, and doubtless slowed the drive down considerably.

I stress the importance of the campaign conducted by the Emergency Civil Liberties Committee, because it is this group, more than any other in this country, which has coordinated and directed the attack on the House Committee on Un-American Activities. Nor has the drive to abolish the House Committee on Un-American Activities constituted the only activity of the ECLC because, as the distinguished gentleman from California [Mr. DOYLE] pointed out, the draft program for the Emergency Civil Liberties Committee seeks in addition to the abolition of the House Committee on Un-American Activities, the repeal of the Smith Act, the Communist Control Act, and other security measures which have been passed in the general welfare of the people of this country.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

MR. JACKSON. Certainly.

Mr. SCHERER. The gentleman has discussed the drive of the Emergency Civil Liberties Committee to abolish the Committee on Un-American Activities. May I supplement what the gentleman has said or ask him if it is not a fact that part of that drive consisted in sending representatives of that committee to the various cities in which the House Committee on Un-American Activities was holding hearings and during those hearings conducted rallies opposing the committee and putting ads of sizable nature in the local papers attacking the committee.

MR. JACKSON. That is true, and I will develop that subsequently.

Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point the draft program of the Emergency Civil Liberties Committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The draft program is as follows:

EMERGENCY CIVIL LIBERTIES COMMITTEE
DRAFT PROGRAM FOR 1959

The hopes of the voters in the November elections included, we believe, the desire that our Federal and State governments limit their conduct to that authorized by their constitutions. Those rights of individuals which have been protected in recent rulings of the Supreme Court were successfully defended by courageous Senators in the 85th Congress. We consider it a prime responsibility of ECLC to do everything in our power to see that the rights of the people will be protected in the 86th Congress.

WORK WITH CONGRESS

Without diminishing our present legal and educational work, we will give greater emphasis to legislative activity. To develop closer relations with Congress and to keep our associates regularly informed on civil liberties, we will open a Washington office. We hope to establish better liaison with other groups now interested in civil liberties and to encourage more local committees devoted to the cause of individual rights.

ABOLITION

We call upon Congress to heed the clear decision of the Supreme Court in the Watkins case and to put an end to the unconstitutional Un-American Activities Committee. We support heartily the action of our chairman, Harvey O'Connor, in refusing to recognize the authority of that committee to inquire into his private affairs. If he should be indicted, we will give all possible support to his defense in the courts.

REPEAL

We will work for the repeal of repressive legislation that was pushed through in the McCarthy days. Specifically, we call for the repeal by Congress of—

1. The Smith Act.
2. The Internal Security Act.
3. The Communist Control Act.

We also call for the repeal by State legislatures of various so-called internal-security, teacher-screening, and loyalty-oath acts.

OPPOSITION

We will oppose any new attempts to push through Congress anti-civil-liberties legislation. From our experience in the last session of Congress, we warn the people to be prepared to resist efforts in the following fields:

1. Enabling the Secretary of State to discriminate against citizens for political reasons in the granting of passports.
2. Extending screening and blacklisting.
3. Allowing State sedition laws that would compound the witchhunt on the State level.
4. Relaxing the present requirement that Federal authorities arrest only on evidence and move without unnecessary delay to arraignment (so-called Mallory bills).

CIVIL RIGHTS

In the field of civil rights we ask that the Federal Government provide an example by insisting on the constitutional rights of all members of the Armed Forces. We will work for a law making it a Federal offense for any public or semipublic facility to discriminate against a member of the Armed Forces because of race, creed, or color.

CHALLENGES IN THE COURTS

Through our General Counsel, Leonard B. Boudin, we will continue to give free legal service to significant constitutional cases where we think Government actions require a challenge.

Passports: Although our victory in the Kent and Briebl case has put an end to the arbitrary actions of the State Department in withholding passports for political reasons, the Department still denies the right of American citizens to go to China. We plan

to bring that issue to the courts in the case of author *Waldo Frank v. John Foster Dulles*.

Congressional investigations: In the case of newspaperman William Price, we are supporting his right to refuse to answer questions of Senator EASTLAND's Internal Security Subcommittee dealing with Mr. Price's political views and associations. In the defense of Mr. Price our General Counsel is associated with Mr. Harry I. Rand.

Honorable discharge: The Supreme Court held in the case of *Abramowitz v. Brucker*, an ECLC-sponsored test case to which our General Counsel gave free legal service, that the Army was acting illegally in denying a soldier an honorable discharge because of political activity before he was inducted. The Army has obeyed the letter of the Court's decision, but has continued to ignore the constitutional implications. It now denies honorable discharge to soldiers whose political or educational activities, while in the Reserve, are not what the Army likes. In other words, men drafted into the Army must adhere for 8 years to Army ideas of what is politically acceptable if they expect an honorable discharge. Our General Counsel will contest the Army's right to such authority.

Screening and blacklisting: The Coast Guard continues to deny employment in the privately owned merchant marine to radio operators and seamen of whose political past it disapproves. Our general counsel is contesting this policy in two different cases.

In this same area our general counsel is testing the right of the transit authority in New York to dismiss a worker because he refuses to reveal his past political associations. This involves a test of the New York State so-called security-risk law.

Right to privacy: The New Hampshire Supreme Court balked when the U.S. Supreme Court, on the basis of its decision in the Sweezy case, vacated the case against Dr. Willard Uphaus. So the right of Dr. Uphaus to withhold from the New Hampshire attorney general the list of guests at the camp of the World Fellowship of Faiths is again before the Supreme Court. In this case our general counsel is associated with Dr. Royal W. France as defense counsel.

Smith Act: Although we are not supplying counsel in the Junius Scales case, we consider it of such importance that we are helping raise some of the expenses. Mr. Scales has been convicted for mere membership in the Communist Party. His conviction was remanded by the Supreme Court, and he was tried again after he had resigned as a member of the Communist Party. He was nevertheless convicted again and the case will be heard for the second time by the Supreme Court.

EDUCATION

In connection with both the legislative and legal work, there is need for increased educational efforts. In addition to Rights, which will in 1959 be published in alternate months, we intend to issue frequent legislative bulletins to our associates and to all groups interested in supporting civil liberties.

Meetings will be held in connection with issues and cases, and we will also continue to try to supply speakers to other groups interested in keeping informed on civil liberties issues.

To accomplish this program we will need the continued support of our friends and an increasing number of associates and cooperating groups. We invite criticism of this program and also suggestions for more effective work.

Mr. JACKSON. In pursuit of the aims set forth in the draft program there appeared on the regular Sunday

church calendar of the First Unitarian Church of Los Angeles, on Sunday, November 9, 1958, the following notice:

2:30 p.m. Frank Wilkinson, secretary, Committee to Preserve American Freedoms, will report on the national campaign to abolish the Un-American Activities Committee. Mr. Wilkinson is on a year's leave of absence to direct this national campaign for the Emergency Civil Liberties Committee, New York.

Parenthetically it should be added at this point that the minister of the First Unitarian Church of Los Angeles, Calif., the Reverend Steven Fritchman, has long been identified with Communist-front and Communist-action groups.

Subpenned by the House Committee on Un-American Activities in Los Angeles several years ago Mr. Fritchman declined to answer any questions having to do with his alleged membership in the Community Party and his activities on behalf of the Communist Party. However, a forum which has long been conducted in that particular church has been used consistently as a sounding board for Communists and for the dissemination of Communist propaganda in the city of Los Angeles.

The meeting, as announced, was held, and it was opened by one Henry Steinmetz of San Diego, another uncooperative witness who had declined under oath to answer questions relating to his activities in and on behalf of the Communist Party. Steinmetz announced

that the American-Russian Institute, cited as a Communist organization by the Attorney General of the United States, by the Senate Judiciary Committee, and by the Internal Security Subcommittee of the Senate Judiciary Committee, and the House Committee on Un-American Activities, would soon occupy new quarters at 4212 Melrose Avenue, Los Angeles, Calif., and that a meeting at Baces Hall, 1530 North Vermont Avenue, on November 20, would feature Mr. Rockwell Kent, another notorious Communist. Mr. Steinmetz announced that Mr. Kent would be introduced by the Reverend Steven Fritchman, so we have them all in the same bag for the moment. Kent, incidentally, had just returned from the Soviet Union after forcing issuance of a passport from the Department of State.

Frank Wilkinson was then introduced for a talk on the progress of "The national campaign to abolish the Un-American Activities Committee with a first-hand account of his experience in recent House Un-American Activities Committee hearings." Wilkinson said that he had just come from the mail office where thousands of petitions were being put into the mails, urging abolition of the House Committee on Un-American Activities. These petitions, Wilkinson said, were a plea to southern California representatives in Congress "individually or jointly to offer at the opening of the 86th Congress a resolution to eliminate the Committee on Un-American Activities from the list of standing committees of the House of Representatives." He announced that some of the petitions were available for those in attendance. At this point, Mr. Speaker, I ask unanimous

consent to insert in the RECORD a copy of the petition in question.

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

(The matter referred to follows:)

[Supplement to Open Forum, vol. XXXV, No. 11, November 1958]

For a redress of grievances we petition our southern California Representatives in the Congress of the United States: 13th Congressional District, Hon. CHARLES M. TEAGUE; 15th Congressional District, Hon. GORDON L. McDONOUGH; 16th Congressional District, Hon. DONALD L. JACKSON; 17th Congressional District, Hon. CECIL R. KING; 18th Congressional District, Hon. CRAIG HOSMER; 19th Congressional District, Hon. CHET HOLLOWAY; 20th Congressional District, Hon. H. ALLEN SMITH; 21st Congressional District, Hon. EDGAR HIESTAND; 22d Congressional District, Hon. JOSEPH F. HOLT; 23d Congressional District, Hon. CLYDE DOYLE; 24th Congressional District, Hon. GLENARD F. LIPSCOMB; 25th Congressional District, Hon. GEORGE KASEM; 26th Congressional District, Hon. JAMES ROOSEVELT; 27th Congressional District, Hon. HARRY R. SHEPPARD; 28th Congressional District, Hon. JAMES B. UTT; 29th Congressional District, Hon. D. S. SAUND; 30th Congressional District, Hon. ROBERT C. WILSON, individually or jointly to offer at the opening of the 86th Congress a resolution to eliminate the Committee on Un-American Activities from the list of standing committees of the House of Representatives.

Bishop James C. Baker, Robert Clark, Rev. Allan Hunter, Loren Miller, Esq., Gifford Phillips, Alan Sieroty, Esq., Robert S. Vogel, Clare Warne, Esq., Dr. William I. Young.

Name Address City (CD)

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

American Civil Liberties Union of Southern California, 2063 West Ninth Street, Los Angeles 4, Calif., Dunkirk 5-6234.

Mr. JACKSON. I want to direct the attention of the House membership to the name of the organization sponsoring the petitions, because it demonstrates the overlapping nature of organizations active in the abolition movement, and indicates the willingness with which non-Communist groups accept the assistance of the Communist Party and its agents when a parallel course of action is to be followed. The American Civil Liberties Union of Southern California has not, to my knowledge, been cited as a Communist-action or a Communist-front group. Nonetheless, we must assume that the American Civil Liberties Union had no objection in this instance to joining hands with Communists and Communist sympathizers in pursuing a common purpose. The petitions prepared by the American Civil Liberties Union of Southern California were made available to those in attendance by an identified member of the Communist Party, who called on known Communists and Communist sympathizers in the audience to exert their best efforts in obtaining signatures. We can be certain that they did just this, although I understand they fell considerably short of the 100,000 they wanted to get.

Now, this is a word of friendly advice.

If the American Civil Liberties Union is sincere in its protestations of purity,

it had best give searching inquiry to the extent that it is being used by the conspiracy for its own purposes. It would appear on the surface, and in light of recent developments, that the American Civil Liberties Union is prepared to accept help from any source, including Communist, when its own objectives appear to be served by such assistance. On the reverse side of the petition appear five excerpts from the Supreme Court's Watkins decision, emphasizing five "indictments" against the House committee. Several letters are reproduced, including one from our distinguished colleague from California [Mr. ROOSEVELT], which states:

It is my intention to cooperate in the offering of a resolution in the Democratic caucus and then on the floor of the House to eliminate the Un-American Activities Committee as one of the standing committees of the House of Representatives.

Wilkinson announced that several delegations had called on Mr. ROOSEVELT to get him to introduce such a resolution on the opening day of Congress to bring this action through the Rules Committee. Wilkinson announced that he considered Mr. ROOSEVELT's statement a rather "iffy" one, but believed that the resolution would be introduced, if not by Mr. ROOSEVELT then by someone else. Wilkinson laid great stress upon the importance of getting 100,000 American Civil Liberties Union petitions signed as quickly as possible, which would, he said, require a great deal of work by many people. I might add in this connection, that to this time I have not received one of the petitions, although it is quite unlikely any would have been directed to my attention as a member of the committee under attack. Wilkinson pointed out that if these petitions could be obtained in sufficient numbers in the districts of such Congressmen as JACKSON, HOLT, DOYLE, "and even HIESTAND" it might make them more cautious. Again, I direct attention to the fact that the petitions which these Communists were so anxious to obtain in large numbers were not initiated by any identified Communist action group, but by the American Civil Liberties Union. Continuing his presentation, Wilkinson said that Alan Barth, editorial writer of the Washington Post and Times Herald would be in Los Angeles November 14 and 15 to give a big kickoff against the House committee.

He announced that "we have the best plan in the United States" to get after the committee.

He explained that the House Un-American Activities Committee was established in 1938 and had since that time subpoenaed over 5,000 individuals. He said that many of these had lost their jobs—reputations had been hurt—unions had been broken up and even churches had been hit by this "damnable committee." Mr. Wilkinson conveniently failed to add that ministerial and labor officials subpoenaed by the committee had, in all instances, long and impressive records of cooperation with the Communist conspiracy. Some of the so-called labor leaders were subsequently expelled from their unions or parent or-

ganizations when their activities became known to responsible union leaders. He gave credit to the Unitarian Fellowship for Social Justice for its help. He lauded the "wonderful Supreme Court rulings," and said that after the last election the skies are clearing and the climate improving.

He announced that Women for Legislative Action were cooperating in the drive to abolish the House Committee on Un-American Activities. This organization is also highly suspect. He said that immediately after the Watkins decision had been handed down he was called east by Harvey O'Connor, who has been mentioned by the chairman, and Corlis Lamont, prime movers of the Emergency Civil Liberties Committee, to assist in developing the campaign against the House Committee on Un-American Activities, using as a principal lever the decision in the Watkins case. The strategy to be developed, Wilkinson said, was to have representatives at any committee hearing anywhere in the country to mobilize action and sentiment and to hinder the committee's work. I might say they were very successful in that. Our hearings during the last year have been harassed and hindered to a greater extent by Communists and Communist sympathizers in the hearing rooms than any time during my service on that committee.

He was sent to Gary, Ind., when the House Un-American Activities Committee held hearings there. He said that he began a house-to-house canvass among those subpoenaed to appear as witnesses and American Civil Liberties Union members and he obtained more than a thousand dollars to run an ad in the Gary Post. The work in Gary, he announced, brought out 200 people on the date of the hearings. One of the principal tasks in so harassing this committee of the Congress, he said, is to get the "right people out."

There can be little question in the mind of any thoughtful person but that the Communist Party and its agents have been a driving force in the present drive to abolish the House Committee on Un-American Activities, or transfer its functions in such a manner as to render it completely innocuous. I respect the opinions of every colleague in the House, and I do not question their motives in the introduction of legislative proposals. However, I feel that I am dutybound to put on the record whatever evidence there is of Communist participation in a drive to abolish what I consider to be one of the most important committees in this House. That there is opposition to the committee from outside Communist ranks none will deny. Some of this opposition is decidedly non-Communist in nature. I do not believe my colleague from California would under any circumstances lend any measure of comfort to the Communist Party or place in its hands an instrument to be wielded against American institutions. Yet it is abundantly evident that the introduction of Mr. ROOSEVELT's resolution to abolish the committee and submerge its functions among several other subcommittees of the House Committee on the Judiciary has in fact been hailed in Communist

circles as the first truly effective blow against the House committee.

There is abundant and documented proof that the burden of the abolition operation has been assumed and carried by Communist action groups, and that the principal beneficiaries of the committee's abolition would be those whose dedication is to another and far different form of government.

The argument has been advanced in some quarters that the task of combating subversion and disloyalty is a matter for the Federal Bureau of Investigation and other security agencies. Those who pursue this old argument must, by this time, be aware that the functions of law-enforcement agencies differ materially from the functions of a committee charged by the Congress with investigations looking toward recommendations for legislative action. The Federal Bureau of Investigation is not equipped in any respect to pursue inquiries directed to the legislative purpose, and the utility of the FBI to pursue its own important work would be damaged immeasurably by any attempt to shoulder it with the unwanted task of reporting to the Congress on its detailed operations as the investigations, from time to time, disclose the necessity for new legislation. The House of Representatives and the Senate of the United States have wisely provided that from these two bodies there shall be detailed to certain Members the responsibility of conducting inquiry into the propaganda efforts of those who seek the destruction of our institutions. To this end both of the Houses of Congress have gathered together trained staffs to investigate, analyze, and prepare their findings on the activities of a common enemy for submission to the two Houses for appropriate remedial action.

The House Committee on Un-American Activities is no sinecure. It is hard work and a task that is made no easier by the unremitting pressures which are brought to bear upon the members of the committee. Upon accepting appointment of the House Committee on Un-American Activities, one voluntarily lays himself open to unmitigated abuse, personal vilification, and unwarranted calumny. This is the recognized lot of one who accepts the gage of battle hurled down by the Communists, the fellow travelers, the liberal press, and those whose concept of individual liberty completely blinds them to the nature of the threat with which we are confronted as a Nation. They appear to forget that a smiling Soviet Ambassador represents the mailed fist that smashed the Hungarian freedom fighters and gave Budapest a terrible blood bath. Enveloped in the charm exuded by an affable Mr. Mikoyan, there appears a tendency on the part of some to close their eyes to the grim reality of the titanic struggle being waged, and to picture a mortal enemy of human freedom as a casual window shopper and genial visitor. No member of the House Committee on Un-American Activities will yield to anyone in a desire to achieve a world at peace, a world in which all of the peoples of the earth can live their lives, untroubled

by the implications of nuclear weapons and intercontinental ballistic missiles. This is a world we all want, and it is a goal which the members of the House Committee seek to achieve, in common with other men of good will, irrespective of their politics. But, Mr. Speaker, the people of America cannot forget, and must not forget, that while Mr. Mikoyan shops in a supermarket, the intransigence of the Soviet Union with respect to Berlin, constitutes international blackmail and a continuing threat to the peace of the world. Janus, the Roman god, was two-faced, but no more so than the Soviet Union in its international dealings. While the one hand appears to be extended in a gesture of friendship, the other threatens the world with a club.

The House Committee on Un-American Activities did not simply spring into existence without reason or purpose. It came into being because of the nature of a threat to our Nation, and because of a record of treachery and deceit on the part of our wartime ally, the Soviet Union. If the American people are aware of the threat it is because of the work that has been done by the House Committee on Un-American Activities and its counterpart on the other side of the Capitol. I said that I had received no petitions demanding the abolition of the House Committee on Un-American Activities, Mr. Speaker, but I should add that I have received several hundred communications asking that I oppose the abolition of the committee, or the transfer of its functions elsewhere.

It has often been said, and quite truthfully, that a man is known by the company he keeps. It is true that in some instances undesirable company will attach itself to a program or project having considerable merit. That wonderful institution, the Salvation Army, could not be condemned because a corner drunk joined enthusiastically in the singing of "Rock of Ages." Nonetheless, and knowing the Salvation Army and its good works, I am confident that the band would move on down the street, leaving perhaps one or two of its members to counsel and care for the inebriate.

Unfortunately, the non-Communist groups and individuals who, for a variety of reasons best known to themselves, seek the abolition of the House Committee on Un-American Activities, do not appear to be making a dedicated effort to weed out and repudiate Communist support of the movement. For whatever reason others may oppose the work of the committee, there is no question as to why the Communists themselves would be overjoyed to see it abolished. They fear and hate the committee because they recognize it to be a major obstacle in the United States to untrammeled freedom of action in the courses which are laid down for them by the international conspiracy, and to the implementation of which they have dedicated their lives.

Exposure for exposure's sake is not, as proclaimed by some, of primary consideration in the work of the House Commit-

tee on Un-American Activities. It is a corollary of any inquiry, particularly one conducted by a public body such as the Congress of the United States.

Individuals innocent of any collaboration with the Communist apparatus are not subpoenaed as witnesses before the committee, except in rare instances where it appears that certain documents and records pertaining to the conspiracy may be in the possession of a third party.

I make that as a categorical statement and challenge anyone to gainsay it.

Mr. SCHERER. Mr. Speaker, will the gentleman yield for a question?

Mr. JACKSON. I yield.

Mr. SCHERER. How long has the gentleman been a member of the Committee on Un-American Activities?

Mr. JACKSON. About 8 years.

Mr. SCHERER. During your experience as a member of that committee, has any person been identified as a member of the Communist Party except by having a witness or witnesses who have personal knowledge of his membership in the Party and his activities on behalf of the Communist conspiracy?

Mr. JACKSON. My answer to that would be "No."

Mr. SCHERER. We followed, in the identification of individuals and their activities in connection with the Communist Party the rules of law and the rules of evidence used in our courts.

Mr. JACKSON. I would say that we did in all instances, and I reiterate that I know of no innocent person who has been subpoenaed before the House Committee on Un-American Activities. We require one, and frequently two or three, identifications under oath of an individual as a member of the Communist Party before he is called before the committee.

Mr. SCHERER. In other words, there is no hearsay evidence used as is charged in many cases?

Mr. JACKSON. No, sir. I have no way of knowing what future action may be taken with respect to the resolution introduced by the gentleman from California, but I do hope that a substantial volume of opposition to the provisions of the resolution will make itself evident in the days ahead.

I applaud the action taken yesterday when, by unanimous vote, the Republican Conference of the House adopted a strong resolution opposing the abolition of the Committee on Un-American Activities. I hope that other voices in this House, on both sides of the aisle, will be raised to assure a continuation of the vital work which is presently being done. A great majority of the American people are truly concerned about the pending resolution, and they have a right to know where we stand, individually and collectively, on a question as fundamental as this one presented by the introduction of this resolution.

Mr. Speaker, in conclusion, I should like to quote from a letter with which many of you are familiar, addressed to the chairman of the House Committee on Un-American Activities, by Mr. J. Edgar Hoover, Chief of the Federal Bureau of Investigation, whose knowledge of the Communist conspiracy I would think

would be second to none in this country, and whose splendid work through the years has not only made the FBI the most effective agency of its kind in the world, but which has done stalwart service in challenging the threat against our liberties and in taking the actions necessary to bring those responsible for the threat before the bar of justice.

In his letter to the chairman, Mr. Hoover said:

I have just finished reviewing "Operation Abolition," which will be released by the Committee on Un-American Activities on November 13, 1957. This booklet depicts another example of the apparent ease with which the Communists have been able to enlist the support of misguided individuals to assist them in obscuring their subversive workings. Certainly the real meaning of civil liberties is not understood by these Communist apologists. Your committee's role in safeguarding our freedoms is well known to every patriotic citizen, and real Americans are not going to be fooled or misled by efforts to discredit your vital task.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I am very happy to yield to my distinguished colleague from California.

Mr. ROOSEVELT. Mr. Speaker, I want to say that I am delighted that the Chairman and several members of the committee have taken the time today to so fully explain their reasons for approving the Un-American Activities Committee and its actions. I think it is wholly in keeping with good sound legislation to say that I am delighted also to hear my colleague, the gentleman from California [Mr. DOYLE], today, and the gentleman from Ohio [Mr. SCHERER], I believe last Monday, state that if the Supreme Court decision which may be forthcoming shortly should indicate the necessity for a revision in the mandate of the committee that they would certainly believe that that should be done. I think that is a tremendous step forward.

Then, on next Thursday, Mr. Speaker, a week from today, I will ask for time to place before the House—and as long as this full record has now been placed before the House—an enlargement of the matters that I have previously discussed.

I thank the gentleman from California.

Mr. JACKSON. In conclusion, Mr. Speaker, it is my personal opinion, but I believe it is an opinion which is shared by millions throughout the length and breadth of the land, that at this crucial point in our national history, and at this crucial point in world history we cannot afford as a people to be lulled into any complacent dreams that the conspiracy has stopped its operations, that we no longer have anything to fear. As a matter of fact, the evidence that our committee had developed of espionage, fraud, and deceit, which has characterized the Communist Party since its inception is still going on today. If ever we needed alertness, if ever we needed a new dedication, I think it is now when we stand in danger of coming under this affable spell.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. WALTER. I think in that connection it might be well to point out the comfort these people receive from decisions of the courts; and in that connection I would like to quote from Dorothy Connolly. She was chairman of the Communist Party in California. When a decision of the Supreme Court came down Miss Connolly said:

This case is the greatest victory the Communist Party in America has ever received—

Referring to a decision of the Supreme Court—

It will mark a rejuvenation of the party in America. We have lost some members in the last few years, but now we are on our way.

Mr. JACKSON. I thank the gentleman for the contribution. In closing, Mr. Speaker, I should like to express the high regard I hold for the chairman of this committee, the distinguished gentleman from Pennsylvania [Mr. WALTER]. I have been on the committee for several years, both before and during his chairmanship. He has not permitted in the deliberations of that committee any taint of partisanship. We who serve on the committee, and I refer to Members on both sides of the aisle, realize that there is nothing the enemy would like better than to drive a wedge between us on a partisan basis. He is a good, able, decent, outstanding American, and I count myself as fortunate for having the privilege of serving on his committee.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Ohio.

Mr. SCHERER. That feeling about the chairman is shared by all members of the committee, and particularly the Members on the Republican side of the aisle.

Mr. JACKSON. I am sure that is the case.

Mr. McDONOUGH. Mr. Speaker, I am pleased to join with my colleagues from California, Mr. DONALD JACKSON, Republican, and Mr. CLYDE DOYLE, Democrat, both ranking members of the House Un-American Activities Committee, in opposing the resolution introduced by Mr. ROOSEVELT to abolish the Un-American Activities Committee.

My position in this matter is no sudden impulse. On the contrary it is a reiteration of my consistent support of the purposes and policies of the House Un-American Activities Committee which has effectively functioned as a security agency by fighting the spread of communism in the United States as well as exposing those people who are known Communists who believe in the overthrow of the Government of the United States by force or violence as well as those who have associated themselves with the Communist philosophy by attempting to invade the private precincts of our religious, social, fraternal, business, and industrial circles as well as our Government on the local and Federal level.

Communism is a godless, atheistic philosophy which seeks to implant in the human mind the superiority of materialism over spiritualism and to be relentless in its pursuit to accomplish this by

destroying everything that interferes with its avowed purpose.

Certainly the U.S. Government through its House of Representatives should protect itself and the high principles it stands for against any influence as destructive of these principles as is communism by continuing, retaining, and supporting the House Un-American Activities Committee.

During the recent election many frequent attempts were made by several committees, especially the committee headed by Frank Wilkerson and of the First Unitarian Church of Los Angeles, which is in my district, to contact me and obtain my support for a resolution to abolish the House Un-American Activities Committee. I consistently and vigorously refused to see these committees or discuss this question with them.

It is unfortunate that 60,000 names as reported in a recent editorial in the Los Angeles Herald-Express were obtained in Los Angeles County urging the abolition of the House Un-American Activities Committee. I am certain that many of the people who signed this petition were misinformed and misguided into believing that they were supporting a cause to protect social justice and civil rights.

I agree with the chairman of the committee, Representative FRANCIS WALTER, that there may be amendments necessary to change some of the jurisdiction of the committee. I am, however, opposed to supporting the Roosevelt resolution to abolish the committee and transfer its jurisdiction to the House Judiciary Committee.

THE SUCCESS OF THE CASTRO REVOLUTION AND THE FAILURE OF OUR STATE DEPARTMENT

The SPEAKER pro tempore (Mr. ROGERS of Florida). Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized.

Mr. POWELL. Mr. Speaker, it may come as a shocking surprise to the people of the United States—the greatest democracy in the world—that we have been the partners in the blood bath of Batista for the past years. With funds of the taxpayers of this "land of the free and home of the brave" we helped to arm Dictator Batista's forces. We sent men from our Navy, Army, and Air Force to direct his armed forces. We bestowed one of the highest U.S. military decorations on the Chief of the Cuban Air Force in November 1957, shortly after he had ordered and led the bombardment of the open city, Cienfuegos, with American planes and ammunition. Our former Ambassador, Earl Smith, openly sided with Batista upon instructions from the Department of State. Our Assistant Secretary of State, Mr. Rubottom, on March 5, before the Senate Foreign Relations Committee, admitted:

The Cuban Government is certainly using the military equipment at its disposal to beat back armed insurrection.

We have been partners in the casualties of 20,000 men, women, and children, victims of the Batista bloodbath over

the past years. We continued this policy of aiding, abetting, arming, sympathizing with and helping to direct Batista's reign of terror in the face of repeated objections by great citizens of this country, including Members of this Congress.

On March 12, Assistant Secretary of State Macomber wrote our distinguished colleague from Oregon, Representative PORTER, that he could not furnish him the list of arms which we had given and were giving to Batista because the list was classified. Yet at that very same moment I had in my hand a complete list of the instruments of death that we had shipped and were shipping in open violation of the intent of the U.S. Congress. In section 105, subsection b, part 4 of the Mutual Security Act and the Mutual Assistance Agreement with Cuba, we, the good Members of Congress, clearly specified that arms "may be used only in the implementation of defense plans agreed upon by the United States and Cuba under which Cuba participates in missions important to the defense of the Western Hemisphere." The Army Missions Agreement on August 28, 1951, clearly stipulates that the agreement will be subjected to cancellation at the initiative of the Government of the United States or the Government of Cuba at any time when any one of the two governments finds itself involved in internal or external hostilities. I call for the Foreign Affairs Committee of this Congress to investigate the Department of State as to why it so openly, flagrantly and wantonly defied the laws and intent of Congress and its own agreement.

I held several conferences with the present president of Cuba, Dr. Urrutia, the Provisional Treasurer of Cuba, Mr. Raoul Chivas, and the representative of Mr. Castro in the Western Hemisphere, Dr. Mario Llanera. I was able to get from Señor Castro the documents which our State Department said were "classified" and could not be released to a U.S. Congressman. Despite the fact that officials in our Government tried to prevent me from disclosing these documents, on March 20, on this floor of Congress, I listed in detail the sorry record of our support of Batista. This included the contract numbers, specifications, description in detail of rifles, grenades, rockets, howitzers, tanks, machineguns, cartridges, armored cars, bombs, automatic rifles, and mortars. I have attached to this speech the full speech as recorded in the CONGRESSIONAL RECORD, volume 104, part 4, pages 4948-4949.

WITHIN 48 HOURS THE DEPARTMENT OF STATE STOPPED ALL ARMED SHIPMENTS AND THIS WAS THE BEGINNING OF THE END OF BATISTA

Is it not amazing that during the 20 years of Batista's bloodbath no one challenged him or his government for their atrocities. Now that the guilty are being punished there is a great hue and cry. This is the kind of hypocrisy that causes our would-be friends to view us with suspicion.

The shallowness of our foreign policy with the Latin American countries is best

symbolized by the fact that major decisions can be made upon the basis of one or two speeches by Members of this Congress. The truth is that we have no policy for Latin America. As was brought out in the New York Times magazine section this past Sunday, as a result of our Department of State's policy anti-Yankeeism today is perhaps stronger than ever before in Cuban history. Cuban hostility is directed against American policies not American people.

Cuba now has a new government and what we need is a new policy in our Department of State with new representatives not only in Cuba but throughout Latin America. In August 1957 the Secretary of the Treasury of the United States, Mr. Anderson, told Latin Americans that they were wasting their time discussing the Development Loan Institution. But 3 months after Vice President Nixon and his wife in Latin America had to bear the brunt of the failures of our Department of State, the Under Secretary of State for Economic Affairs, C. Douglas Dillon, announced U.S. support for exactly such a development bank that our Latin American friends had asked us for in 1957.

The Department of State did move on March 22 when I demanded on the floor of Congress on March 20 that they stop sending arms. But why so late?

Meeting in conference with my friend, Dr. Mario Llanera, the representative of Señor Castro, I requested on last Monday, January 5, at 11:30:

First. The recognition of the Castro Government.

Second. The offer of financial assistance.

Third. The refusal of asylum in the United States to Batista.

Fourth. The recall of former Ambassador Earl Smith.

I am happy to say that within 5 days the State Department did all four of these things.

From this beginning last week we could have gone on to a constructive foreign policy in Latin America that would undoubtedly have brought much good to our friends in the Caribbean and ourselves. But now we have immediately turned around and are sending 55 U.S. Marines with 5 officers and 4 noncommissioned officers to Haiti to help train the Haitian Army. This deal was done with the approval of the State Department although negotiated by the Navy. Private information has reached me from Haiti that the entire deal was masterminded by Trujillo, himself. Trujillo and Haiti haven't spoken to each other since he massacred 35,000 Haitian laborers at the border a few years back. Now that he is about to be invaded and defeated, he needs Haiti because the Haitian border is the jump-off place.

On the northern coast at the point where Haiti and the Dominican Republic join each other there is a town called Monte Cristi. This has an excellent seaport on the Haitian side. From that point Trujillo will be invaded and will be conquered and he knows it. He has sucked the United States into the deal by getting them to provide our Marines to beef up the Haitian Army which is a

police force. He has given Duvalier, the Dictator of Haiti, \$13 million top priority of which is to pay the United States for the cost of this Latin American Hitler-Mussolini type axis of Trujillo-Duvalier.

I urge my colleagues on the Senate Foreign Relations Committee and on the House Foreign Affairs Committee to stage an immediate investigation. We must demand that these Marines do not leave New York next Tuesday for Haiti and we must find out just who has the connections with the administration who can be bought off by Duvalier and Trujillo and for his price deliver the United States into the hands again of blood-built dictators.

Haiti is now being run by a despicable and desperate Duvalier. That beautiful land of wonderful people in which I have had such deep personal interest is now a land of terrorism and assassination.

Here we go again, the United States of America, to support another blood bath. When will we stop being hypocrites? When will we stop preaching democracy at home and practicing fascism all over the world? The days of the dictators are numbered, yet we continue to support them; Duvalier of Haiti, Trujillo of the Dominican Republic, Stroessner of Paraguay, and Somoza of Nicaragua. As surely as I stand here their days are numbered. Across the broad earth's surging breast the irresistible force of free men will sweep these petty pirates from their thrones and with them will go the good will toward our Nation unless we change our foreign policy toward Latin America, not tomorrow but today.

President Betancourt of Venezuela sent me a message through Dr. Llanera that he believes that no country should be allowed to be a member of the Organization of American States that does not hold democratic elections. The Foreign Affairs Committees of the Senate and of the House should consider very carefully any form of aid to those countries presided over by tyrants. The cry should go up from those of us who belong to this greatest Congress of the world's greatest democracy—"No more aid for tyrants!"

The appointment of Mr. Phillip Bonsal as the new U.S. Ambassador to Cuba is a wise one. His appointment will be utterly meaningless unless he is backed up with a new Department of State policy which will not force him, as it forced former Ambassadors Gardner and Smith, to play "footsie" with Fascists.

Finally, one very naive Member of this House tried to pin the Communist label on the Castro movement. But, in a speech delivered to this House on Monday, May 12, 1958. I detailed the exact connections of the Communist Party with Batista and Batista's brutal aggressions against the Roman Catholic Church in Cuba.

Mr. Speaker, I ask unanimous consent that I may now attach to this speech all the speeches delivered by me in previous sessions of this body concerning Cuba, Batista, and Dr. Fidel Castro.

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

There was no objection.

[From the CONGRESSIONAL RECORD, Mar. 20, 1958]

STOP THE FLOW OF ARMS TO BATISTA

THE SPEAKER. Under previous order of the House, the gentleman from New York [Mr. POWELL] is recognized for 30 minutes.

(Mr. POWELL asked and was given permission to revise and extend his remarks.)

MR. POWELL. Mr. Speaker, the United States is a partner with the dictator of Cuba, Fulgencio Batista, in the killing of close to 4,000 Cubans so far, and it is time that we should get out and get out at once. We not only have been and are supplying arms to Batista, but we have a military mission established in Cuba actively assisting the Cuban Army. There should be immediate stoppage of the flow of arms and ammunition from this country and there should be an immediate withdrawal of the mission.

The following is a list of the arms that have been sent to Cuba with the contract number during the past 2 years:

Contract da Cuba 551: Tools for the repair of Browning machineguns. Regular shipments being made.

Contract da Cuba 553: 3,000 M-1 caliber 30 rifles and spare parts; 1,500 75-millimeter grenades; 1,000 3.5 millimeter rockets; 1,000 60-millimeter mortar grenades; 5,000 81-millimeter mortar grenades; 1 complete battery of light mountain howitzer artillery, shipment completed except for some accessories and spare parts.

Contract da Cuba 554: 1 fire direction set (artillery set No. 5).

Contract da Cuba 555: Tools for the repair and maintenance of caliber 30 rifle M1903A3. Partial shipments being made.

Contract da Cuba 559: 7 M4A3 tanks equipped with 76-millimeter gun. Shipment completed.

Contract da Cuba 560: 6 AN-PRC-10 radio sets; 1 SB-18/GT emergency switchboard; 2 SB-22/PT switchboard; 3 WD-1/TT wire; 10 EE-8 telephone; shipment completed.

Contract da Cuba: 38 AN/VRC-10, delivered; 138 installations units for above, delivered; 1 AN/URM-48 signal generator, delivered; 38 TS-LCC handset, in process; 1 ID-292/PRC-6 alignment indicator, in process; batteries, wire and crystals for above, partial shipments made.

Contract da Cuba 571: 20 .50-caliber Browning machineguns; 20 .30-caliber Browning machineguns; 100,000 cartridges armor piercing, for .50-caliber machineguns. Spare parts for above. Shipment completed except for spare parts, in which partial shipment is being made.

Contract da Cuba 565: 4 Brush B-168038. Delivery scheduled for April 1958.

Contract da Cuba 569: 1,500 M-1 carbines; 150 spare parts; 7,500 hand grenades MK-2. Delivery completed except for spare parts, on which first partial shipment was made on October 18.

Contract da Cuba 570: 16 B M70D telescopes. Shipment scheduled for April 1958.

Contract da Cuba 571: 20 .50-caliber linking and delinking machines.

Contract da Cuba 572: Tools for the repair of M4A3 tanks. Shipments in process.

Contract da Cuba 578: Periscopes for M4A3 and M3A1 tanks. Shipment scheduled for April 1958.

Contract da Cuba 579: 20 M20 armored cars. Being rebuilt to be delivered.

Contract da Cuba 580: Communication equipment valued at \$80,998.66. Delivery scheduled for August 1958.

Contract da Cuba 587: 1950 Garand rifles caliber .30. Delivered in March 1958.

Contract da Cuba 591: Spare parts for 77 mm. battery. In process.

Contract da Cuba 592: Tools for the maintenance of M4A3 tanks. In process.

Contract opc 64 (USA): Bombs for the Cuban Air Forces, valued at \$328,931.48. Shipped in October 1957.

Contract da Cuba 64 (USN): 300 5-inch rockets; already delivered.

Contract da Cuba 66 (USN): 25,000 20-mm. caps. Shipment in process.

Contract da Cuba 6400 (USN): 50 magazines for 20-mm. guns. Shipment in process.

Besides these are the following requests on which no contract number had been assigned, as of the date of information received: 50 Browning automatic rifles M-1918A2; 3,000 75-millimeter grenades; 24 60-millimeter mortars; 20 50-caliber machineguns; 1,000 60-millimeter grenades; 10,000 hand grenades; 10 radio transmitter-receivers AN/G-R9 for jeep installation; 10 3.5-inch rocket launchers, M20B1; 1,000,000 30-caliber caps for above; 6,000 United States caliber 30 M-1 rifles; 2,000 United States caliber 30 M-1 carbines.

MEMORANDUM TO CONGRESSMAN ADAM C. POWELL, JR., FROM DR. MARIO LLERENA, CHAIRMAN, CONCERNING THE CUBAN CRISIS AND U.S. HELP TO DICTATOR BATISTA

"Fulgencio Batista first came to power in 1933 during the revolution that overthrew Dictator Machado. He was a sergeant in the army and as such he staged his first military coup d'état (September 4, 1933).

"After 4 months of civilian provisional government, he overthrew President Grau San Martin and became Cuba strong man. In this he was openly encouraged by American Ambassador Jefferson Caffery.

"For 11 years Batista ruled the country uncontested. He stepped out of power in 1944 after a constitutional election, and became a political exile immediately afterward.

"In 1952 Batista went back to Cuba and presented himself again as candidate for president. The election was to be held on June 1, 1952.

"When it was all too obvious that he didn't have the slightest chance, he talked his old military pals into staging another coup d'état, his second. That was March 10, 1952, just 80 days before the scheduled election.

"Since that date Batista rules Cuba as probably the most corrupt and bloodiest tyrant in all Latin American history.

"It is convenient to have in mind that in 1954 Batista had himself elected in a phony election in which he was the only candidate. It was a matter of having some democratic front mainly for the purpose of impressing American public opinion. It was a ridiculous farce, all prefabricated in Batista's military quarters. The people, of course, did not participate.

"Since Batista took power in 1952 all civil liberties and individual rights perished in Cuba.

"The number of people assassinated by Batista's armed forces and secret police run well above 4,000.

"All the Cuban people are against Batista—civic leaders, professionals, cultural and religious institutions, etc.

"The U.S. Government has been favorable to Batista all along. Former Ambassador Arthur Gardner acted short of being Batista's best publicity agent.

"But it is selling arms to Batista as well as providing him with tanks, planes, and other military equipment under the pretext of the Rio Treaty (for hemispheric defense) which has contributed most to keep him in power against the will of the Cuban people.

"Last September 1957, during an uprising that took place in the navy garrison, the civilian population of Cienfuegos (50,000) were bombed and machinegunned with American jet planes flown by airmen trained by American instructors.

"Small villages of the Oriente Province have suffered that same treatment in reprisal for helping Castro's revolutionary army with food and information. Hundreds of innocent men, women, and children have been killed that way.

"On top of all this, an American military mission is kept in Cuba, also under the

clauses of some mutual defense treaty. Such a mission is supposed to be there in order to instruct Cuban armed forces for the event of some continental aggression. But as everybody in Cuba says, if they (Batista's armed forces) haven't been able to wipe out Castro's guerrillas in Oriente, what could they do in the presence of some mighty invader?

"The American military mission in Cuba, however, serves one purpose: give moral support to Batista and his gang and identify itself with the dictator.

**"DR. MARIO LLERENA,
"Registered Agent for Dr. Fidel Castro
and the 26th July Movement."**

"NEW YORK, N.Y., March 18, 1958.

"No one in Cuba today supports Batista. On March 17 in Habana, Cuba, a manifesto was given to President Batista from the representatives of 42 religious, fraternal, professional, civic, and cultural organizations. It said: 'The bitter passions inundating the country will plunge it into anarchy unless Batista steps down.'

"Finally, I would like to conclude with this letter which has just been smuggled out of Cuba through the underground to my friend, the provisional president of the Fidel Castro movement, who is now in voluntary exile in New York:

"In April 1957 I resigned my commission in the Cuban Navy as a one-man protest against the wholesale murders committed by fellow officers of the navy (namely Lieutenant Laurent, Lieutenant Olayon, and Ensign Perez Mejides) on the farming communities of the Sierra Maestra. This is no hearsay or exaggeration. I am an eyewitness to several of them, as during the months of January, February, and March of 1957, my ship, the frigate *Jose Marti F-301*, was conducting a patrol from Santiago de Cuba to Cabo-Cruz, we used to go into Pilon Harbor (headquarters of the navy infantry contingent that was operating against Fidel Castro) and where the above-mentioned officers conducted their unspeakable crimes against defenseless canecutters and small merchants. These two cases will give you an idea of the situation that is still going on in an even greater scale in Oriente Province and in Havana.

"On the morning of February 2, 1957, while in Pilon, I went ashore to relax a little along the outskirts of the village, and I found a half burnt bohio and the inside was plainly visible. There were four bodies inside, three adults (two females and a male) mutilated beyond recognition and in a crude crib a child about 3 or 4 years old with a bayonet pinned it down through the stomach. These murders had been performed the night before by Lieutenant Laurent upon learning that the guajiro had expressed himself in favor of Castro in one of the local bars. Later that day Laurent was aboard a ship and confessed in order to impress all of us that he had personally ordered and participated in the murders. About 2 weeks later—February 16, 1957—we were again in Pilon. That night a group of officers from the ship (I was in the group) went ashore for a walk. Nearing the canefields we saw a fire a short distance away. We ran toward the fire to try to help. What we saw still makes me sick literally. Tied to three palm trees, were six individuals, two men and four women, all naked, their bodies soaked in gasoline and a fire built at their feet. Twenty armed sailors with Lieutenant Olayon were conducting the affair. The first thing they did was to point their guns at us (we were unarmed) and ordered us not to interfere and to go back to the ship. When we reached the pier, it was heavily patrolled by Laurent's men who had orders to shoot anyone coming ashore, we were permitted to go aboard, but that was all. Next morning we saw the burnt bodies still tied with wires to the palm trees. Later we learned that the men were small mer-

chants in town, his nephew, his wife, and three daughters, accused of having sold food to Castro (more than 100 miles away). The women had been brutally violated before. Upon arrival in Havana, I presented my resignation, stating plainly my motives, and in a personal interview with the chief of the navy (Adm. Rodriguez Calderon) I restated that I was unwilling to continue to wear the same uniform as murderers like Olayon, Laurent, etc. Needless to say, my resignation was accepted immediately. Since then things have gone from bad to worse. All political suspects, whether innocent or not, are tortured beyond imagination, some killed afterward, and most kept in this so-called preventive prison against all law and order. Our lives are constantly in danger, but don't worry, we will manage somehow!

"Maybe the New York Times will be interested in all this.

"I will write you soon.

"Your loving brother."

The writer, a former American citizen, is today a prisoner in Cuba. His name Antonio Santacruz.

References as to the authenticity of the letter can be obtained from Enrique Santacruz, 310 East 74th Street, New York, N. Y., telephone RH-4-3137.

PROTECTION FOR DR. MARIO L'ERENA

(Extension of remarks of Hon. ADAM C. POWELL, Jr., of New York, in the House of Representatives, Tuesday, April 1, 1958)

Mr. POWELL. Mr. Speaker, information has just been received by me from the Fidel Castro movement in Cuba that two hired assassins are applying for their visas from the American Embassy in Havana to come to the United States. They are being sent by the dictator of Cuba, Batista. Their names are Miguel Sotolongo and Juan de Dios Seloziano, and their intended victim is Dr. Mario L'Erena, who is the national director of the 26th of July movement representing in the United States Fidel Castro.

I demand that the Department of State refuse to allow these two men to enter our country and I demand that Dr. L'Erena be protected. We cannot have another Galindez-Murphy assassination.

I have also learned that due to the revelation of the amount of arms sent by our Government to Batista, which was stated on the floor of Congress on March 20, 1958, and due to the remarks of my colleague, the Honorable CHARLES PORTER, of Oregon, the State Department has canceled further shipment of arms to Batista.

CUBA

(Extension of remarks of Hon. ADAM C. POWELL, Jr., of New York, in the House of Representatives, Wednesday, April 2, 1958)

Mr. POWELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following letter and related material:

MIAMI, FLA., March 23, 1958.

HON. ADAM C. POWELL, Jr.,
Member of Congress,
Washington, D.C.

DEAR SIR: As a former Prime Minister and President of the Cuban Senate, I read with unusual interest your remarks of March 20 on the floor of the House.

Heartiest congratulations for your courageous and gallant intervention in behalf of my country. Through such speeches, and by supplying such information to your colleagues in the House, you are contributing mightily to the defense of democracy in the Western Hemisphere and to amicable relations between your great country and mine.

You will be interested to know that I have just written a letter to the Honorable Secretary of State, Mr. John Foster Dulles, in which I question the advisability of continuing American military assistance to Dictator

Batista, especially in view of the fact that he has violated repeatedly the mutual defense agreement. I also pointed out in my letter that, since there exists in Cuba a state of domestic hostility or civil war, the Government of the United States can and should recall its military mission from Havana. To do nothing is to proclaim that the U.S. Government is backing Batista in his struggle to maintain himself in power, in opposition to the expressed wishes of the Cuban people.

I enclose for your information the following papers:

1. A newspaper report (before censorship was imposed) of the barbaric tortures inflicted upon a 50-year-old schoolteacher, and the courageous protest of the attendant doctor.

2. A copy of a letter written by a group of 11 magistrates to the supreme court, in which they stress the lack of guarantees for the judiciary in Cuba. Batista, through the armed forces, prevents the judges from acting.

3. A copy of my statements to the American press during my recent visit to Washington. You will note that I criticize the State Department, the Pentagon, and the Inter-American Defense Board.

4. My thoughts on why the Cuban Peace Commission was doomed to failure. Although this document is out of date because the Commission failed a few days after I prepared it, it does show that there is no solution to the Cuban crisis as long as Batista is in power.

Hoping you will continue to work for amicable Cuban-American relations, I remain,

Gratefully yours,
MANUEL ANTONIO DE VARONA.

TORTURES UNDER BATISTA

The distinguished educator, Miss Esther Milanés, was subjected to unbelievable tortures after she was arrested last February 24. She was kept at the 12th district police station until the 27th of that month, when she and another woman were released, after undergoing barbaric and cruel tortures. Here's how the doctor's report reads:

"The patient presents multiple bruises and lacerations in the gluteal regions (buttocks) as well as lesions over all her body, serious internal injuries in the vagina, and deafness due to destruction of her tympanum (ear-drums)."

In connection with this case, Dr. J. A. Presno, a distinguished physician, has sent the following letter to the president of the supreme court:

"HAVANA, March 8, 1958.

"HONORABLE SIR: According to the press, Miss Esther Milanés has accused certain police officers of grave and inhuman treatment.

"The indescribable odyssey suffered by my patient, performed with inconceivable sadism, makes evident not only a threat to our most elemental human rights, but also a lack of respect toward womankind. This respect, which we men owe to all women, is tied up with the love we feel for our mothers, who gave us life.

"As a son, a husband, and a father, I appeal to this, the highest court in our land, to demand an investigation of these serious charges" (as reported by the newspaper *Exclsor*, Havana, Cuba, March 9, 1958).

LACK OF GUARANTEES FOR THE JUDICIARY IN CUBA

The following letter, sent by a group of magistrates to the supreme court, demands guarantees for the judicial branch of the Government and describes the terrible conditions prevailing now in Cuba:

"Never before in the history of our country had the administration of justice been so ridiculed and mocked. For example, a soldier shot to death a judge's two sons; two

magistrates' homes were riddled with bullets, while a bomb exploded in another; a judge was imprisoned and kept without food; two men due to appear in court were found dead.

"All vices are exploited by the same people who are paid to prosecute them. The list of murdered citizens grows by day and the assassins are not prosecuted.

"A fire has broken out or a bomb has exploded in every single court building; a man was found shot to death a short distance from the supreme court and the killers have not been found.

"In some municipalities violent deaths are reported daily, but the judges are prevented from acting by the armed forces." (Reported by the press on March 9, 1958, and signed by 11 magistrates.)

STATEMENTS TO THE AMERICAN PRESS BY DR. MANUEL ANTONIO DE VARONA, WHO WAS PRIME MINISTER AND PRESIDENT OF THE CUBAN SENATE IN CUBA'S LAST CONSTITUTIONAL GOVERNMENT, WHICH WAS OVERTHROWN BY BATISTA ON MARCH 10, 1952

On my way through Washington, I wish to inform the press about the most recent barbaric acts committed by Batista's dictatorship.

In addition to the students, farmers, workers, and professionals murdered daily, Batista is employing physical torture on suspects and political prisoners, regardless of age, sex, or physical condition. The most tragic case is that of Esther Milanés, a 50-year-old schoolteacher, who was brutally beaten up by the police in Habana. This infamy has been denounced to the supreme court by Dr. J. A. Presno, a distinguished physician. Details are given in a separate sheet.

I feel it is ridiculous to tell the free world that Cuba belongs to the family of democratic nations and to keep an American military mission there. The mission, whose task is to train Cuban officers for continental defense, in reality only serves to prepare officers to defend a crumbling dictatorship which is finding an ever-increasing wave of popular resistance and to squash the democratic aspirations of all the Cubans who oppose Batista.

The concept of hemispheric defense and a mistaken interpretation of the principle of neutrality toward recognized governments, confuses public opinion in Latin America. Since this policy is applied equally to democratic governments and dictatorial regimes, Latin Americans see in this American attitude an open support of American dictatorships.

These errors may be due to the inexperience of ambassadors who are not career officers and who do not inform their government properly of the conditions prevalent in the dictatorship countries. Another source of errors is the Pentagon; still another is the American Defense Board. The designation of officers on good-will missions and the granting of medals to the high military officers who guide and direct the killings and tortures of the dictator's enemies usually come from these organizations.

In the case of Cuba, misguided policies are creating ill will among the Cubans and placing this Government in an untenable position, for it is contradictory to fight dictatorships in Europe and Asia, while not doing the same in Latin America.

It is impossible to play the part of world leaders of democracy while military and technical help, as well as arms, are given to despotic governments, enemies of democracy, which is one and indivisible.

In short, I protest against the military help being extended to Dictator Batista, first because it serves to keep in power an unpopular government, and, second, because Batista violates the letter and the spirit of the mutual defense assistance agreement.

The worst instance to date of this violation was the inhuman attack against the open city of Cienfuegos, when tanks and airplanes put down by force the uprising of September 5, 1957. These were arms supplied to Batista by the U.S. Government in conformity with the provisions of the mutual defense assistance agreement for the defense of the Western Hemisphere.

WHY THE NEW CUBAN PEACE COMMISSION IS INVALIDATED FROM THE START

(Confidential to high U.S. Government officials and legislators)

As a former Prime Minister and President of the Cuban Senate, I would like to tell you, quite frankly, why the new Cuban Peace Commission is doomed to failure from the start.

1. Batista has already outmaneuvered the church. As you know, the Roman Catholic Church is very powerful in Cuba, but it had never before intervened in political affairs.

The proclamation made by the Cuban episcopacy was, at first, a hard blow to Batista. But the dictator is a master strategist. He managed to talk the church leaders into naming a peace commission formed by lay leaders with whom he has always maintained the closest friendship. Thus he tricked the church into turning over its efforts to a pro-Batista group. In other words, it's another stall to consolidate himself in power.

2. The men who make up the new peace commission are not qualified to carry out its high objectives impartially or adequately. Here's why:

Dr. Cuervo Rubio is a former Vice President who served under Batista and is the doctor of Batista's wife.

Dr. Raúl de Cárdenas has received big favors from Batista in the past.

Mr. Victor Pedroso, banker, intimate friend of the Batista family, has had large financial dealings with the present regime.

Rev. R. P. González, prior to becoming a priest, was Under Secretary of Agriculture in the Batista government. He also used to be assistant to Martínez Saenz, president of the National Bank of Cuba.

Thus it is obvious that the above men could hardly be expected to tell Batista to go in order to make way for a new national government, as suggested by the episcopacy.

3. The opposition parties have already rejected the idea of any coalition government which includes Batista. There was a time when Cubans would have settled for elections, guaranteed civil rights or almost anything else. The Cuban situation has deteriorated to such an extent, however, that the only acceptable condition is: Batista must go. Unless the tyrant goes, the Cuban problem will remain unsolved.

In conclusion, if anyone doubt Batista's intentions, let him read his speech, given today, March 10, the sixth anniversary of his treacherous military coup. In very plain language he stated that there would be no concessions forthcoming, except elections in June on his own terms.

TO THE PEOPLE OF CUBA

Once again the Aggregate of Cuban Institutions—made up of religious, fraternal, professional, civic, and cultural organizations—wishes to express publicly its considered opinion in regard to the possibilities of solving, without bloodshed, the grave crisis affecting the nation, and to demand, from the Government, the kind of decision this moment calls for, if we, in this last and desperate effort, are to avoid the impending collapse of our fundamental state institutions.

This association, whenever it has raised its voice, has done so with a sense of responsibility, and a belligerent attitude for peace, and has often expressed, in frantic appeals, that it was necessary to arrive at a just solu-

tion of our grave international crisis. Fearful of the risk that uncontrolled passions would sink the nation into anarchy, it announced that, in such a contingency, these Cuban institutions would know how to fulfill their duty.

The moment has arrived. The Government, by ignoring all the appeals for peace and by depending on armed might, has provoked with that attitude the reaction of the young men and women of Cuba, who have exchanged their schoolbooks for war equipment and have started a general movement full of heroism and sacrifices, now admired and followed by all the social classes in our country. Against them, through 6 long, agonizing years, the regime has mobilized its entire repressive apparatus, which has been systematically employed with unsurpassed cruelty. Upon defenseless women and helpless adolescence has fallen the continuous and unmerciful weight of security forces in a manner having no parallel in the history of civil wars.

The regime has refused to look into the motivations behind our youth's actions, and, after subverting the juridical order of our state through an act of force, has suspended again all constitutional guarantees, having just announced a new drive to recruit 7,000 soldiers that might silence, in a war of extermination, all protests. It will all be in vain; the number of victims will increase, but the rebel movement will extend itself, because next to the young people and with them, both openly and clandestinely, is standing by the whole nation.

The people, witnessing with utter amazement the continuous flow of blood of its best human reserves, fails to understand this war of extinction, and cannot comprehend why the military supporters of this regime are fighting so hard to defend a government repudiated by the people.

The spectacle which Cuba's martyrdom offers to the world has not roused the feelings of those who seized power and who pretend to keep it against the will of all. No one hears the loud and excruciating outcry of mothers. No one listens to the voice of institutions not devoted to any particular sect, while the word uttered with pain by our venerable episcopacy receives, by way of answer, the deceiving, harsh imposition of an obstinate will to rule.

The Aggregate of Cuban Institutions has, thus far, proposed reconcilable formulas and civilized understandings. But now, aware of the fact that our nation is on the verge of collapse, we serenely demand the end of the present regime, since it has been unable to carry on the normal functions of government and to fulfill the high aims of statehood. As we request the discontinuance of the present administration through the abdication of those in the executive branch, and the dissolution of Congress, we are moved mainly by the instinct of social preservation, our intention being to contribute, in this manner, to the reestablishment of peace by removing the only cause that prevents a civilized solution.

This petition visualizes and carries with it the formation of a provisional government, formed by citizens of outstanding prestige, designated by all the vital forces of our nation, and having, as its aim, the pacification of the country through the adoption of the necessary measures that may lead, in a brief period, to free elections under full democratic guarantees, thus fulfilling our historic destiny.

To that end, the provisional government will confine itself to a minimum program, fundamentally containing the aims listed below. The said government will:

(a) Respect private property and be under obligation to fulfill all agreements and pacts, whether bilateral or in conjunction with the United Nations, as well as all promises and liabilities contracted by the Republic, deferring to the Congress the faculty of determining, at an opportune time, if they

were contracted according to our constitution and our laws.

(b) Will declare null and void all the sentences dictated by the tribunals of the Republic and courts-martial held after March 10, 1952, dealing with political offenses intended to overthrow the regime instituted on that date.

(c) Govern itself, insofar as its peculiar nature permits, by the constitution of 1940, which will prevail especially in regard to individual rights.

(d) Exercise the legislative powers of government, limiting itself to the promulgation of laws strictly necessary for its good functioning, thus facilitating the return to a constitutional regime by popular consent.

(e) Give preferential treatment to laws promoting the start and development of an electoral process culminating in the designation of constitutional officials.

It is the understanding of this association that this is the only solution to save Cuba from chaos at this dramatic hour of its existence. Conscious, as we are, that we lack the power to remove the regime by force, we urge our citizenry to resist oppression by uniting closely and by exercising the rights that the constitution grants to free men everywhere.

HAVANA, March 15, 1958.

Signed by Confederación Nacional de Profesionales Universitarios, Colegio Nacional de Abogados, Colegio Nacional de Agrimensores, Colegio de Abogados de la Habana, Colegio Nacional de Arquitectos, Contadores Públicos, Estomatológico Nacional, Doctores en Ciencia y en Filosofía y Letras, Farmacéutico Nacional, Federación de Ingenieros, Ingenieros Civiles, Ingenieros Electricistas, Colegio Médico Nacional, Médico Municipal, Peritos Químicos, Agrónomos y Azucareros, Trabajadores Sociales, Médico Veterinario Provincial de la Habana, Provincial de Periodistas, Asociación Nacional de Maestros de Escuelas Privadas, Profesores y Maestros de Inglés, Técnicos Industriales, Juventud Masculina de Acción Católica, Católica Universitaria, Concilio Cubano de Iglesias Evangélicas, Club de Leones, Lyceum Lawn Tennis, Supremos Consejos de la Masonería, Federación Nacional de Escuelas Privadas, Logias, Ingenieros Químicos e Industriales, Ingenieros Mecánicos, Médico Veterinario Nacional.

MEMORANDUM TO THE MEMBERS OF THE U.S. CONGRESS FROM THE CUBAN CONGRESSMEN IN EXILE

1. The undersigned, former members of the Cuban Congress, democratically elected before the military coup of March 10, 1952, have the honor to address the Members of the U.S. Congress in order to inform them about some aspects of the current state of relations between their two countries and, particularly, about certain facts and feelings that are impairing these relations.

2. There is at present a widespread belief in Cuba that the U.S. Government is supporting Batista's ruthless dictatorship in contradiction to the repeatedly declared American policy in favor of world freedom and democracy. This belief is buttressing Batista's dictatorship, prolonging the terrible civil war now ravaging the country and seriously impairing the prestige and good will of the United States in Cuba.

3. The generalized Cuban belief in the United States support to Batista is based on the following facts:

(a) The great zeal in the application of the Neutrality Act against anti-Batista exiles and the unnecessarily rude treatment applied to them, as shown by the recent (February 14, 1958) handcuffing of Dr. Carlos Prio Socarras, former constitutional President of Cuba, deposed by Batista;

(b) The public demonstrations of friendship from the U.S. Army to the Cuban Army, as shown by the bestowal of one of the highest U.S. military decorations to the chief of

the Cuban Air Force (November 1957) shortly after Colonel (now General) Tabernilla had ordered and led the bombardment and strafing of the open city of Cienfuegos (September 5, 1957) and the widely publicized praise lavished upon Batista by General Shepherd, Chairman of the Inter-American Defense Board (December 1957);

(c) The continuous shipments of arms to Batista, supplied freely or almost freely under the Mutual Defense Assistance Agreement of March 7, 1952, in spite of the openly known fact that Batista is using these arms to crush, and not defend, democracy in the Western Hemisphere, contradicting the purpose of the agreement and of the U.S. acts which authorized it and which supply the funds with which these shipments are financed; and

(d) The maintenance of a U.S. Army mission in Cuba that is giving the Cuban Army technical advice on the strategy and tactics of the current warfare against the Cuban people, in spite of the fact that article 5 of the Army Mission Agreement of August 28, 1951, clearly stipulates that the agreement "will be subject to cancellation at the initiative of Government of the United States or of the Government of Cuba, at any time, when any one of the two governments finds itself involved in internal or external hostilities" (the quote is a translation of the Spanish text).

4. The undersigned consider that it is not improper for them to inform their U.S. colleagues of the above-mentioned facts that may be of interest to them because of their bearing on the foreign policy of the United States, on the current world struggle for freedom and democracy, on the American prestige and good will abroad and on the welfare of one of the three closest neighbors of the United States. The undersigned also consider that it is not improper for them to request the moral support of their U.S. colleagues for their noble cause and hope that this information and this request of sympathy will be thus interpreted by the U.S. Senators and Congressmen and not construed as an attempt to interfere in their affairs or influence their conduct.

5. If any U.S. Senator or Congressman would like to obtain additional information on the facts described in this memorandum, the undersigned would be pleased to supply it to them, either in writing or personally, going to Washington if necessary or desirable. Requests for additional information or personal contact should be sent to: Dr. Lincoln Rodon, 5121 Alton Road, Miami Beach, Fla.

MIAMI, March 27, 1958.

Dr. Lincoln Rodon (Demócrata Party)

Former President of the House of Representatives; Former Congressman From Oriente Province; Dr. José Manuel Gutiérrez (Ortodoxo Party) Former Senator From Matanzas Province; Dr. Manuel Bisbé, Former Leader of the Ortodoxo Party in the House of Representatives; Former Congressman From Havana Province, President of the Ortodoxo Party; Dr. Rafael Dominador Pérez (Ortodoxo Party), Former Congressman From Pinar Del Rio Province; Dr. Roberto García Ibañez (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Bernardo Utset (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Segundo Curti (Auténtico Party), Former Congressman From Havana Province; Dr. Rubén Alonso (Auténtico Party), Former Congressman From Oriente Province; Dr. Antonio Acosta Borges (Nacional Party), Former Congressman From Havana Province; Dr. Wifredo Figueras (Demócrata Party), Former Congressman From Camaguey Province.

CV—45

ANNEX TO THE MEMORANDUM

1. For those Members of the United States Congress that may not be familiar with recent Cuban developments, a brief outline of the origins and evolution of Batista's dictatorship follows.

2. On March 10, 1952, 82 days before the scheduled presidential elections in which he himself was a candidate supported by a small minority, Fulgencio Batista led a military coup, making himself chief of state in charge of organizing and directing the executive and legislative branches of government and assuming all their functions. Following the coup, Batista suspended the constitution, prevented Congress from meeting, actually shooting the capitol building when Congress tried to meet, prevailed over the courts, reorganized the army, navy, and police forces, dissolved the political parties and canceled the presidential elections scheduled for June 1, 1952.

3. Two and a half years after the coup, on November 1, 1954, Batista held rigged elections in which he was elected President. The elections were not only rigged but unilateral, Batista being the only candidate. All the opposition parties but one, abstained; and the one that did not abstain withdrew a few days before the election, owing to the violence and fraud used against it. Even members of the parties supporting Batista admitted publicly that there had been frauds and violence in the November 1954 elections.

4. Batista continues in power and his regime continues to have the same dictatorial nature that it has had from its inception. The constitution was nominally re-established after the 1954 elections, but its basic rights are continually being suspended and martial law declared. Furthermore, with or without martial law, Batista has violated all political freedoms and human rights; imprisoning, torturing, and assassinating his political enemies with utter ignorance of the courts.

5. Batista had sabotaged all the efforts made by prominent Cuban citizens and institutions in favor of a peaceful and dignified settlement of Cuba's problems. In March 1956, the great Cuban patriot and elder statesman, Dr. Cosme de la Torriente, President of the General Assembly of the League of Nations, invited delegates from Batista's and opposition parties to seat together and discuss a solution. The meeting raised great hopes but was broken by Batista's delegates on a point of procedure. The failure of the negotiations closed the door to peaceful solutions and lit the fire that has been ravaging Cuba since then; few weeks after the meeting broke a group of army officers revolted, led by Col. Ramón Barquín, Cuban member of the Inter-American Defense Board and in successive months rebellion flamed in Matanzas and Santiago de Cuba; Fidel Castro landed and started its successful and ever growing guerrilla warfare, in Oriente; the presidential palace in Havana was attacked and almost taken; the Corinthia expedition landed in the northern coast of Oriente Province; the navy garrison of Cienfuegos uprose and occupied the city, that was later unmercifully bombed by Batista's air force; several plots were discovered in the army, navy, and air force and Havana police; strong guerrillas began to operate in the central part of the island and Castro's men beat the army repeatedly and spread all throughout Oriente's Province. Simultaneously with these events, a wave of sabotage against canefields, sugar mills, sugar warehouses, tobacco warehouses, manufacturing plants, hotels, movie houses, public buildings, trains, and buses has been rising in tempo up to its current volume: At present, all schools are closed, trains do not circulate by night,

movie houses and stores are empty, insurance premiums have risen twentyfold and each week costs the country hundreds of human lives and several million dollars.

6. It is not the purpose of this memorandum to describe Batista's terror or to enumerate its thousands of victims, which include women, children less than 15 years of age, students, workers, farmers, merchants, including two presidents of the National Students Federation, physicians, lawyers, and congressmen. Two fellow congressmen have fallen victim of Batista: Dr. Menelao Mora, member of the house of representatives for the Cuban Revolutionary Party (Auténtico), killed while valiantly fighting in the attack on the Presidential Palace, and Dr. Pelayo Cuervo, senator for the party of the Cuban people (Ortodoxo) and its president and leader in the senate, arrested by members of the police forces and assassinated in the outskirts of Havana on March 13, 1957, under the direct orders of Dictator Batista.

7. Following a standard practice of Latin American dictators, Batista is at present trying to perpetuate himself in power by electing a puppet successor. Elections for this purpose were scheduled for the forthcoming June 1 and have been now postponed, owing to the current state of civil war, for November 3 of this year. The electoral plans are supported by Batista's men and some so-called opposition parties, but public opinion repudiates them as a fraud. On February 28, 1958, Cardinal Arteaga and all the archbishops and bishops of Cuba addressed the country requesting the formation of a government of national union, implicitly asking Batista to step aside. On March 15, the national colleges (associations) of lawyers, medical doctors, civil engineers, electrical engineers, agronomical engineers, mechanical engineers, architects, doctors in philosophy and literature, doctors in political and economic sciences, teachers, pharmacists, public accountants, dentists, veterinarians, chemists and sugar chemists; the Federation of Catholic Youth, the Cuban Council of Evangelical Churches, the Supreme Council Grade 33 of Freemasons, the women's club, and Lions Club, and 18 other national organizations signed a petition for Batista's resignation, for the sake of peace and freedom, in a momentous and historical document. These utterly unusual steps taken by the Catholic and Evangelical Churches and by nonpolitical organizations that together represent the whole of Cuba's learned middle class show the state of desperation that the Cuban society has reached and announces the new dawn of democracy in Cuba.

Dr. Lincoln Rodon (Demócrata Party), Former President of the House of Representatives, Former Congressman From Oriente Province; Dr. José Manuel Gutiérrez (Ortodoxo Party) Former Senator From Matanzas Province; Dr. Manuel Bisbé, Former Leader of the Ortodoxo Party in the House of Representatives, Former Congressman From Havana Province, President of the Ortodoxo Party; Dr. Rafael Dominador Pérez (Ortodoxo Party), Former Congressman From Pinar Del Rio Province; Dr. Roberto García Ibañez (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Bernardo Utset (Ortodoxo Party), Former Congressman From Oriente Province; Dr. Segundo Curti (Auténtico Party), Former Congressman From Havana Province; Dr. Rubén Alonso (Auténtico Party), Former Congressman From Oriente Province; Dr. Antonio Acosta Borges (Nacional Party), Former Congressman From Havana Province; Dr. Wifredo Figueras (Demócrata Party), Former Congressman From Camaguey Province.

MIAMI, March 27, 1958.

SPEECH BY DR. MANUEL BISBE

A paragraph of the speech made by Dr. Manuel Bisbe, president of the Cuban Peoples Party (Ortodoxo), in the meeting held in the Flagler Theater of Miami on the 16th of March 1958, honoring the memory of Dr. Pelayo Cuervo Navarro in the first anniversary of his death. In his speech Dr. Manuel Bisbe raises the issue of a revision of the Latin American policy of the State Department.

"The dictatorship of Batista is in its last stages. It will fall as fell the dictatorships of Rojas Pinilla in Colombia and of Perez Jimenez in Venezuela. The America of Bolivar, of Juarez, and of Marti will be free as is the America of Washington. But what hurts us is the support that is being given to dictators, and that arms sold to them for the defense of the hemisphere against the Communist danger, are used instead against the people. What hurts us is that a plan of general elections be supported despite facts that have proved that we were right and that Ambassador Smith was wrong. Batista cannot govern with a free press, and if he establishes censorship he cannot maintain order either. Let us go toward a democratic Latin America. Yet in the face of the grave situation of disorder that prevails in Cuba, how can the State Department think that general elections can be called notwithstanding the shameful collaboration that a few politicians of the so-called opposition are lending to the infamous comedy of general elections? The people of our America, with the support of decent army officers who are not willing to use their arms against democracy but to place them at its service, are helping to lay the foundations of a new era of freedom in our sister republics. Let Washington rectify its policy. You cannot hurt people and expect them to trust you afterward. Let the Americas be democratic, and if strength is made use of, let it be against dictatorships, and never against democracy, for I do not admit in the inter-American relationships any other attitude than to isolate dictatorial government, because the time has come that governments understand, as long ago our peoples have understood, that the blow stricken to democracy in any of our brother countries is a mortal blow to the very heart of our America."

BATISTA BACKED BY COMMUNISTS

(Extension of Remarks of Hon. ADAM C. POWELL, Jr., of New York, in the House of Representatives, Monday, May 12, 1958)

Mr. POWELL. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

BATISTA BACKED BY COMMUNISTS

"My name is Jack A. Ossorio. My home address is 2028 Southwest 57th Court, Miami, Fla. I was born at Manzanillo, Province of Oriente, Cuba, of American and Cuban parents. I acquired American citizenship by birth abroad of an American parent (my father). I am registered at the American Embassy, Havana, Cuba.

"I came to the United States in 1937 to go to school. I attended Miami Senior High School, the University of Miami, and the Fletcher School of Law and Diplomacy, Boston, where I received my master's degree. I served 3½ years in the United States Air Corps during the war and was honorably discharged.

"I have worked for several Miami radio stations, the General Electric Co., International General Electric Co., the North Dakota Research Foundation, and smaller companies. In 1954 the United States Department of State sent me to Honduras for a year.

"I am a specialist in inter-American affairs, a bilingual journalist, and a professor of English for foreigners. I am interested in

Latin American affairs because I was born in that region, where my father is a Presbyterian missionary (in Cuba). I appear voluntarily before this committee because I have, for a long time, carried on a one-man fight against despotism in the Americas, believing that dictatorships are anachronistic and undesirable in our hemisphere. My main concern this time will be with the present regime in Cuba. I hope to convince you that aid to any dictatorship, and especially Batista's, gives us a black eye internationally.

"Dictator Batista and the Communist Party

"Gen. Fulgencio Batista, of Cuba, is like a chameleon: he changes color to suit his surroundings. In the year 1940 he allied himself with the Communists and was elected President of Cuba on the official Communist ticket, as the head of a coalition.

"Exhibit 1 shows the hammer and sickle and the Communist Party's promise to divide the land among farmers. One of the slogans at this time was 'Cuba Out of the Imperialistic War.'

"Exhibit 2 is a photo which shows Batista and Cuba's most famous Communists: Juan Marinello, far left, and the colored man in the back, Garcia Agüero.

"Exhibit 3 shows Batista with the famous Communist leader Lombardo Toledano, and Lazaro Peña, the former secretary general of the Cuban Workers' Federation.

"Exhibit 4 shows Batista with the principal Cuban Communists.

"Exhibit 5 shows a picture of Communist Marinello, running for mayor of Havana, and Batista running for President. This was taken from the Communist newspaper Hoy, which Batista always allowed to circulate freely.

"Exhibit 6 is the statement made once by General Batista that the Communist Party exercised a democratic function in Cuba.

"Exhibit 7, dated July 1, 1953, was taken from the newspaper Prensa Libre. The news item reports that the CTC (Cuban Workers' Federation) had just made a pact with the Communists. The secretary general of the Tobacco Federation makes the statement that the pact with the Communists strengthens the workers' movement.

"Exhibit 8 is a copy of the official organ of the University Students' Federation, containing photographs of some of the dramatic events which have taken place in Cuba lately.

"Exhibit 9 is a publication by Cuban doctors denouncing Batista as an assassin. Included is a photostatic copy from the World Medical Convention, charging Batista with killing, torturing, and molesting doctors and patients. On the last page is a photograph of the American military mission: American Colonels Isaacson, Keller, and Stewart, and Commandants Cameron and Blackwell, when Tabernilla, Jr., received an American decoration. Tabernilla is the Cuban officer who bombed the open city of Cienfuegos with American military aid.

"Exhibit 10 is a report written by Carlos Hevia, a former President of Cuba and minister of state. This is a well-documented account of the intimate connections Batista has always had with the Communists. On page 6 we read the following significant paragraphs:

"Since Batista staged this coup d'etat of March 10, 1952, the Communist newspaper Hoy had had free circulation in Cuba, and big trucks carrying the newspaper throughout the island. And he is, in an undercover way, helping the Communists to gain once more control of the labor movement of Cuba. At the same time, democratic radio commentators are silenced, broadcasting stations closed, newspaper commentators and writers jailed and brutally beaten.

"While Batista has forbidden public gatherings, yet the Communists have been permitted to have large meetings. All Com-

unist leaders are in Cuba without the Government harassing them in the least; most of them recently returned from Russia, arriving freely by plane at the airport.

"Batista has been in conversations with the Communists so that the so-called anti-Communist law that he has claimed to be preparing will finally be drafted in such a manner that it could be used against those who oppose him and favor democracy, and not against the Communists.

"When Batista organized his present party, PAU, about 1949, the Communists helped him; and thousands of them, including some of the best organizers, joined the new party; and these same Communists and their bosses are again gaining control of important positions in the Government and in the labor movement of Cuba."

"Batista finally established an organization to repress Communists, but it is interesting to note that no Communist has ever been jailed and no restrictions have been placed on Communists. The organization has been used solely, however, to silence, jail, torture, and kill democratic Cubans.

"To the question, Is Batista a Communist? I would answer that he is both a Communist sympathizer and a Fascist. His communistic inclinations and indoctrination have been shown in his actions as dictator. For example, he has not prosecuted any Communist, but has placed them in important posts; he accuses his enemies of being Communists, so that in essence he is allied to communism, but poses to the contrary; he does not respect any fundamental freedom; he does not believe in freedom of the press; he discarded a democratic government and a constitution; he assumed the powers of Congress; he has made a mockery of judiciary power; he has not respected Cuban womanhood; last and most important, he has stolen millions (he probably has \$200 million), exiled hundreds, tortured and killed thousands, mostly young men—the hope of Cuba.

"Batista is, more than a Communist or a Fascist, a political adventurer. He would sell out to Moscow tomorrow, if he stood to gain by it. He is typical of the man who would sell his own mother to get what he wants.

"Foreign espionage in Miami

"Any assistance given to dictators hurts the people who suffer under them and hurts us also. Take the matter of espionage.

"The city of Miami, Fla., is a hotbed of foreign espionage. There are any number of agents here paid by Batista, but without the knowledge of the Justice Department. Recently, when a briefcase was snatched from the Cuban consul, the names of spies were divulged. One of them is reported to have over \$100,000 in the bank and, if so, probably paid no income taxes on it.

"What this amounts to is that a representative of a foreign government is really the head of a large and well-organized spy system, which spends large sums of money to spy on both foreign and American nations.

"Certainly any aid given to Cuba, Santo Domingo, Nicaragua, or Paraguay is a definite contribution to the forces of tyranny in the Americas. For the great American democracy to play the dangerous game of fooling around with Fascist despots is to open the door to communism in the Americas, not to mention other similar evils.

"The State Department and Cuba

"As you consider aid under the Mutual Security Act of 1958, you should look into the mistaken, protototalitarian, criminal policy being followed by Secretary Dulles and Under Secretary for Latin American Affairs Roy Rubottom.

"The Mutual Defense Assistance Agreement was signed between the United States and Cuba at Habana on March 7, 1952, and

its original purpose was 'to assist any American state subjected to an armed attack and to act together for the common defense and for the maintenance of the peace and security of the Western Hemisphere.'

"According to article 1, paragraph 2, the Government of Cuba undertakes to make effective use of assistance received from the Government of the United States of America pursuant to this agreement for the purpose of implementing defense plans, accepted by the two Governments, under which the two Governments will participate in missions important to the defense of the Western Hemisphere, and will not, without the prior agreement of the Government of the United States of America, devote such assistance to purposes other than those for which it was furnished."

"Now, such assistance has been used, over and over again, against the defenseless people of Cuba, and not for hemispheric defense, with the tacit consent of the United States Department of State. The worst instance to date of these violations was the inhuman attack against the open city of Cienfuegos, where tanks and airplanes put down by force the uprising of September 5, 1957. These were arms supplied to Batista by the United States Government in conformity with the provisions of the Mutual Defense Assistance Agreement for the defense of the Western Hemisphere. Did the Government of Cuba obtain the prior agreement of our Government?

"Certainly, the agreement has not been denounced. So, as many Cubans see it, if Russia raped Hungary, then the United States State and Defense Departments are raping Cuba. Even in India people are saying so. Is this the kind of aid the Mutual Security Act encompasses?

"Another sore spot is the agreement between the Government of the United States of America and Cuba, providing for the services of a United States Army mission to Cuba. Title I, article 1, declares that 'the purpose of this mission is to cooperate with the chief of staff of the Army of the Republic of Cuba and the Cuban Army. Officers of the mission will act, as required by the chief of staff of the Army of the Republic of Cuba, as tactical and technical advisers to the Cuban Army.'

"The people of Cuba see in such a provision a perfect excuse for the United States Army to intervene in favor of Batista. Thus the United States is taking sides, in the civil war now raging in Cuba, against the people of Cuba, for Batista is opposed by over 90 percent of the Cuban people. The State Department knows that the American mission is training Cuban officers to fight the young people of Cuba, who are fighting the tyrant on unequal terms. At any rate, the mission is only beginning ill will for Americans.

"Jules Dubois, writing in the Chicago Tribune, March 21, 1958, stated: 'Cuban public opinion, although throttled by the most severe censorship ever exercised by Batista, is outspoken against the United States. The people, from the leaders of the civic, religious, professional, and social institutions who demanded Batista resign, to the students, accuse the United States of pursuing a policy to support a dictator and lose the friendship of a nation.'

"Smith (ambassador) is being branded as worse than his predecessor, Arthur Gardner. Yet when he first arrived he was a hero to the Cuban people and managed to erase the animosity that had been engendered by Gardner.

"Cubans, more than 90 percent of whom are trying to oust Batista, insist that the latter is being retained in office by the United States. When it is explained to them that the policy of our State Department is one of correctness and neutrality in this civil war, they reply: 'Yes, we know. You Americans are very correct and very neutral on the side of Batista.'

"By paragraph b, article 4, of the Army mission agreement, the United States Government may recall the entire mission in the public interest of the United States of America. Since the State Department has not done so, the conclusion is that it considers it a wise policy not to recall the mission.

"But article 5 really shows how criminally negligent the men in the State Department are. Article 5 clearly states that 'this agreement is subject to cancellation upon the initiative of either the Government of the United States of America or the Government of the Republic of Cuba at any time during a period when either government is involved in domestic or foreign hostilities.'

"Since Cuba is involved in a civil war and since the men at the Department of State have ignored such a provision, it can only mean that they wish to keep Batista and his Gestapolic henchmen in power. Is this what the Mutual Security Act contemplates?

"The conclusion is obvious. While we continue to send arms to Batista and train his men, we are very careful to enforce our neutrality laws, thus depriving the people of Cuba of the help they desperately need to get rid of the monster. No wonder democrats everywhere feel that we are intervening in Cuba directly, in favor of Batista and against the best interests of 6 million long-suffering Cubans, for our tanks and jets have kept Batista in power during 6 long, painful years.

"We are asking for trouble. Is there not a possibility that, as a desperate reaction to so much injustice and oppression, some postdictatorship government may accuse us, before the United Nations, of complicity in genocide or extermination of a national group as a planned move? Would that not be very embarrassing, after the rape of Hungary?

Latin American dictatorships

"As long as despotic regimes continue to flourish in Latin America, there will be no peace, no security, no solidarity in our continent. Democratic governments, elected by the people in honest elections, must replace the present dictatorships, which exist only through force and fraud.

"All American dictators hide behind a false front of material progress, blood, tears, poverty, and terror.

"The whole world blames our Department of State for the prevalence and continuance of Fascist dictatorships in Cuba, Nicaragua, Santo Domingo, and Paraguay. The argument advanced to explain our strange behavior is that we wish to protect our interests and the most expedient way to do it is through caudillos or strong men. It is unfortunately true that our Ambassadors too often have left the impression that we approve of and sympathize with unpopular regimes.

"Our interests are best protected by representative governments, not by ambitious, ruthless dictators. The adulator, the servile ruler is not our best friend. On the contrary, when we help our neighbors to get rid of oppressors, we protect our interests and secure peace and happiness for our continent.

In conclusion

"If I could get only one thing across to this august committee, it would be this: No aid should ever be given to any government which is not the result of popular consent, as expressed through entirely free elections. No aid should ever contribute to the strength, permanency, or encouragement of a despotic government.

"We are the undisputed world leaders against totalitarianism, but we appear to have adopted a dual policy, namely, one for Communist nations and one for American despots. Democracy and freedom are inseparable, however.

"Specially here in this hemisphere, where American conduct is watched closely by the whole world to test our real intentions, the wealth of Americans must not be spent on those who enslave our brothers. It is in our best interests to help those who think and act like we do. Latin Americans do not need guns. They need, however, technical aid, loans, and encouragement in their democratic aspirations.

"To this effect, I would recommend, as a great contribution, the identical resolutions introduced in the Senate and the House by the distinguished legislators, Senator WAYNE MORSE, and Representative CHARLES O. PORTER, of Oregon. The resolutions make a specific reference to article 5(d) of the O.A.S. charter, which states, in part, that 'the solidarity of the American States and the high aims which are sought through it require the political organization of those states on the basis of the effective exercise of representative democracy.'

"United States aid, given only to democratic governments, will make us a better people and will make this a better world in which to live, that government of the people, by the people, and for the people shall not perish from this earth."

"ANNEX A

"Tortures under Batista

"Tortures under the ruthless, bloodthirsty dictatorship of Batista are commonplace. His Fascist, pro-Communist regime has not even respected Catholic priests, even though that is the religion professed by the majority of Cubans. Witness the torture of Rev. Father Ramon O'Farrill, now a Miami exile, who was hit with the butt of a rifle squarely on an ear and his hearing impaired.

"Exhibit 11 is a clipping from the Chicago Daily Tribune, which tells of the shooting of a Catholic young man studying for the priesthood. His body was found riddled by 36 bullets (probably supplied by the Mutual Security Act). He was shot to death despite the plea from the Roman Catholic clergy, who tried to save his life. The papal nuncio and Cardinal Arteaga had been given assurances that his life would be saved, but the word of gangsters can never be trusted.

"There is a new case of torture, however. In the United States right now is a 50-year-old schoolteacher who knows what despotism means. After her unbelievable torture, her life was threatened because she dared to denounce Batista's regime of terror. Through a priest she knew, and the papal nuncio, she was able to obtain political asylum in a foreign embassy and leave Cuba. In an interview for the American Daily, a Spanish newspaper, she had this to say:

"'Batista's police agents broke into my home. They were obsessed by the idea that I knew where arms were hidden. Other decent Cuban women have suffered before what I went through. That's why I told everything, in spite of the threats against my life if I spoke the truth about the terrible things that happened to me.'

"I am 50 years old, and I have 2 daughters, 19 and 17, and a boy 15 years old. I am a teacher and a practicing Catholic. In the early morning of February 24, at exactly 5 o'clock, a group of men, armed with submachineguns, entered my home and made me put on my clothes in their presence. They took me to the 12th district police station. They robbed me of \$25 in cash and an expensive gold watch.

"Taken before a captain by the name of Sosa, he hit me right in the face, throwing me to the floor. Nothing stopped them, not even my age or sex or the fact that I was a mother. What happened in that hell on earth for 3 long, horrible days still seems like a nightmare.

"I was savagely struck and whipped. They repeated every few minutes that they would kill me if I didn't tell them where the arms

were. They pulled my hair and ears. Modesty prevents me from repeating the dirty remarks and insults that were thrown at me by young men who could have been my sons.

"Only my faith in God, my deep belief in divine grace, and my Catholic faith permitted me to endure stoically the pain and the affront. A Colombian citizen was savagely tortured in my presence and his ear torn off by blows. The image of the Saviour on the cross supplied me with spiritual light to stand the torture.

"While they were beating me, they kept shouting: 'Talk, you Communist bitch.' When I resented the remark and told them that they could only accuse me of being a Catholic, they hit me again and shouted: 'All you Catholics are worse than the Communists.'

"To hide the facts is to allow the occurrence of further crimes. If God chose me to live and denounce this infamy, I hope it will not be in vain. The whole truth must be told that everyone may know how low Cuba has sunk under Batista: They stuck a steel pipe through my vagina, while shouting: 'Talk, you old bitch, we are going to perforate you'."

"Certainly, as you consider aid to the Government of Cuba, now ruled by gangster elements, you must keep in mind how that aid will be used against the people of Cuba and against their democratic aspirations."

"ANNEX B"

"(By Rev. Father Ramon O'Farrill, who was brutally beaten in Havana)

"Aggressions against the Catholic Church"

"On February 20 of this year a bulletin issued by the Cuban Army was published in all the newspapers which, like all its official dispatches, never reports the true facts on the people's struggle against the dictatorship. The said bulletin terms a good story my statements to the foreign press concerning the tortures I underwent during 4 days at the hands of Batista's repressive forces, and it calls rebellious propaganda the silence I kept for a year before releasing the facts.

"All the people of Cuba know, and especially those in Habana, how I was unmercifully beaten by policemen under the dreadful Captain Ventura (now a commandant). After the attack, I was taken to the police station, where I remained, hurt and incommunicado, 4 days, while Batista's henchmen negotiated my release. The one condition they demanded, complete silence of the church, was the same one asked previously when His Eminence Cardinal Arteaga was attacked my members of the police force.

"On the fourth day I was delivered by high police officers to members of the church, Msgr. Arcadio Marina and Raul del Valle, both of whom, under police threats, promised to keep silent and to get me out of the country without letting anyone, and especially Cuban Catholics, know that a priest had been beaten up.

"As a Catholic clergyman, I had to accept the discipline of my church. I was moved to an ecclesiastical residence in Canada, where I was held practically incommunicado for a year, under orders from the Batista police to the Catholic church. Later the bishop of Cienfuegos authorized my transfer to Miami, Fla.

"I challenge publicly the chief of staff of the Cuban Army to deny the following aggressions committed against the Catholic church, which remain as proofs of our long calvary:

"1. July 1953: Aggression to His Eminence Cardinal Arteaga by policemen who tried to seize from him the proofs in his possession of crimes committed by the armed forces.

"2. Catholic meeting at Guanajay stopped violently by the army with bullets. The leaders were insulted and taken to army headquarters.

"3. The office of the Catholic youth and the university Catholic home raided repeatedly and everyone taken to police headquarters.

"4. Attack on the premises of the Catholic young workers; several members beaten and imprisoned.

"5. June 1956. Assault on the Arroyo Arenas Church and destruction of its doors.

"6. Rev. Father Leon Lemus exiled from the country after his brother was assassinated.

"7. November 30, 1956. The cathedral at Santiago de Cuba machinegunned by the armed forces.

"8. The archbishopric at Santiago searched and the archbishop insulted.

"9. July 1957. The temporary priest at the Cathedral of Our Holy Church, Santiago, insulted.

"10. The Reverend Father Maximiliano Perez of Managua taken in custody several times, and his sister mistreated by police.

"11. Rev. Father Manuel Martin, of Santa Isabel de las Lajas, detained during a mass (typical case of intrusion upon freedom of worship).

"12. Constant attacks against the church and priests, including defamations, scandals, and profanations, from the pages of the Government newspaper Time, in Cuba, owned by the Communist gangster, Rolando Masferrer, Batista's right-hand man.

"13. Rene Fraga, leader of Catholic Action and teacher, assassinated at Matanzas. The bishop marched at the front of the cortege until it was broken up by police bullets.

"14. Mass at Vedado parochial church, in suffrage for the soul of murdered student leader, halted.

"15. 1957. Two young fathers from Victoria de las Tunas, accused of taking in some Cubans whose lives were in danger, exiled from the country.

"16. Ramon Rodriguez, member of Catholic Youth, assassinated.

"17. 1957. Church at Jaguey Grande emptied to stop a mass in suffrage for the souls of students killed. The faithful then kneeled at the park outside.

"18. 1957. Church of San Francisco, Santiago, assaulted and robbed by gangsters under Masferrer (Batista's right-hand man).

"19. Rev. Father Jorge Bez Chababe and Father Rivas of Catholic Action, detained.

"20. March 1958. Protest by the president of the diocesan council at Santiago of the disappearance of a member of the group Sacred Heart of Jesus.

"As it can be seen, Batista's dictatorship, like all other American dictatorships, has engaged in aggression and outrages against the Catholic Church because she is the great defender of the human rights and the democratic principles to which all free peoples are entitled."

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I am glad to yield to the gentleman.

Mr. SCHERER. Mr. Speaker, from what the gentleman from New York said about blood baths by these dictators, I assume then that he is equally opposed to the executions that have been taking place by Castro.

Mr. POWELL. I am not opposed to any executions that take place before courts of justice in the presence of a free press. And that is what is happening in Cuba now. I am opposed to the 20,000 casualties that took place under Batista, without the press being allowed there, and with censorship, and without any courts of justice.

Mr. SCHERER. Do I understand the gentleman to say that the executions that

have been taking place in the last few weeks since Castro has come into power have all been as the result of court trials?

Mr. POWELL. Every one of them has been. And it was pointed out by the gentleman from Oregon [Mr. PORTER], earlier in this session, we have American correspondents on the scene witnessing what has been taking place. They could not do that in the case of the Batista blood baths. These correspondents have not reported back to the contrary.

Mr. SCHERER. I am sorry that the gentleman reads the record differently from the way I do.

Mr. POWELL. I am going to Cuba this weekend, and if I find anything contrary to what I have said, I shall be glad to come back here and report what I have seen there, objectively.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman.

Mr. SPRINGER. I would like to ask the gentleman this question. He said that Mr. Betancourt of Venezuela said that no assistance or no aid should be given to any country which does not have free elections.

Mr. POWELL. No; he said that there should be no admission of any country to the Organization of American States that does not have democratic elections.

Mr. SPRINGER. Does the gentleman presume that Fidel Castro proposes to hold elections at any time in the near future?

Mr. POWELL. Eighteen months.

Mr. SPRINGER. Does the gentleman think that this ought to go on for 18 months?

Mr. POWELL. I think he is better equipped to judge that situation than I am, but after 20 years of dictatorship, it may not be too long.

Mr. SPRINGER. The acid test of democracy in a country is where you have democratic elections.

Mr. POWELL. That is true. We kept Italy and Germany from having democratic elections for a long time until we felt that they were ready to have them.

Mr. SPRINGER. I do not intend to discuss the question of Germany and Italy at this time. But certainly the acid test is whether or not Castro is going to have free elections.

Mr. POWELL. That is correct.

Mr. SPRINGER. Is he going to have them after he has eliminated all of his opposition, which seems to be the purpose of the terror campaign which he is now carrying on? That is my honest belief. We are going to have to fight to end what I call vigilante lynchings in the worst western style.

Mr. POWELL. You cannot call a proceeding, where someone is tried before a court, in the presence of a free press, a vigilante lynching. We are quite familiar with what lynchings mean here in the United States.

Mr. SPRINGER. Would the gentleman be willing to go before a court-martial in this country merely because we happen to have a free press present?

Mr. POWELL. Yes.

Mr. SPRINGER. I think the gentleman would demand a civilian trial in accordance with the Constitution. That is what they are entitled to have in Cuba, instead of being cleaned up by a bunch of vengeful rebels who have now taken over the government. And that is what is taking place down there now. I think anyone will concede that that is what the situation is in Cuba at this time. I am going to reserve my opinion on Fidel Castro as to whether or not he is just another adventurer of the Batista type or whether he is a genuine patriot working in the best interests of Cuba. I shall reserve my opinion on that.

If it is true that these people are guilty he can delay these trials for another 30 days and try them in civilian courts, where they should be tried. If they are found guilty, I am sure punishment will be meted out to them.

Mr. POWELL. I agree with the gentleman.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. POWELL was allowed to proceed for 5 additional minutes.)

Mr. PORTER. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to my colleague from Oregon, who has done such wonderful work in South America.

Mr. PORTER. I believe the gentleman is to be commended for bringing this information to the attention of the House. I also appreciate the remarks that have been made showing an interest on the other side. I agree that we are all going to be watching the events in Cuba with some interest.

As for this 18 months thought, that seems to be a long period, but I believe that Herbert Matthews, who is certainly a man who knows the situation, has written that it would be reasonable in view of the great revolution that has taken place in Cuba, and that it is going to take that long to stabilize. I think it has this danger, but I think that Mr. Matthews' opinion is worth listening to.

Mr. Speaker, I have here a memorandum from the Department of State, which I should like to read about the mission to Haiti. A number of marines, an advance group of five officers and four noncommissioned officers, is expected to depart next week. Eventually the mission may number around 50 officers and enlisted men. They will be sent down in echelons, with the last group to arrive in Haiti about midsummer.

The purpose is to assist in training the Haitian Army to make it more efficient and responsible. The authority is, as the gentleman said, the naval mission agreement signed December 24, 1958, of which I have seen no notice in the press, however.

As to this formal handshake doctrine, we have had an air mission and a small naval mission in Haiti for years, since 1949. These were concerned with training only a small part of the forces, about 10 percent. The remainder of the army, that part engaged in customary ground force activities, was without any U.S. training assistance. The purpose of the training mission, composed of U.S. Ma-

rine Corps personnel, is to assist the country of Haiti to solve the problem of a disorganized, demoralized, and undisciplined soldiery. Repeated shakeups in the officer corps and dismissals of senior officers before and after Duvalier took office, have deprived the army of much of its experienced leadership. The United States became keenly aware of the problem as a result of the Talamas case last year. The U.S. Marine Corps mission, therefore, is being sent to help fill a need for technical military, not police, training assistance. It should not be interpreted as a U.S. endorsement of President Duvalier's Government.

I should hope not. I hope the decision will be reconsidered.

I thank the gentleman.

Mr. POWELL. The gentleman from Oregon has supported Duvalier. When 54 U.S. Marines walk up and down the streets of Port-au-Prince, and the good people of Haiti see them there, they are going to draw only one conclusion, and that is that the United States is backing up Duvalier.

Mr. PORTER. I fear the gentleman is right.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from New York.

Mr. SANTANGELO. I wish to commend the gentleman from New York, whose district adjoins mine in the city of New York. I know there are many people of Cuban extraction in our districts. It appears to me it is ironical that my colleague from west Harlem has more contacts with Castro than our State Department. Since he is going down to Cuba this coming Saturday, I wish to urge him to bring to the attention of the freedom fighters of Cuba that their friends in America feel that they are discrediting their fight for freedom by these killings, and that if they should delay and give proper trials, even if those people then should be executed in due course, they would gain additional respect from the doubters in our country, who would gain more faith in them. I urge that on the gentleman from New York.

Mr. POWELL. I agree with that. I shall so do.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield.

Mr. JUDD. I should like to ask my distinguished colleague whether I was correct in the inference I seemed to get from his remarks that the United States ought to pick and choose between dictators and democratic governments in carrying on relations in the Western Hemisphere.

Mr. POWELL. It is my feeling that military assistance should not be given by our Government to any land that has a dictator.

Mr. JUDD. Even though the geography of that country is perhaps such that it is vitally important, for example, to the protection of certain vital interests such as the Panama Canal?

Mr. POWELL. Panama has a democratic government, and we have a base there.

Mr. JUDD. But other countries could control the approaches to it. If hostile

to us, great difficulties would be presented. Does not the gentleman feel that if we get into the business of defining and determining just who is and who is not a dictator, we are likely to be in a lot more trouble than we are in now perhaps?

Mr. POWELL. I do not think we will. I think that one thing Latin America wants us to do—and my contacts there are quite varied just as are the contacts of our colleague, the gentleman from Oregon [Mr. PORTER]—as I was saying, one thing that Latin America wants us to do is to define some kind of policy to keep them from believing that this country is an asylum for dictators and that we will support dictators with our arms.

Mr. MORRIS of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield.

Mr. MORRIS of Oklahoma. I want to ask the gentleman, if he can, to tell us just what kind of trials these are. Are they trials by jury? Does the accused have the right to counsel?

Mr. POWELL. The accused has a right to counsel, which is usually one military and one civilian, as I get it from our own newspapermen on the scene.

Mr. MORRIS of Oklahoma. But they are not trials by jury?

Mr. POWELL. They are not trials by jury.

Mr. JUDD. Mr. Speaker, will the gentleman yield further?

Mr. POWELL. I yield.

Mr. JUDD. I do not have time to develop this now, but I will later with the consent of the House. Originally I had the same feeling as the gentleman about dictator governments. As late as last June we had hearings on the matter before the Committee on Foreign Affairs. The whole story made clear to most of us, I think, that when we got into the business playing God in the Western Hemisphere, trying to decide which is a dictatorship that we will not deal with, and which is a borderline case and so on, the complications and difficulties had been greater in the past and were likely to be greater in the future than they are at present. We have tried the gentleman's proposal a few times. That was the basic reason why in 1933 at the Montevideo Conference, I think it was, the whole group of Western Hemisphere states agreed on a policy of nonintervention in the internal affairs of other countries. We heard testimony that in 1945 the Foreign Minister of Uruguay made a proposal that whenever one of these revolutions comes along or a dictator government exists that denies human rights, it endangers peace for others, and therefore the Organization of American States should consider it together and decide on multilateral action—even multilateral intervention. All would decide and would take action as a body. We supported the proposal completely. It would enable corrective action to be taken by all and no one could accuse us of Yankee imperialism or intervention.

But many of the Latin American countries themselves would not agree to it and the idea died. Dr. Ponce, President of Ecuador, who has been all through plenty of violent political episodes in his country which is now in its

third period of constitutional government, said in a speech last summer:

To say, as John Foster Dulles, Secretary of State of the United States, just did, that North America would violate the basic doctrine of nonintervention in the Western Hemisphere if anything is done to condemn dictatorships or *de facto* regimes, is to clearly demonstrate recognition of the American reality.

President Ponce of Ecuador is saying that we should adhere to our basic policy of nonintervention as the best way to promote democracy and peace in the hemisphere.

Mr. POWELL. The gentleman knows we are intervening when we send arms and military men and intervening in support of dictatorships.

The SPEAKER pro tempore. The time of the gentleman has again expired.

MAXIMUM EMPLOYMENT AND PRODUCTION WITHOUT INFLATION: STRENGTHENING THE EMPLOYMENT ACT OF 1946

The SPEAKER pro tempore. Under previous order of the House, the gentlemen from Wisconsin [Mr. REUSS] is recognized for 10 minutes.

Mr. REUSS. Mr. Speaker, our most imperative domestic task is to bring to realization the goals of the Employment Act of 1946: maximum employment and production, without inflation. In order to improve the machinery of the act for reaching these goals, I have today introduced H.R. 2561, which would clarify the President's responsibilities on monetary policy, and would bring to bear an informed public opinion on price and wage increases which threaten economic stability. An identical bill is being introduced in the other body by Senator JOSEPH CLARK, of Pennsylvania.

A glance at America's economic record for 1958 shows that we have not been achieving the goals of maximum employment, production and purchasing power.

UNEMPLOYMENT AND INFLATION

About 6 percent of the civilian labor force is still unemployed, although industrial activity has recovered substantially from the recession lows. In the first half of 1958, instead of achieving maximum production, we lost some \$50 billion of potential product. In terms of current prices, we barely managed to attain the 1957 rate of output in the fourth quarter of 1958. And 1957 is itself an inadequate base. Much of the apparent increase in output in 1957 over 1956 was due to price inflation. Moreover, added industrial capacity since 1957 requires that we achieve a higher rate of activity if we are to use the existing idle capacity.

Despite the high level of unemployment throughout 1958 and the existence of idle industrial capacity, we were not able to maintain price stability. Following a trend established in 1956 and 1957, there continued, even in the recession months of early 1958, small but persistent increases in both wholesale and consumer prices. Although a relative stability in the indexes has been maintained in the past few months, the overall figures conceal the continued rise of certain

components, particularly rises in the prices of manufactured goods.

If the administration's economic policies for 1959 are no wiser than those for 1958, 1959 may see an inadequate recovery, accompanied by further price increases. We must, therefore, examine the Employment Act of 1946 to determine whether its machinery is adequate to achieve its goals of "maximum employment, production, and purchasing power."

CONSTRUING AWAY THE ACT

Our recent mediocre economic performance is due to the narrow interpretation by the President of the powers the act gives him in order to reach those goals. As he construes the act, it does not require him to do anything very meaningful about either recession or inflation. Under the administration view, he retires completely from the important field of monetary policy, which he leaves to the Federal Reserve; and he refuses even to let the light of publicity fall on proposed wage and price increases which threaten economic stability. As a result of this unduly narrow view of the act's anti-inflationary machinery, the President is hesitant to do anything meaningful about unemployment and loss of production, for fear that action toward these goals will add to the inflation. His state of the Union message, for example, failed even to mention the 4 million currently unemployed.

H.R. 2561 would sharpen the administration's duties under the Employment Act of 1946 in two important particulars:

1. MONETARY POLICY

The President, in carrying out his duties under the Employment Act, would be required under H.R. 2561 to take monetary and credit policies into account to the same extent as all other policies affecting employment, production and purchasing power. This would not mean, of course, that the President would be issuing recommendations on each change in the rediscount rate, or would direct the daily operations of the Open Market Committee, any more than he concerns himself with the day-to-day conduct of the many Federal agencies which are formally under his direct supervision. The monetary and credit policies with which he would concern himself are the big questions: the general direction of monetary policy as expansionary or restrictive; emphasis on certain of the tools available to the Federal Reserve as more suitable than others in accomplishing overall objectives; or the need for new legislation to extend the authority of the Federal Reserve System over additional financial institutions, to impose direct controls over consumer credit, or to set different limits to reserve requirements.

If the Federal Reserve Board or other agency directly responsible for the execution of monetary and credit policies disagreed with the President's program and recommendations, it could of course go its independent way. But the President would be required to "report such disagreement to the Congress, together with a statement from the disagreeing agency of its reasons."

LACK OF A COORDINATED PROGRAM

As the act is now construed by the President, he is not required to have any monetary policy at all, much less one that is coordinated with expenditure, tax, and other governmental policies. This defeats the very purpose of the act, which was to centralize in the President responsibility for coming forward with a coherent and coordinated program. The administration is thus able to escape an accounting when things go wrong.

Moreover, even more serious than the absence of a fixed Presidential responsibility for monetary policy is the lack of a coordinated overall economic program. If monetary policy is left out of the President's duties under the Employment Act, a coordinated economic program is impossible. While it is true that the Federal Reserve System, like other branches of the Federal Government, has an acknowledged responsibility to respect the goals of the Employment Act, it cannot very well act in accordance with an overall program if such a program does not exist.

DOES NOT IMPAIR INDEPENDENCE

Monetary policy is a vital part of any comprehensive economic program. Although by itself it may have limited value for achieving growth or stability, it can be an important adjunct to both expenditure and tax policy directed toward these goals. Conversely, the use of monetary policy outside the framework of a general economic policy can hamper or even endanger the attainment of growth and stability. For example, in 1957, when the Federal Reserve was applying anti-inflationary credit stringency, the administration was proposing the largest peacetime spending budget in history; and far from recommending increased taxes, the administration was continuing the 1954 tax reduction, including accelerated depreciation and the granting of rapid tax amortization certificates which were feeding the capital goods inflationary boom.

Requiring the President to make appropriate recommendations to the Federal Reserve in no way destroys the latter's independence. If the Federal Reserve does not agree with the President's recommendations, it can do as it pleases, reporting its reasons through the President to the Congress. Since the Federal Reserve makes a point of being the servant of Congress, it hardly seems out of order to require it to state its reasons to Congress when it acts contrary to the recommendations of the President.

2. WAGE-PRICE POLICY

Under the second provision of H.R. 2561, the Council of Economic Advisers, "in order to bring to bear an informed public opinion upon price and wage increases which appear to seriously threaten economic stability," would have the power and duty "to request persons proposing such price or wage increases to justify them at a public hearing as not in fact constituting such a threat." Moreover, "in cases where the Council deems it advisable, it may issue an advisory statement upon such justification."

The experience of 1957 and 1958 shows that, despite much unemployment and underuse of resources, strong industries such as steel and automobiles were able to push through continuing wage and price increases. These increases have serious effects on economic stability, not only because of their direct effects on the price level, but because they have a pace-setting character which influences a much larger area of the economy. And they are relatively invulnerable to general monetary and fiscal controls.

A THIRD SEAT AT THE BARGAINING TABLE

H.R. 2561 is concerned only with price or wage increases "which appear to seriously threaten economic stability." This would require action by the Council of Economic Advisers only in very important or pace-setting cases. In such cases, the union proposing the wage increase or the corporation proposing the price increase would be invited to state their reasons, at a public hearing, why their proposed action does not in fact threaten economic stability. The mere knowledge on the part of management and labor that they may be invited to justify price or wage action before a public body should encourage more consideration for the public interest in price stability. In a sense, the public will acquire at least some representation at the wage-bargaining and price-setting table. If a hearing is held, public opinion can be relied upon to have some effect upon the positions of the parties involved. Finally, the Council of Economic Advisers is authorized to issue a public "advisory statement" upon the justification for the proposed wage or price increase in cases where it is able to evolve useful criteria upon which to base such a statement. If the Council is unsure of its footing, it will forego an "advisory statement," and content itself with whatever moderating effect public opinion by itself may create.

This provision of H.R. 2561 in no sense involves price or wage control, since the industry or union is free to go its own way, even after a hearing and even in the face of a contrary "advisory statement" by the Council.

EXHORTATIONS AND ADMONITIONS

The President has repeatedly over the last 2 years exhorted labor and industry to avoid inflationary wage and price increases. Most recently, in the 1959 state of the Union message, he said:

We must encourage the self-discipline, the restraint necessary to curb the wage-price spiral.

The trouble with these admonitions is that no one pays much attention to them. Since neither labor nor management is asked to state its reasons in a specific case for the proposed wage or price increase, the public has no way of appraising the justification for the proposed increase. And there is not even a beginning to the evolution of a set of wage-price criteria which can best contribute to economic stability.

Mr. Speaker, H.R. 2561 would strengthen the machinery for attaining the Employment Act's goals of maximum employment, production and purchasing

power by tempering excessive wage-price increases on the cost-push side, and by achieving a responsible monetary policy coordinated with tax, spending and other economic policies, on the demand-pull side.

CIVIL RIGHTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. ADDONIZIO] is recognized for 10 minutes.

Mr. ADDONIZIO. Mr. Speaker, I firmly and earnestly believe that this 1st session of the 86th Congress has an unyielding duty to strengthen the effect of those civil rights which are guaranteed in the American Constitution.

The 1st session of the 85th Congress ended a stalemate of over 80 years by passing the Civil Rights Act of 1957. We must continue to move forward—irresistibly and with purpose—toward true equality for all people, everywhere in the United States.

Throughout the history of the United States, we have worked to achieve the goal which our Founding Fathers recognized in the expression "that all men are created equal, that they are endowed by their Creator with certain unalienable rights." A review of the past 50 years reveals many gains in the direction of a more comprehensive realization of the rights which our Constitution promises to all of our citizens regardless of their race or religion. Court decisions going back nearly 40 years and culminating in the school case have opened many doors. Administrative actions by Presidents Roosevelt, Truman, and Eisenhower have likewise eliminated many discriminations.

The 85th Congress passed a Civil Rights Act which is designed to give greater effect to the right-to-vote provision of the 15th amendment. This law gives the Attorney General the authority to intervene where individuals or groups are being illegally denied their right to vote. The Attorney General is now empowered to seek civil injunctions to restrain public officials or private citizens from attempting to interfere with the exercise of voting rights.

The passage of the Civil Rights Act of 1957 represents a substantial advance. But much remains to be accomplished. Any halt by Congress in the quest of progressively expanding the realm of liberty and justice under law will betray the principles of democracy and offend the conscience of the Nation.

The courts have declared that our Constitution entitles all of our citizens, regardless of race or religion, to certain rights. Among them are the rights to attend a nonsegregated public school, to enjoy equal opportunity to use public beaches, public golf courses, public parks, and other public facilities like restaurants, trains, buses, and trolleys. These are some of the rights which the courts have ruled as being guaranteed by the 14th amendment. There are other vital rights embodied in the Constitution, such as the right to vote, the right to serve on a jury, the right to a fair trial, and the right to be a litigant and to enjoy un-

intimidated and uncoerced access to the courts of justice. The rights to freedom of association and to foster and propagate collective beliefs are also among the important liberties which are secured by the Constitution.

Despite significant and heart-warming gains, there is no question that the denial of these rights is often frequent and grievous. There is a dire need for more Federal legislation to give impetus to the States in complying with the law of the land on these constitutional guaranteed civil rights.

Mr. Speaker, there are some major shortcomings in the existing laws for the enforcement of civil rights—shortcomings which this first session of the 86th Congress must move expeditiously to remedy. The enforcement provisions of the 1957 act deal only with the right to vote. Under this law, the Attorney General is authorized to institute a civil action or other proper proceeding to prevent interference with the right of an individual to vote. But this power of the Attorney General to take enforcement measures under civil law does not apply to the many other civil rights guaranteed by our Constitution. It does not apply, for example, to the clause in the 14th amendment which prohibits the States from denying "equal protection of the laws" to any person. And it is this clause which has been the chief constitutional source for enforcing the rights of our minorities. This means that the Attorney General and the Department of Justice—the legal arm of the Federal Government—lack the statutory authority to use the most effective legal proceedings against violations of the constitutional rights of our people. Now is the time for Congress to extend the enforcement procedures already approved for voting rights to all of the civil rights embodied in the Constitution.

As you know, private persons have long been able to bring civil suits in cases where violations of their civil rights have occurred. Yet, except for breaches involving the right to vote, the Federal Government is limited to criminal prosecutions. Such criminal procedures are cumbersome, difficult, and unduly harsh in some instances. Criminal remedies at best come after the harm has been done. Local juries are often reluctant to convict State and local officials for civil rights offenses where criminal penalties would be imposed. Criminal prosecutions instituted by the Federal Government against State and local officials could stir up so much dissension and ill will that more than harm than good might result.

These delays and regrettable collisions in the courts between Federal and State officials can be greatly mitigated if Congress will authorize the Attorney General to apply to the civil courts for preventive relief in civil-rights cases. In such proceedings the facts can be determined, the rights of the parties promptly adjudicated, and future violations of the law prevented by proper order of the court, without necessity for bringing criminal charges against State and local law enforcement officers.

Mr. Speaker, there are other valid reasons why Congress should increase the power of the Federal Government to take civil action in cases where violations of civil rights are involved, rather than leave it entirely to individuals to seek their own remedies at civil law. These reasons involve the very essence of the ideal of equality before the law.

The forces of segregation are powerfully organized among the general populace and the political and legal officialdom of certain States. Many individuals whose rights are abridged lack the financial means to sustain the heavy expenses of litigation. Some victims of unlawful discrimination are unfamiliar with the complex legal implications and the elaborate procedures involved in undertaking the enforcement of their rights. And those inclined to seek remedial action may be restrained from doing so by the prospect of losing their jobs or of being subjected to other severe pressures and reprisals from segregationists within their communities.

In recent years the National Association for the Advancement of Colored People has been in the vanguard of those who have fought for civil rights in our courts of justice. But now five States have adopted antibarriary laws which prohibit the support of lawsuits by persons or organizations not having a direct interest in the action. Another weapon used against the NAACP is the requirement by statute, legislative investigation, or court order that its membership lists be disclosed to the public. In places dominated by strong segregationist opinion, this practice has precipitated a sharp decline in the membership and revenue of the NAACP.

Such regulations hinder the actions of organizations like the NAACP which have provided legal counsel, financial aid, and moral support to advancing the cause of minority groups. This lack of equality before the law for many Americans is a compelling reason for strengthening the hand of the Attorney General in the enforcement of civil rights.

The enactment of legislation to give the Federal Government civil remedies in civil rights cases would not create any new civil rights; it would only strengthen the enforcement of existing rights under the Constitution. Such laws would not confer any essentially new and untried powers on the Federal Government. For over 60 years the Department of Justice has had experience in the use of civil procedures in antitrust litigation. The last Congress gave it this authority in cases where voting rights are violated. At this session the power of the Attorney General should be extended to enable him to seek injunctive remedies at civil law for violations of any and all constitutionally guaranteed civil rights.

The Supreme Court has ruled that desegregation of the public schools should proceed with "all deliberate speed." While this is a reasonable mandate, there must be no deliberate lagging. Congress has the legal right and the moral obligation to enact appropriate legislation to enforce equal protection of the laws for all Americans.

If the Department of Justice is given the authority which many of my col-

leagues and I support, the Federal Government could initiate legal action to compel recalcitrant local authorities to end segregation and racial discrimination in public schools. However, in addition, a more positive inducement should be provided for school districts confronted with the order to integrate. In the last Congress I, together with other Members of the House and Senate, sponsored legislation which, if enacted, would offer strong incentives to segregated school systems for complying with the law of the land. I urge favorable action on this legislation at this session.

According to this proposal the resources of the Department of Health, Education, and Welfare would be used to advise and counsel school districts on their problems. Provision would be made whereby this Department can consult with community representatives, and, with their advice, formulate concrete plans for desegregation. Federal grants for the employment of additional teachers, teacher training, and the expansion of school facilities would be permitted for communities which take positive measures to end school segregation. Then if the local authorities refused to put these plans into effect, the Department of Justice could institute the proper procedures at civil law to enforce compliance.

This plan to encourage integration of the public schools, this proposal to implement the law of the land, would not interfere with the rights of States to provide for their own systems of education. The States would remain completely free to work out integrated school systems of their own choosing. The selection of teachers and the specification of curriculums, administrative regulations, and other educational policies would continue to be determined by the States. No decision of the Supreme Court has ever suggested otherwise. What has been clearly affirmed is the principle that a State violates the Constitution when it denies to a qualified Negro child his right to be admitted to a particular public school. The school decision is permanent. The legal conflict over integration of the public schools has been clearly and unmistakably settled.

There are other civil rights under the 14th amendment which the Attorney General should be empowered to enforce by civil procedures. In 1956 a Federal district court ruled that the school decision had destroyed the separate but equal doctrine. The Court ruled that "statutes and ordinances requiring segregation of the white and colored races on motorbuses of a common carrier violate the due process and equal protection of the law" clauses of the 14th amendment. The Supreme Court later upheld this decision. Court decisions have consistently ruled that racial segregation in public recreation facilities is a violation of the 14th amendment. The Federal district courts have ruled that segregation in public housing is a denial of equal protection of the laws.

The right of our racial minorities to use unsegregated public facilities has been declared by the courts to be the law of the land. Now it is incumbent on Congress to give the Attorney General

the authority to vindicate these rights which the Constitution guarantees to all of our citizens regardless of their race or social and economic status. The moral conscience of the Nation cannot rest until all civil rights are made effective for all Americans.

PROPOSED OFFICE OF U.S. BUDGET IN THE LEGISLATIVE BRANCH

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 15 minutes.

MR. FLOOD. Mr. Speaker, I have introduced in the House today a bill to be known as the Budget Act of 1959.

There is no one question at the present time more important to the general welfare than the unbridled practice of the Bureau of the Budget continuing its unconstitutional encroachment upon the jurisdiction of the Congress.

Resentment to this conduct on the part of the present Bureau of the Budget as it is constituted in the executive branch, has generated widespread hostility among the responsible press and fiscal legislative authorities concerned with constitutional processes.

It is my earnest hope that the proper committee to which this bill is assigned will schedule the bill for immediate hearings. There will be no bill before such committee of greater importance to the fiscal stability of the Nation.

The result in effect of this bill will be, as it should be, a congressional budget. As a matter of legislative and historical background, prior to the adoption of the present executive budget concept in 1921, congressional consideration of budget requests was based on information contained in estimates from the individual departments.

This bill, in substance, would abolish the present Budget Bureau in the executive branch and substitute for it the Office of the U.S. Budget in the legislative branch.

Even though the bill requires the submission of a balanced budget, there would, of course, be no prohibition against the Congress enacting whatever appropriations or tax measures it deems necessary in the public interest.

The manner in which the present Bureau of the Budget has superimposed itself as a policymaking dictator over the entire Government, strikes at the very heart of our system of government, and simply can no longer be tolerated by a responsible legislature.

Mr. Speaker, there is hardly a Member of Congress who has served here any reasonable period of time, who cannot recite for you and give you chapter and verse of flagrant violations of the spirit, purpose, and intent of the Congress when the executive budget concept was born in 1921.

The Bureau of the Budget has tortured this concept almost out of existence and flouts such fundamental precepts of democracy and our constitutional philosophy of government, that this bill is now an immediate necessity.

I could recite a veritable library of details, statistics, incidents, and more par-

ticularly in the last 5 years, to justify this position. If I could bring the substance of these matters to the attention of every Member of this House, I venture to say, this bill would pass by unanimous consent.

Mr. Speaker, I urge careful study of the essential features of this proposed "Budget Act of 1959." The bill embodies the following salient features:

First. It would create an Office of the United States Budget in the legislative branch of the Government.

Second. It would abolish the Bureau of the Budget and provide that the Commissioner-General of the Budget, in the legislative branch would prepare and submit the annual budget to Congress.

Third. It would require the Commissioner-General to submit a balanced budget—expenditure estimates could not exceed revenues as estimated and certified annually to the Commissioner-General by the Committee on Ways and Means of the House.

Fourth. To assist him in preparation of the budget, it would require the departments and agencies of Government to submit their budgetary requests to the Commissioner General. He would have authority to reduce or eliminate any item submitted by a department.

Fifth. The Commissioner General would not be permitted to include in the budget any appropriation estimate not submitted to him by the executive departments.

Sixth. The Commissioner General would be authorized to make such investigations and reports as might be ordered by either House of Congress or by the Committees on Appropriation of either House.

Seventh. While the bill would do away with the present Executive budget concept, it would not in any way prohibit the President from making recommendations to the Congress with respect to the budget and with respect to the fiscal operations and policies of the Government.

Eighth. It would abolish the present Bureau of the Budget and designate that office as an Office of Executive Management.

Ninth. The bill further provides that once Congress has appropriated, the head of the department, rather than the Director of the Budget, shall apportion and allocate the moneys. The Commissioner General would be required to monitor the apportionment of moneys to assure that they accorded with the intent of the Congress and to report instances of apportionments at variance with such intent.

Tenth. The bill devotes several pages to prescribing the conditions of employment, tenure, independence, and so forth of the Commissioner General so as to insulate him from pressures and to assure his complete independence of action in formulating and submitting the budget to the Congress.

INCHON OPERATION: DECISIVE BATTLE IN WORLD HISTORY

The SPEAKER pro tempore. Under previous order of the House, the gentle-

man from Texas [Mr. THOMPSON] is recognized for 30 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, among the great privileges of being a Member of the Congress is the opportunity to enjoy notable programs in the Nation's Capital and, on occasion, to make known their lessons to the country by means of publication in the CONGRESSIONAL RECORD.

One such event was a comprehensive, illustrated presentation on December 1, 1958, on the Inchon Operation of the Korean War at the Cosmos Club of Washington, D.C., by Brig. Gen. V. H. Krulak, U.S.M.C., now commandant of the Marine Corps Schools at Quantico, Va.

The Cosmos Club is composed of men distinguished in the fields of literature, arts, science, learned professions, and public service. The assembly on that occasion included many qualified as critics, significantly high officers of the armed services with war experience.

In addition to his specialized training as a soldier of the sea, General Krulak possesses the unique qualifications gained as a participant in the planning of the crucial amphibious operation and as an observer of its execution. Thus, his address, brilliantly delivered, made a profound impression, emphasizing again the urgent need for more of our experienced, professional officers to write military and naval history.

Because of the value of having General Krulak's contribution in the permanent annals of the Congress, especially to historians, editors, writers, and all others interested in studying historic achievement as represented by the Inchon victory, under leave accorded to extend my remarks at this point in the RECORD, I quote its full text:

THE INCHON OPERATION

(Address by Brig. Gen. V. H. Krulak, U.S.M.C., to the Cosmos Club, Washington D.C.)

I. INTRODUCTION

The Cosmos Club deserves to be addressed by scientists as well as by historians—people whose knowledge is acquired through deep study; people who are quite without bias. I fear that I do not qualify in either particular. My information on Inchon comes not from deep study, but largely from personal observation, and I am certainly not without bias. So, I must ask you to discount what you hear accordingly.

Beginning at the threshold of recorded history, and continuing on through the ages, there has been a succession of battles—land battles, and sea battles—which have one distinguishing characteristic in common.

None of them could possibly have happened. Nevertheless, all of them did happen and, in each case, the history of the world was significantly influenced as a result.

The battle we are going to discuss this evening is one more of this unique group.

Inchon could not possibly have happened either. It was too complicated, too unconventional, too hazardous.

But it did happen; and it is my purpose tonight to recount something of how Inchon came about since its dramatic success is far overshadowed by the fact that it happened at all.

II. HOW DID INCHON COME ABOUT?

A battle, like a tree, develops from a seed, it is nourished, grows, and finally bears its fruit. The seed of Inchon was planted on the 25th of June, 1950 when the North

Korean Peoples' Army drove south across the 38th parallel. That Army numbered about 100,000 men, half of whom were hard veterans of the Chinese Civil War. They were well equipped with Russian arms, and they were trained for offensive operations aimed specifically at the total subjugation of all Korea.

This Red Korean force was faced by a Republic of Korea Army of somewhat smaller size, one far less lavishly equipped—and we must confess, in a lesser state of training.

Thus it was, that when the Red Korean Army poured across the 38th parallel it met with heroic but weak opposition, and it rolled rapidly southward down the main communication routes.

Two days later, the United Nations indicated North Korea as an aggressor. Our country responded promptly and attacked the advancing Red forces by air, using the Navy's Task Force 77 and the Far East Air Force. These forces swept the skies clear of Red planes, destroying at once the whole of the then existing 100 plane North Korean Air Force. But our actions really did little to stop the southward movement of the Communists.

On June 29, General MacArthur made the first of a series of prophetic statements—a statement which forecast accurately the design of the Korean conflict, and really planted the Inchon seed. He advised his superiors that air alone would not stop the Reds. He said that ground forces would be required; and, with the approval of higher authority, he flew into Korea one battalion of U.S. troops from the 8th Army in Japan.

Inchon was mentioned formally on the 4th of July—10 days after the aggression began—at a time when the valiant though out-gunned ROK forces were being decimated; at a time when the United States had only one lightly armed battalion of soldiers on the Korean Peninsula.

The hard fact is that we were in full retreat—being defeated. Yet, in the midst of this grim news, General MacArthur, in a conference, made an electrifying observation—one which disclosed the breadth of his vision. He announced that the solution to the Korean problem would necessarily involve two steps; a stabilization of the front (we didn't even have a front); and a vigorous blow to cut the roads and railroads in the enemy's rear, and he placed his finger directly on Inchon as the decisive point for counteraction. Inchon, he pointed out, was the port of the capital city, Seoul. It was within a few miles of the main north-south rail line and the biggest airfield in Korea. It was the ideal target.

Six days later, at another conference in Tokyo, General MacArthur reaffirmed that the only chance of stopping the aggression would be to strike it in the rear and soon—all this at a time when our retreat was continuing at an ever increasing rate—when our very ability to remain on the Korean peninsula at all was in doubt.

At that time, General MacArthur spoke at length of the amphibious character of the counterstroke which he had in mind, and observed that what he would like more than anything else was a Marine division to do the job.

Lieutenant General Shepherd, who commanded all the Marines in the Pacific at the time, was present at that conference. It is evident now, in retrospect, that he was making history when he promptly volunteered the troops. He told General MacArthur that he had the division, and a supporting aircraft wing as well, and all that was needed was to bring them up to war strength. He did not annoy the General with the detail that the two units were only at about 30 percent of their war strength. Instead he urged General MacArthur to send a message requesting the services of the 1st

Marine Division and 1st Marine Aircraft Wing. MacArthur needed very little urging. There and then, he composed an eloquent message with General Shepherd's help. At the end of the conference MacArthur exuded enthusiasm and resolute confidence—all of this at a time which could be described in no more charitable terms than as one of growing disaster on the Korean peninsula.

MacArthur's idea of an amphibious operation at Inchon and his plea for the necessary troops and ships met with what might be called measured response in Washington, where thoughts turned more on how we were going to retain any foothold in Korea at all. He was advised that the ships could be made available, but only with difficulty, and at the cost of unbalancing other worldwide commitments. At the same time he was advised that there were not enough marines in the active Marine Corps to meet his requirements and still maintain a minimum response to commitments elsewhere. To provide the forces requested by MacArthur would require mobilization of the Marine Corps Reserve. But it's significant that he wasn't turned down. He just wasn't told "yes."

On the 15th of July, General MacArthur resubmitted his plea for a Marine division with its supporting aviation. He told the Joint Chiefs of Staff that he desired to launch his counterstroke as soon as possible, and in no case later than September. When he received no response, he registered a third and more urgent request on July 19; and all of this in a continuing atmosphere of pyramiding defeat and retreat by the hard-pressed ROK and U.S. forces in Korea.

The third plea bore fruit. On the very same day that it was received the President authorized the mobilization of the Marine Corps Reserve—128,000 men. At about the same time the Joint Chiefs of Staff notified General MacArthur that the troops he required for the Inchon operation could be provided—but, in November and December—not in September, because to do so then would cause an unjustifiable weakening of the Navy and Marine Corps forces in the Atlantic theater.

At about this time, General Shepherd came back on the scene. He was convinced that something of an offensive nature ought to be undertaken in Korea. While he was not sure that Inchon was necessarily the answer, he urged Admiral Radford—then commander in chief, Pacific—to press for a Marine division and air wing to be delivered at the time and place that General MacArthur wanted them.

So it was that on July 25, 1 month to the day after the aggression began, that General MacArthur finally received a green light to launch a counteroffensive in a battle which might be lost before the counteroffensive could ever be undertaken. He was going to get the troops he asked for. He was resolved, moreover, that his operation would take place on September 15—just 49 days away. During that brief time a Marine division and a Marine aircraft wing would have to be built up from a peacetime framework and moved 8,000 miles or more across the sea. Plans had to be prepared in intimate detail. Great quantities of supplies and equipment had to be assembled, loaded, and shipped. In short, while the seed had sprouted, it was far from being a tree—let alone bearing any sort of fruit.

To the harassed staffs in Tokyo—who could see the situation in Korea crumbling by the hour—this was all a great abstraction—completely unreal. But not so to General MacArthur. Somehow he believed it was actually going to happen.

III. WHAT IT TOOK TO GET READY

In reality all General MacArthur had at this time, in addition to his confidence, were two things—an idea and a decision. But before you can launch a complex enterprise such as the one he had in mind, you have to have a lot more than that; you need a

plan, you have to have the forces, the forces have to be in the right place, and they have to know what they are going to do. He was far short of realizing any of these objectives.

Take the first problem—a plan. Here are a few disturbing characteristics of the Inchon area which faced the planners. Inchon is a crowded oriental city about the size of Richmond, Va.—a maze of tiny streets and alleys, and its waterfront is not a beach; it is a granite seawall. And all of our precepts counsel against undertaking a landing operation in a city.

The sea approaches to Inchon are tortuous in the extreme; rapid currents, shoals; and all navigation lights in Flying Fish Channel had been destroyed by the Communists during the preceding weeks. There were no really reliable charts, and there was an oppressive threat of enemy floating mines. There were scores of offshore islands which the enemy could use to attack an amphibious force and there was one island named "Wolmi-Do," which blocked a direct approach to the city.

The entire Korean coast in this area was fronted by an insidious brand of oozy mud. There was a tremendous tide range, extending up to as much as 33 feet. As an example, here are some American landing ships sitting high and dry on the mud at low tide. In short, the planners found that everything about Inchon was bad, except for the fact that the word itself was easy to spell.

As to the time available for planning, in World War II about 90 days was considered to be a good standard to plan for a major amphibious attack, less travel time. In contrast, General Smith, the commanding general of the First Marine Division, arrived to begin planning in Japan on August 22, only 17 days before the first troops would have to sail from Japan if they were to meet General MacArthur's September 15 deadline.

But why did it have to be September 15? Why not September 20 or October 1? The tide conditions provided the answer. The planners found that a tide of at least 23 feet would be required for small craft to land in Inchon Harbor and a tide of 29 feet for landing ships. The only date before mid-winter when a tide this high would occur was September 15. Unfortunately, the hour of high tide could not have been much less desirable. It occurred at 7:19 in the evening. That meant that H-hour could not be earlier than 5 o'clock in the afternoon, leaving only 2 hours before darkness for the assault Marines to clean the enemy out of a city—strange, hostile, oriental city.

Then there was a multitude of unanswered questions confronting the planners. There is a seawall in the inner Inchon Harbor. Although our forces had occupied the city for several years after World War II, nobody could be found who would state categorically whether or not troops could land direct from boats over that wall. As a result, prudence dictated that every boat which landed at that seawall had to be equipped with two scaling ladders. So a major ladder-construction program was begun immediately in Japan.

The next question was, How soft is the mud? Could a man walk across it? Can amphibian tractors crawl across it? Again, despite our long period of occupation, nobody would say for sure. The cautious decision had to be made. Don't risk crossing the mud by foot or by vehicle; wait until the tide is high enough to cross it by boat.

Another question. There is a causeway joining the offshore island of Wolmi-Do with Inchon proper. What was the nature of the causeway? Would it support tanks? Nobody knew. The decision—don't try to use the causeway for tanks.

These and a multitude of other planning questions faced the Navy and Marine Corps planners during their 24-hour-around-the-

clock planning period—which did not really get under way until late August. The deeper they got into the problem, the more its difficulties came to light. Indeed, as late as August 23 General MacArthur did not have full assurance from the people who were supposed to execute the operation that it was a feasible undertaking. On this day Admiral Doyle, who was to command the amphibious task force—a most imperturbable individual—made a 2-hour presentation of all the factors to General MacArthur. His conclusion was simply this, "The best I can say, General, is that the operation is not impossible."

After the presentation General MacArthur spoke himself for 45 impassioned minutes, telling why Inchon was essential, despite its multiple disadvantages. His concluding words were these: "We shall land at Inchon and I shall crush them." That was it.

The basic plan which was being developed—even while these discussions were going on—was certainly an ambitious one. It provided for the First Marine Division to assault and seize the port of Inchon; then drive quickly inland to capture Kimpo Airfield for use by the First Marine Aircraft Wing; thereafter to cross the broad Han River, seize and capture the capital city of Seoul and the high ground to the north.

The Army 7th Infantry Division was to land behind the 1st Marine Division and to extend our penetration to the east and south, cutting all enemy communications and setting the stage for crushing the Red forces who were pressing our battered bridgehead around Pusan. Then, when those forces were sufficiently weakened, our troops in the Pusan perimeter would break out, drive to the north and the North Korean Army would be caught in a vise.

A succession of problems developed in preparing the detailed plans for getting the Marines ashore at Inchon. The first one had to do with the offshore island of Wolmi-Do. If it were bypassed, the Red forces on it could fire into the rear of our troops landing on the Inchon waterfront. If we landed there at the same time as the landing on the waterfront there still was no assurance that the enemy could not fire into the rear of the assaulting forces. So, it became evident that we had to land and capture Wolmi-Do completely, before the main landing. But it just wasn't possible to land there any time we chose, because at low tide the troops could not get across the mud. It was finally proposed that the Wolmi-Do landing take place at 6:30 in the morning on the early high tide. This was a brutal suggestion. It meant that the ships of the amphibious task force must make a night approach up the tortuous Flying Fish Channel, threading their way through shoals and islands, and dodging mines. This plan would obviously tip our hand, and give the enemy 12 hours of warning to strengthen his main defense at Inchon before the afternoon landing. Nevertheless, there seemed no better way to do it. Admiral Doyle quickly accepted the risk and planning proceeded accordingly—to land one battalion of Marines on Wolmi-Do on the morning high tide.

This difficult decision was followed by another one of equal brutality. If the Marines who landed on the evening high tide were to drive rapidly inland and were to have supplies for the 12 hours following, the necessary vehicles and supplies had to come in on the same tide as the assault troops. Usually landing ships are not beached until the assault forces have seized enough territory ashore to provide the ships with reasonable safety; but that just could not happen at this time. The landing ships had to come in on the high tide in a matter of minutes after the first troops were ashore. Moreover, they would have to navigate a complicated course, where the margin of error was perilously small. Again, Admiral Doyle saw the necessity for getting the supplies ashore the

same evening the assault troops landed. He decided thereupon that eight landing ships would steam in and beach shortly after the assault. They would discharge their vehicles and cargo, and lie on the mud—vulnerable to enemy fire—until the next high tide would permit them to withdraw. The intrepid nature of this decision was to be dramatically demonstrated on D-day.

It became evident early in the planning that Inchon Harbor was too small to accommodate all of the power that had to be put ashore if a rapid advance inland was to be assured. Therefore, it was decided to land another Marine regiment immediately south of the city to drive quickly inland and make contact with the troops who had the unenviable task of assaulting the city itself.

To provide close air support for the men of the 1st Marine Division during the landing, Marine aircraft were to support the attack from two escort aircraft carriers and then as soon as our forces captured Kimpo Airfield, the Marine planes would land and operate from that shore base.

So much for the plan which was developed in the most intimate detail, over the brief period of about 12 days. It was issued on September 4, just 5 days before the slowest ships had to leave Japan for Korea.

As a plan it read very well, but it was still just a plan. Meanwhile, where were the troops who were actually going to execute the plan? What had they been doing since we left them in mid-August to talk about planning?

They were just about everywhere; and they were doing just about everything.

Back in Camp Pendleton in California, marines were converging from all points of the compass to build up the slender peacetime strength of the First Marine Division to its full war power. Reserves were arriving from everywhere. Regular units were coming from as far away as Quantico and Camp Lejeune in North Carolina. New equipment was being unpacked and tested. Training was going on in a round the clock fashion. The same thing was taking place at El Toro, Calif., 30 miles away where the First Marine Aircraft Wing was building its way back to full war strength by absorbing six Reserve fighter squadrons brought in from as many different places. During all this time Navy and Marine Corps officers were working around the clock preparing loading plans. And then embarking the troops in both fleet and commercial shipping, to get them to Japan as quickly as possible. September 15 was not far away. Some of the marines who marched aboard ship in early August had been engaged in peaceful civilian pursuits only a few weeks before. Still other marines were embarking in Hawaii, and in order to give the landing force as much undiluted experience as possible it was decided to take a Marine battalion which was afloat in the Mediterranean and sail it all the way to Inchon. This battalion received orders at Suda Bay in Crete to sail via Suez to the Far East. It was not even to see its parent unit until they both got to the Inchon beaches, in time to take part in the landing. As you can see here, the marines who were to land at Inchon came from locations half a world apart. It has often been observed that the ability to assemble these marines from all over the world—Regulars, Reserves, air and ground, with some confidence that they would all speak the same fighting language, testifies to the usefulness of rigid uniformity in training.

Another group of marines—a reinforced regiment and an aircraft group—had been fighting down in the Pusan perimeter almost continually since August 2. They too were to take part in the landing. General Smith was promised that the regiment would be relieved from its duties on September 4. That would give it just exactly 6 days to replace its casualties—which had been heavy—

to reequip, to embark in ships, and for the men to learn what they were expected to do at Inchon.

But, as is often the case, the enemy plays a tune of his own. In this instance, on September 1st, he launched an all-out attack to destroy the Pusan perimeter. Instead of being relieved, the Marine regiment was rushed in to bolster the thin and wavering lines. It was not until September 5th that it was possible to relieve the Marines—heavily exhausted from the continued fighting. But time was so short, and so much needed to be done that while these Marines were actually counterattacking the North Koreans west of Pusan, they were also engaged in making embarkation plans for the Inchon landing. How they managed to do both has always been a source of continuing wonder.

The troops from the United States converged on Japan between August 9th and August 23d. Most of them came to Kobe, where they had to reload, from the commercial type ships which brought them across the Pacific, into 82 amphibious assault ships in a manner which suited the tactical plan. It was necessary for everyone to unload—to fall out and fall in again—and time was getting short. The troops worked round the clock, and round the clock again to do the vast job.

Some of the equipment was new; the Marines who were to use it had never seen it. It had to be unpacked, cleaned, checked and distributed—and this took time.

But the troubles had only begun. Typhoon Jane, with 90 mile winds, arrived to complicate an already complicated problem. Ships were adrift in Kobe harbor. On one ship the right man on the wrong valve produced 14 feet of water in a hold where precious communication equipment was stored. Another ship turned up with a fire in one hold with consequent damage to equipment. All these things could be cared for, but they cost time, and time was short.

And then a one line message from Washington sent every marine commander scurrying for his troops' service records. The message said that no marine could go to Korea if he had not reached his 18th birthday. There were a lot of these young men—and the units had to be sorted out and reorganized as a result. Time again.

Somehow, despite all of these complications the embarkation was completed, but it never could have been done without the exhausting effort by all hands, backed up by many years of Navy and Marine Corps amphibious know-how.

Meanwhile, as the loading was going on with all of its technical difficulties, we had a few troubles with ideas too. As late as September 8, it was proposed that an Army special unit sail to the Inchon area in a British frigate, transfer in the dark at sea to a Korean picket boat, transfer again to rubber boats, paddle 3 miles in the dark, land, move overland, and capture Kimpo airfield. Just how they were to paddle against a four-knot current, find the beach in the dark, find the airfield, seize it and then hold it we never found out. The idea had to be scuttled—but it took time to do it.

Next, it was seriously proposed that after Wolmi-Do island was seized on the morning of September 15, an Army battalion should land, and with five Marine Corps tanks, drive across the causeway—some 20 miles down the main road to capture the river bank south of Seoul. Just what the Reds would be doing during this period wasn't stated. Again the idea had to be destroyed, but to do so took up valuable time.

But, despite the inexorable movement of the clock, everyone somehow got aboard; each marine knew what he was supposed to do; and the force got under way. Its movement was a vast job. Ships came from 4 ports and in 6 increments. There was ab-

solutely no margin for safety. Everything had to work out if the force was to meet its H-hour.

With this in mind, you will understand why Admiral Doyle had trouble preserving his poise when he learned that a new storm—Typhoon Kezia—was headed directly across his track; this time with 100-knot winds.

What to do? There was no flexibility in the schedule. To turn the force around in the interest of preserving lives and ships was the cautious thing to do. But this meant canceling Inchon—because of the tide conditions we have discussed. He either made the September 15 date or none at all. Admiral Doyle, using some formula of his own, estimated that the typhoon would curve away, and that the worst blow would miss his force. It was still a dreadfully rough passage. Ships were buffeted around, and those fatigued marines who had been fighting in the Pusan perimeter only a few days before took the worst buffeting of all.

But if Admiral Doyle thought he had troubles with a mere 100-knot typhoon, he was due for a surprise. His flagship put into Sasebo en route, for just 30 minutes, to pick up General MacArthur and his party. At this point, I am sure that the *Mount McKinley* achieved the distinction of being the most flag-ridden flagship in the history of the U.S. Navy. It had 12 admirals and generals embarked to go to war; and more captains and colonels than you could count, plus innumerable correspondents, and photographers and other satellites—to the extent that you had to be a captain or a colonel to get a bunk, and two stripes or below couldn't even get a cot. I have said a lot concerning Admiral Doyle's poise, but this condition stretched it to the limit.

Meanwhile, the pre-D-day bombardment had begun on September 10. Task Force 77 planes and Marine planes pounded Inchon and Wolmi-Do throughout the daylight hours for 4 successive days. A task force of four cruisers and six destroyers directed several thousand shells into Inchon and Wolmi-Do. Any doubt that the enemy was there and alert was dispelled by the fact that the destroyers *Gurke*, *Dehaven*, and *Collett* were all hit by enemy shellfire. The *Collett* was hit five times.

These bombarding ships reported seeing and destroying many floating mines, which added nothing whatever to the feeling of contentment aboard the amphibious ships as they steamed blacked out up Flying Fish Channel during the night of September 14. Luck was with the task force, however; not a ship struck a mine—although there were plenty of them floating around to strike.

And now, everything was in readiness. The combined efforts of thousands of people—in the face of almost unbelievable difficulty—had brought a force off the Inchon beaches. No matter what transpired after the marines landed it would, in many respects, be an anticlimax to the miraculous fact that they were there at all.

It was an eerie sight as dawn began to break on the morning of September 15. There wasn't much maneuver room for the ships and, as a result, cruisers and destroyers were firing furiously at the beach from positions right among transport ships. At about 6 o'clock, as soon as they could see, Marine planes began diving out of the overcast; dropping bombs and firing rockets at Wolmi-Do.

General MacArthur came up to the bridge of the *Mount McKinley*. He seemed grim as he looked at the boats and amphibian tractors chugging toward the Wolmi-Do beach in the half light. I am sure he realized that his great gamble was about to face its test.

The landing on Wolmi-Do had been planned for 0630. At 0633 the first marine hit the beach, just 3 minutes behind a schedule that had only been a dream a few weeks before.

The assaulting troops met light resistance. The defenders had been badly shaken by the naval and air bombardment. Even so, many had to be dug out in the conventional manner by flamethrower, grenade, and bayonet.

The assaulting forces drove steadily up the steep slopes of Radio Hill. By 0655, that ubiquitous Marine who seems always to be there with his personal little American flag, planted it on the top of the hill. You could see the little flag plainly from the bridge of the Mount McKinley—which was that close to the island.

When he saw it, General MacArthur's face lit up like a neon sign. He said, "That's it. Let's go down and have a cup of coffee."

There was actually a lot of fighting on Wolmi-Do; but by 1115 we controlled the whole of the island and the exit to the causeway connecting Wolmi-Do and Inchon.

Before noon, the little island was declared secured, with 108 enemy killed and 136 captured, for a loss of 17 wounded Marines.

The Reds of course had been alerted by the morning's attack, but they were given little undisturbed opportunity to do anything about it. The landing was set for 5:30 p.m. and, beginning at 2:30 in the afternoon, the fire support ships and Navy and Marine attack aircraft kept up a drum-fire of explosives on the whole area. Meanwhile, planes ranged deep inland to attack any reinforcements that might try to move into Inchon.

The weather, which had never been on our side in the entire undertaking, began to close in as the afternoon wore on. Rain squalls, and low clouds combined with the smoke from the city to make it darker and darker by the minute. By 5 p.m., as the boats and amphibians moved toward their assigned beaches, they found the greatest difficulty in keeping their way because the visibility was almost nil.

On the Inchon waterfront itself the first marine hit the beach at 5:31 p.m., just a minute behind schedule. They were lucky to have the ladders, because without them they could not have negotiated the seawall. Throwing grenades ahead of them the assault marines scrambled up and were met immediately by heavy fire from their flanks. The Reds were ready. It was not quite the same as Wolmi-Do in the morning.

The marines inched slowly into the burning city, and very soon began to find that the combination of heavy resistance, smoke, rain, and darkness made the job a most complicated one. Nevertheless, in less than an hour the advancing elements had reached their first objective at a cost of 8 killed and 28 wounded.

The highest ground in the city was Observatory Hill, and its capture was attended by all manner of difficulty. It began when the company commander of the troops designated to seize the hill was delayed in getting ashore because of a boat breakdown. When he finally did get ashore, he found his troops engaged in a bitter fight and it was not until well after dark that the hill was finally captured.

Meanwhile, the daring plan to drive landing ships ashore immediately behind the assault troops was proceeding on the rapidly flooding tide. As the first landing ships wormed their way around Wolmi-Do and toward their berths, only an hour after the first marine had landed, they found themselves under fire by enemy mortars and machineguns. They entered the battle, along with the marines in front of them on the beach, and for the first 30 minutes after they landed there was an exciting situation with the landing ships firing over the heads of the assault marines. Unloading of their vehicles and equipment began immediately and the ships soon were able to provide a haven for Marine wounded who were beginning to flow back from the frontlines.

Meanwhile, on Blue Beach south of the city, the weather had caused a wealth of

confusion. From the very first the landing ships and the amphibian vehicles which they carried were beset by trouble. They had no real knowledge of the speed which the current would be flowing. This is a very important thing to know when you are riding in an amphibian vehicle that can make only 6 knots—if the current is flowing at 3 or 4 knots. Battened down, riding very low in the water, the amphibian has very poor visibility, and the unit commanders could not even see the shoreline as they plunged ahead. All they could discern was a rolling cloud of smoke and rain as you see it here. The compasses in the amphibians and in the landing craft which were supposed to guide them were, as usual, something less than accurate. And finally, just as the ship-to-shore movement was about to begin, mortar fire began to fall among the amphibians.

Confusion reigned. As one wave of amphibians headed through the murk it encountered another wave on a converging course. It appeared that both waves were headed in the wrong direction. They adjusted their courses by guess after a little consultation—as the mortar fire continued to fall. How it happened, one could never estimate, but somehow the assaulting elements actually hit the beach exactly at 5:30 p.m. on schedule, and reasonably close to their designated landing points. Troops moved rapidly inland, meeting only light opposition in the immediate beach area. However, as they plunged ahead into the dusk they soon began to encounter intermittent resistance. Ultimately several sharp night attacks were required to dislodge the Reds from their defensive positions. By midnight the tired troops were well over a mile inland and were finally permitted to dig in for the night—a short one.

The following morning at dawn, both forces resumed the attack, and advanced steadily through the day, encountering light resistance, except for a Red tank attack which was a 100-percent failure due to the sharpshooting of the 1st Marine Aircraft Wing. The tanks you see here were all knocked out like sitting ducks. You can see the dead Reds, shot down as they tried to abandon the leading tank. By dark, the Marines had driven further inland, and had a strong foothold ashore.

The advance resumed on the following morning—D plus 2 and quickly developed a dramatic situation. Apparently unaware of our strength, a Red tank-infantry column drove directly into the lines of the advancing Marines and a pitched meeting battle occurred at close quarters.

It was exciting for a while, but in a matter of 30 minutes, some 200 Red infantrymen were dead or captured and their tanks all smoking hulks.

Just about this time, General MacArthur chose to come ashore to inspect the front. Unaware of the hot battle in progress, the general's motorcade drove close up behind the action.

A young Marine officer ran up to him in a state of great agitation and said, "General, you can't come up here."

"Why?" MacArthur asked.

"We've just knocked out 5 Red tanks right over the top of this hill," the officer said.

MacArthur replied, "That was the proper thing to do," and walked up on the hill.

The next morning the advancing Marines, now endowed with a tremendous momentum, plunged ahead to capture the big Kimpo airfield. By nightfall, they had seized the field, although they had to defend it against counterattacks from three sides which continued throughout the night.

The next day our planes began to land on the field, and from then on the Marines had air support from their own shore-based aircraft.

The landing was solidly established. Nobody was going to drive the forces back now,

and the effect of their presence was evident at once. Our hard-pressed forces in the Pusan area were able to launch an attack of their own. The Reds, with their supply line cut at Inchon, quickly gave ground, and soon began to disintegrate. In a week, the North Korean invasion was an invasion no longer—it was a headlong, pell-mell, disorganized retreat. The roads were littered with supplies and equipment, and North Korean soldiers stood in line to surrender. They had lost their stomach for fighting.

It was all because of Inchon—a decisive blow that broke the back of the Red Korean Army. Had the Chinese Communist volunteers not entered the battle soon thereafter, the whole thing would have been over. But they did—and that's another stirring story.

You will recall my earlier comment that Inchon couldn't happen. In retrospect, reflecting on the 2-month period we have just reviewed, it may be a little easier to see how it did.

When something of this decisive nature takes place, one usually need not look far for the personality or the circumstance, the driving influence or the character behind it; for the essential ingredient which transmutes a melancholy failure into a resounding success. In this respect, Inchon is no different than many of its counterparts throughout history. The vital ingredient is there.

Not being a historian, I feel I may take the liberty of trying to isolate that ingredient for you. There are certainly many candidates for the distinguished position. The vigor of the Marine Corps Reserve which made the 1st Marine Division and 1st Marine Aircraft Wing combat realities in such a brief time was certainly a powerful factor in making Inchon possible at all; the importance of the long years of close professional association between the Navy and Marine officers who planned the details of the attack also cannot be overstated; the personal courage and resolution of Admiral Doyle; the intrepidity of the ship captains who took the shoals and the mines in their stride. These and many more all contributed greatly to the dramatic success of Inchon.

But my choice for the ingredient that converted Inchon from a vision into a reality centers upon two men whose contribution seems to have transcended all else. These men and their conduct during this fateful period, demonstrated once again that nothing is really impossible if you believe in your cause and if you believe in yourself. Who were they? I just happen to have their pictures here now—General of the Army Douglas MacArthur and "Corporal Joe Doaks" of the U.S. Marine Corps.

CUBA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. SPRINGER] is recognized for 60 minutes.

Mr. SPRINGER. Mr. Speaker, during the past 2 years nothing in the diplomatic field has distressed me more than what has happened in Cuba during that time. For 19 months during the war I was stationed at Guantanamo Naval Base in Oriente Province on the eastern end of Cuba. I came to know many fine Cuban people. They are warm-hearted and generous. A Cuban interested in your welfare is one of the most charming and gracious people in the world. Through that experience I came to have a great admiration for Cuba and the Cuban people.

First I wish it known that I have not approved of what has happened under the Batista regime. But as far as Cuba

is concerned that is history. The issue now is what will happen in Cuba with the taking over of all authority by Fidel Castro. It does appear we are entering a new era.

Whether he is going to turn out to be another little man on horseback and whether he will be another dictator simulating a democracy remains yet to be seen. I am going to reserve my judgment until I see further what happens in the next few days and months. But the things which have taken place in the last few days do not augur very well for either democratic procedure or the possibility of Cuba coming out of this unfortunate situation which it has been in during the past 2 years.

As of this morning there were 180 executions. Never before, as far as I know, has there ever been a blood bath such as this, upon the succession of a dictator in Cuba.

Some 4 years ago, Fidel Castro, the man who is now dictator in Cuba, tried an uprising on the south coast of Cuba and it was put down with the death of about 12 people. He was put in prison and remained there for about a year. It was only through the intervention of the man he denounces today, Batista, that he was freed. Batista offered him exile and allowed him to go abroad with his own life. Fidel Castro does not return today that same kind of mercy. He is returning vengeance a thousandfold. He has certainly shown none of the broad enlightenment of a man who says he has been fighting for 2 years for the freedom of his people.

Some of these executions indicate, as far as the press tells the story, of people who were in possession of police authority and under direct orders.

Whether these men are guilty of atrocities I think could very well await a time when reason is more calm and emotions under better control—and above all in civilian courts where real justice can be had. Certainly these men are just as much entitled to civilian trials as any other citizen under the Cuban Constitution. Instead of that the first act of this so-called liberator has been to set aside the constitution, set aside the laws, set aside the legislature, set aside the civilian courts which afford the only protection an individual or a minority has under these strained circumstances. Is this the action of a genuine statesman and liberator looking after justice and decency for his country?

I have here an Associated Press account as of today stating that these are in the nature of the Nuremberg trials. At this point I have several requests to make. I would like to insert, with unanimous consent, in the RECORD an editorial from the Decatur (Ill.) Herald of Tuesday, January 13, entitled "Unhappy Legacy of Nuremberg" as applied to this situation.

The editorial follows:

UNHAPPY LEGACY OF NUREMBURG

The provisional government of Cuba must use stern measures to enforce its authority and establish law and order in the island.

Thus far about 50 supporters of the ousted dictator, Batista have been put to death and an estimated 3,000 are awaiting trial. Fidel

Castro has said that those Cubans who were executed after being found guilty in secret military trials were criminals who had killed large numbers of their countrymen, presumably Castro's followers.

The provisional government, headed by a former Cuban court judge, is attempting to justify—and dignify—the military trials by asserting that the procedures will be in the same manner as war criminals were tried in Germany.

Thus, the precedent of Nuremberg is invoked by successful revolutionists in Cuba.

That is embarrassing to the United States, which took a leading role with the victorious Allies a dozen years ago in bringing to trial the top Nazi leaders on charges that they plotted aggressive warfare, and that in World War II those Nazis imposed war and inhuman acts on the peoples of the world. Several of those top Nazi leaders were found guilty and put to death.

The late Supreme Court Justice Robert Jackson, chief prosecutor at Nuremberg, argued successfully that individuals should be punished for the crime of plotting aggressive war. But the Nuremberg verdicts were sustained and justified in U.S. public opinion chiefly because the Nazi leaders had been guilty of inhuman acts, in addition to planning aggressive war.

Many Americans were unhappy over the Nuremberg proceedings, fearful that the trials of the Nazi leaders would be cited by victors in some future war as a precedent for indicting and putting to death the leaders of the army and government of the defeated nation.

But even if the Nuremberg trials were legal and the judgments justified, the precedent does not apply to a successful revolution in Cuba.

And may I say that the Decatur Herald is a newspaper of the character of the Washington Post, so this is not a reactionary newspaper writing this editorial.

As further evidence of the indignant, horrified sentiment in this country at what has been taking place in the last week in Cuba I ask unanimous consent to insert at this point in the RECORD an editorial from the Washington Post of January 13, 1959, entitled "Drumhead Justice":

DRUMHEAD JUSTICE

Senator WAYNE MORSE speaks for a good many citizens of the United States in urging that Fidel Castro's troops call a halt to the execution of war criminals until emotions are cooler. The wave of killings has reportedly taken up to 200 lives already, and hundreds more are said to face secret tribunals empowered to mete out rebel justice. This is dismaying and disheartening news. Hopes were high that Fidel Castro's government would set an example that would contrast, with the crimes of the Batista dictatorship, and not imitate some of its worst methods.

No doubt many of those executed fully deserved punishment for their depredations under the old regime. The respected Cuban magazine Bohemia makes the shocking estimation that 20,000 Cubans had been killed during Fulgencio Batista's reign by terror in the past six years. And equally clear, military officers enjoy no immunity for their atrocities merely because they have worn a uniform. But there is a difference between an open trial fairly conducted in a less impassioned moment and drumhead justice dispensed by hot-headed rebel troops. Capital punishment in such a situation too readily becomes lynching. Terror has a way of passing beyond control as the appetite for vengeance increases with use; Fidel Castro would ease many grave misgivings if he silenced the firing squads immediately.

Mr. Speaker, I wish to include in the RECORD at this time an article by Constantine Brown in last night's Evening Star entitled "Castro's Blood Bath for Cuba":

CASTRO'S BLOOD BATH FOR CUBA—MORSE CITED AS FIRST SENATOR TO PROTEST MASS EXECUTION OF BATISTA OFFICIALS

(By Constantine Brown)

Senator WAYNE MORSE, of Oregon, has the distinction of being the first Senator to raise his voice publicly against the blood bath which has been going on in the new democratic Cuba, where government officials under the regime of ousted President Batista have been murdered in batches.

It is also a strange reflection on modern political ethics that our Government not only rushed to recognize the Castro regime but has not raised its powerful voice against the recent wholesale massacres.

Modern diplomacy apparently requires that governments even formed by murderers be taken to our bosom. It is a quite different frame of mind from that at the turn of the century. When the palace guard in Belgrade murdered King Alexander Obrenovitch and his wife, Draga Machin, all the Western governments withdrew their diplomatic representatives from the Serbian capital. And when the Okrana (the secret police of Czarist Russia) organized a pogrom in the Ukraine, also at the turn of the century, we withdrew our minister from St. Petersburg for about 7 months.

In more recent times we refused to recognize the bloody Communist regime in Russia for 16 years and President Roosevelt recalled our ambassador to Nazi Germany, Hugh Wilson, because of Hitler's ruthless persecution of the Jews, and left only a chargé d'affaires in Berlin until December 1941, when Germany declared war on us.

It may be that in those days when the administrations were not scared of complications we were more justly called the leader of the free world than we are today. We stood for principles and did not merely talk of how nice they are.

No sooner had a Communist-inspired military junta murdered and mutilated the bodies of King Faisal of Iraq and his advisers than we rushed to recognize the regime of murderers. It was explained in Washington that it was necessary to obtain the friendship of the new regime in order to forestall its going completely to either Nasser's United Arab Republic or the Kremlin. According to the latest reports from Baghdad, our rushing did not do much good for ourselves and our remaining friends in the Middle East.

Similarly, we rushed to recognize the new Cuban regime created by Fidel Castro. Off-the-record explanations in Washington are that we did so because the Cuban rebels replaced the dastardly dictatorship of Batista.

Fidel Castro used to have a well-established reputation as a strong Communist sympathizer who organized the 1948 Bogota demonstrations against Gen. George C. Marshall. His brother Raoul was described as an outright Communist who had studied in Moscow the MVD techniques of guerrilla warfare against the forces of the capitalist dictators. This appeared to be the information available to the highest official quarters in Washington before Castro started his rebellion and before it seemed that he might succeed. Now all of a sudden he has been declared by the State Department to be lily white. There was nothing really tangible to go by, it was said, to show that Fidel had a hand in the anti-American uprisings in Bogota in 1948 or that Raoul had done anything more than have a good time in the Soviet Union.

The recent wholesale execution of Batista agents, of many members of the regular armed forces of the previous regime, of many other individuals whose greatest guilt was that in order to make a living they had become members of the regular police force, and others against whom the rabble which joined the rebels had scores to settle follows clearly the Russian Communist pattern.

The Communist Party which has been banned in Cuba has not only been permitted to reappear on the political scene but in the 12-man group appointed by Castro's "yes" man, Provisional President Urrutia, to supervise labor conditions and new legislation, 5 members are Communists (either Cuban or imported from Venezuela).

While the policy that we must learn to live with Communist governments which are in the eyes of our policymakers uncommitted to international communism is being argued, there is one thing that cannot be debated: That the American Government must never remain indifferent when wholesale massacres and executions without trials (except kangaroo courts) are taking place in a country whose regime we have rushed to recognize.

And, Mr. Speaker, I want to insert an editorial from last night's Evening Star entitled "Trials—But What Kind?"

TRIALS—BUT WHAT KIND?

Fidel Castro's appearance in a filmed interview on the television show, *Face the Nation*, does not dispel the impression that his Cuban followers are more interested in vengeance than justice in dealing with alleged supporters of the deposed Batista.

Mr. Castro says "we would never punish anybody without a trial." The real question, however, is concerned with the kind of trials now being held in Cuba. Judging from news reports, they are not the kind which should receive the blessing of the man whose devotion to democracy is such that he scores the United States for preaching democracy while forgetting about "the democratic feeling of the people in Latin America."

A late report tells of 71 Cubans being lined up before a common grave and shot to death. This has not been satisfactorily confirmed. There appears to be no reason, however, to doubt the authenticity of an Associated Press report from Santiago which describes the execution of four alleged criminals. These accused were brought before a three-man summary court at 10:30 Sunday night. At 3 a.m., after denials of guilt or contentions by the prisoners that they were carrying out orders, the four were found guilty of "murder, torture, and crimes against the fatherland." At dawn, they were shot. The AP story carries an ominous footnote to the effect that this trial is expected to set the pattern for many other prisoners who are being held in Oriente Province.

One should not be too squeamish, perhaps, about some of the excesses which inevitably accompany revolutions. At the same time, neither is one obliged to believe that a proceeding in which four men are brought before a summary "court" in the middle of the night and condemned to death after a 4½-hour hearing is a "trial" within the meaning of any civilized definition of that word.

Mr. Castro told his television audience that his 26th of July movement now is in a secure position. If this is true, and it seems to be, there is no excuse for what Senator MORSE correctly calls the blood bath being staged in Cuba today. We hope the suspension of executions, first announced and then denied, will become a reality.

The SPEAKER pro tempore. Without objection, the gentleman may make the insertions indicated.

There was no objection.

Mr. SPRINGER. I could find a hundred such editorials, Mr. Speaker, in newspapers throughout the country similar to these.

I know many in this House wonder what is the basis of many of these revolutions in Cuba? Having lived in Oriente Province I think I can give you some idea of the background of these forcible changes in government. Oriente Province is the largest landed province in Cuba located on the easternmost tip. It is the poorest province. There is not much arable land. It has a large rural population and the greatest unemployment by far of any province in Cuba. In short, the people there live under the very poorest circumstances both as to diet and housing.

Almost every revolution has had its inception in Oriente Province because of these economic factors which have become chronic. As long as these economic and social conditions continue in Oriente Province, I am sure that in this area there will continue to be the origin of revolutions.

The reason Castro landed at Oriente Province was because of this constant seething emotionalism which is there at all times. I would predict that within a year or two, unless something is done about the economic conditions there, this same revolutionary emotionalism will come to the surface again. Fidel Castro was the sort of culmination of this unrest and revolutionary spirit in this largest area of Cuba. In the beginning Castro had little support outside Oriente Province, but there he did have strong support because of the conditions which I have pointed out above.

The question of intervention has been raised by my distinguished colleague from New York [Mr. POWELL] on the floor of the House a few minutes ago. I would like to point out to him what I consider an outstanding example of the effect of intervention in one of the countries of the Western Hemisphere where a dictator was in control.

I would like to take up now the Braden episode, if I may. Exponents of more positive U.S. intervention in Latin American affairs in the interests of democratic government down there should recall the unfortunate Braden affair in Argentina a little more than a decade ago. World War II was reaching its climax at the time and there was reason to believe that Argentina's President Juan Peron was too sympathetic with the Axis Powers. In the face of this apparent pro-Fascist orientation, the United States sent a new Ambassador to Buenos Aires in the person of Spruille Braden, a vigorous and outspoken emissary who had represented President Franklin D. Roosevelt at several inter-American conferences. Roosevelt had died the month before, but Braden went to Argentina in May of 1945 under the succeeding Truman administration. Braden lasted only 5 months. He was recalled in October of 1945 after Peron had made him the personification of U.S. interference in Argentine affairs. Peron then campaigned for reelection in 1946 using the slogan, "Peron or Braden," and similar anti-U.S. propaganda. It

was not until 10 years later that revolution caught up with Peron. Thus the failure of the Braden mission emphasizes the danger of overzealous U.S. attempts to change the character of the government in any foreign nation, regardless of motive. It is my considered opinion that the action of intervention by Ambassador Braden continued Peron in power at least 3 years beyond what he would have been had Mr. Braden not actively intervened in Argentine affairs.

Mr. Speaker, I would like now to come to the question of free and open elections in Cuba. The acid test of whether or not Fidel Castro is a dictator and whether or not Fidel Castro is another adventurer of the Batista type depends on whether or not he is willing to have free elections. Last fall he refused to cooperate with any of the election machinery for candidates in Cuba's general election on November 3. In fact, he threatened to kill all of the nominees who took part in that election unless they withdrew by October 30. In a radio-broadcast he said rebel soldiers would shoot candidates wherever found. In addition, he said those captured in rebel territory would face summary trial and death penalties.

Mr. Speaker, I insert in the RECORD at this point an article from the New York Times of Tuesday, October 14, 1958, titled "Castro in Threat To Slay Nominees": CASTRO IN THREAT TO SLAY NOMINEES—CUBAN REBEL LEADER WARNS THEM TO WITHDRAW FROM ELECTIONS BY OCTOBER 30

HABANA, October 13.—Fidel Castro, the rebel leader, threatened today to kill all candidates in Cuba's November 3 general election unless they withdraw by October 30.

A radio broadcast from Señor Castro's mountain headquarters said rebel soldiers would shoot candidates wherever found. Those captured in rebel territory will face summary trial and the death penalty, the broadcast said.

It warned of imprisonment in cases not calling for execution.

Señor Castro, who has waged guerrilla warfare for 23 months in an attempt to overthrow President Fulgencio Batista, was reported to have said that any participation in "the electoral farce" would be a crime of high treason against the interest of the country and the revolution.

President Batista has said that "only God can prevent" the balloting.

SKIRMISH AT SANTIAGO

HABANA, October 13.—Rebels and Government troops fought a skirmish yesterday on the outskirts of Santiago de Cuba, the capital of Oriente Province, according to travelers arriving here today.

They said firing in the suburbs of Siboney, Bonlato, Songo, and Cristo had been seen from Santiago rooftops. No details were available because of strict censorship.

Rebel advances toward Santiago, a stronghold of the Cuban Army, have been reported for several weeks. One traveler said rebels had entered a country club outside Santiago to see the world series on television.

He said about 150 rebels had moved into position near the club to watch for army patrols. They mounted 8 machineguns on the roof and placed 20 men on the club grounds, while 8 to 10 others saw the world series for a few minutes at a time. After the game, the rebels moved on.

An encounter was reported at Santa Rita, just east of Bayamo Field, the headquarters of Government troops opposing the rebel

stronghold in the Sierra Maestra. No details were available.

Raul Castro, a brother of Fidel Castro, was reported to have ordered coffeegrowers in eastern Oriente to raise the 3-cent-a-pound wage of coffee bean collectors to 4½ cents.

Another rebel leader, Maj. Camilo Cienfuegos, was said to have forced grocers in northern Camaguey Province to sell goods at prices fixed by the Ministry of Commerce.

Mr. Speaker, this is the kind of man who says now that we can put off free elections for 18 months. He nowhere has indicated that he is willing to allow elections of a free and open type called for in the Cuban Constitution. Every indication at the present time is that this man is using a reign of terror and that he is attempting to kill off those who would be opposed to him should elections be held.

If an election were to be held today or within the next 30 to 60 days, it seems to me that would be a fair determination of what the Cuban people think ought to be done.

Mr. Speaker, in view of this situation I want to say that the people of this country are going to be very much concerned, as is the editorial opinion of this country, unless these executions cease and unless these people who are charged with crime receive a fair and open trial from a court of justice, and by that I am talking about a civilian court of justice; I am not talking about a court-martial drumhead.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. JUDD. As the gentleman knows, there have been reports for months that Communists may have achieved a dominant position in the Castro movement. I have been unwilling to believe such reports and will not unless the evidence should become overwhelming and incontrovertible. But I must say that this pattern of wholesale executions follows consistently the pattern the Communists have uniformly followed in other countries where they have gained power. They never allow any real opponent to go into exile and live. He might come back. They are completely logical and, therefore, without the scruples of civilized society—such bourgeois ideas as courts of justice.

I remember my introduction to the pattern in south China 30 years ago. During the warlord period, when a new warlord came in as a conqueror, the elders of a city would send a delegation of the gentry out to receive him with welcome banners.

If he were later forced to retire by another warlord, the new master would be similarly received. The people had no choice except to accept and try to get along with whoever had superior power. No other principle was involved.

When the Communists came up into central China from the south in 1927 or 1928 and captured the city of Kianfu on the Kan River in Kiangsi Province, near where I was working, the Chinese people went out, following the traditional custom, to welcome them. Later the Generalissimo's forces were built up, and

he drove the Communists out. The local people came out and received his troops in the usual manner followed by the Chinese through the centuries.

In 1930 the last major civil war broke out, and the Generalissimo had to move his best troops out of the Province of Kiangsi to fight the civil war in the north. When the Communists reentered evacuated Kianfu, they executed 50 percent of the crowds who came out of the city to meet them. The Kan River literally ran red with blood. They were getting a lesson across to everybody in China. It told all Chinese that Communists do not operate like warlords. When anyone welcomes or proclaims his support for the Communist cause, he does not withdraw that support or vacillate, unless he wants to lose his head. The Reds wanted all in China to understand right at the start that there was no middle ground; this was no game. If people accepted communism, they could not smile upon or play footsie with the other side.

This is the pattern of ruthless massacre that Communists follow all around the world when they come to power. And it disturbs me profoundly to witness something that appears very close to it in Cuba. It is bound to alienate sympathy for this new regime, which I think every one of us hopes will do a better job than has been done and will give better opportunity for the Cuban people to improve their lot and develop a genuinely democratic government.

Why do the Communists dare to outrage world opinion, as is inevitable whenever and whenever they do this kind of thing? Because they know that memories are short. People soon forget. If even a superkiller like Mikoyan will come to the United States, smile and talk about trade, plenty of businessmen right here will forget all about the past and bid against each other for the privilege of building up the strength of their enemy so that it will be able to destroy them that much earlier and more completely. The Communists take time to study their intended victims in order to take them in more easily. Ruthlessness in eliminating their enemies has paid off for the Communists; we wine and dine ours.

Mr. Speaker, I hope and pray that the new regime in Cuba does not come under the control of the Communists, who understandably are trying to capture it; because if it does come under Red control, it bodes ill for Cuba and for everybody else in the hemisphere.

Mr. SPRINGER. May I say to the gentleman I hope sincerely that there will be something come out of this government which will be good for the people of Cuba and that they get good democratic government. There is nothing I could hope for more. But, such words as purification as have been used here—that these executions must take place in order to purify the government, are almost the same words used by Communist China in 1949. I am going to reserve my judgment on that point until I see that there is Communist infiltration, but I think it is something for us to be alert to.

THE SITUATION IN CUBA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. JUDD] is recognized for 15 minutes.

Mr. JUDD. Mr. Speaker, I want to develop further the earlier discussion with my colleague, the gentleman from New York [Mr. POWELL]. In responding to any attack on our Government's foreign policy, as he has attacked our policy in Cuba, I think the first thing to do is to clear what that policy has been. The policy that our Government has followed, we do not claim to have followed it faultlessly, has been the policy of strict nonintervention in the internal affairs of any other American country. That policy was first adopted by the American States in 1933 in Montevideo and then made formal in the Bogotá Charter in 1948. Sometimes it requires that we take no action when all our sympathies would move us in one direction or another. Yet this policy has paid off and steady, forward progress has been made under it. When we have departed from it in Argentina, for example, and thrown our support behind the democratic forces opposing the dictator Peron, we enabled him to whip up anti-Americanism, and use it to get elected, and that as much as anything else put him into power. Our intervention injured the cause of democracy rather than served it.

When we were holding hearings on this issue last year we had the testimony of an ambassador here in Washington of one of the major Latin-American powers.

He said:

There are certain problems, certain discrepancies which arise from time to time in the contact between our country and yours, but I want you to know that the principles which are guiding the policies of the United States in its relations with my country and with Latin America are sound.

If the United States should ever fall into the error of trying to classify governments, of trying to distinguish between governments on the basis of the form that they have, it would be the greatest setback that could possibly happen here in the Americas.

We have had this nonintervention policy for 25 years. We have departed from it a few times, such as in the Argentine episode, and we will doubtless be urged to depart from it again. But look at its results. The newspaper last night had a story about the only dictator left in South America, in Paraguay. That is the fewest there has been in the last 100 years. By resolutely sticking to a policy of friendship and nonintervention, democracy has grown more rapidly and more solidly in the Western Hemisphere than at any time before.

This policy is admittedly difficult, and nobody will ever be wholly happy with it. The governments that are in want us to give more aid to help them stay in. The ones who are out and are trying to get in want us to shut off aid to the existing government, and give it to them. But, by nonintervention, we have the best chance of promoting the forces of freedom and of democracy.

Now let us look at Cuba in terms of that overall policy. Cuba's history has always been very closely tied to that of the United States, largely because of its physical proximity. The relations between our two peoples have long been close and cordial. Cuba's closest point is 90 miles from the United States, and large numbers of tourists and business people exchange visits every year.

The United States Government recognized and dealt with the Batista government as the constituted government of Cuba. Our position was not at all unique there. It was exactly the same position that all other countries in the hemisphere were following. They were maintaining relations with the Cuban Government, without exception. The 1948 Bogotá Charter specifically states that establishment or maintenance of diplomatic relations with other nations of the hemisphere carries no implication of approval of the acts of any other government.

Our relations with all American nations are based on scrupulous respect for their sovereignty. The Department of State consistently took the position with respect to the Cuban troubles that the resolution of their internal political problem was a matter for the Cuban people themselves and themselves alone.

On the other hand, the U.S. Government in its own interest decided in March of 1958, that the grant or the sale of arms to the Batista government should be suspended as long as the political tensions remained high in Cuba. Such suspension was instituted on March 14, I am advised, not March 22 as the gentleman from New York [Mr. POWELL] stated.

I have served on the Committee on Foreign Affairs all these years during which we have developed the foreign aid program. As the gentleman from New York correctly said, a government, in order to get foreign aid, has to make certain commitments that the weapons will not be used for other than the common purposes agreed upon, in this case, the common defense of the hemisphere. We have tried to get them all to stick to that, but we have not had perfect success. France used some of our materiel against rebels in Algeria, which was in violation of her agreement with us. Several other countries have been in violation. In each case we clamped down on them just as quickly as we could, but we could not send the Marines or an army to try to prevent the violation. When the Batista government began to use military assistance that we had given to Cuba for certain defined and agreed-upon missions having to do with the defense of the hemisphere, for the suppression of the internal revolt, we unilaterally suspended any further military assistance to his government. We informed it that we would continue that policy as long as the Cuban Government itself continued to alienate public opinion at home and abroad by failing to seek a political solution satisfactory to the people of Cuba, and insisting exclusively on repression and force of arms.

Our Ambassador informed the Cuban Government of our position on several

occasions. The U.S. Government, of course, also sought to prevent arms contraband traffic when that was being attempted by each side, particularly by the Castro supporters, in violation of our Federal laws.

With respect to this matter of violence, during the last 2 years Cuba has been involved in a civil war of increasing violence, culminating in the overthrow of the Batista regime. As usual, there was something to be said on both sides. For instance, a year ago this month the Batista government took what was generally conceded to be, according to widespread editorial opinion, an important first step in trying to bring about a climate suitable for the preparation of elections scheduled for last June. It lifted the suspension of constitutional guaranties which had been in effect six times since 1951 in all but one of the six provinces. When it lifted the suspension of the constitutional guaranties, the Castro military opposition to the government reacted by stepping up its sabotage and terrorism all over the place. There was reason to believe that the opposition wanted the government to reimpose the suspension of constitutional guaranties in order to give it that much more of a weapon to whip up public opinion against the government.

No government in power, whether legitimate or otherwise, is likely to continue full constitutional rights and privileges if those privileges are taken advantage of to increase the disorder and the efforts to overthrow the government. So the Batista government again suspended constitutional guaranties in March, 2 months later. We did not like it, but we are not in control of Cuba and we had to stick to our policy of non-intervention. But it was at this point that we did suspend our military aid.

Any such situation, of course, breeds violence and reprisals on both sides. There have long been reports that the Cuban police and other Government agents tortured and killed thousands of their fellow citizens. The Government employed other harsh, repressive measures to discourage or put down the revolt. The opposition also resorted to violence to achieve its ends—and that seems to have grown since the success of the movement. There were instances of assassination by the Castro forces and widespread terroristic practices, including the bombing of theaters and schools as a weapon in the conflict, designed to intimidate the public and the Government.

Something has been said about the United States as an alleged haven for dictators. The facts are these: All over Latin America the granting of asylum in embassies to political exiles is an established tradition. The United States normally does not grant such asylum in its embassies. Instead the United States has traditionally granted asylum by opening its doors to exiles from Latin America and other parts of the world who meet the requirements set out in our immigration laws. Several thousand Cuban opponents to the Batista Government in recent years found a haven in the United States during their

period of exile from Cuba. It might be said at this point that some of these Cuban exiles behaved badly while they had sanctuary in the United States. The newspapers have carried many accounts over the past 2 years of their illegal activities of various kinds in this country, and of seizures by our authorities of arms which certain of these exiles had attempted to smuggle from the United States.

It would probably be well to look carefully at any proposed changes in our immigration laws to exclude dictators since the term would be difficult to define. But in any case Batista did not seek asylum here. He could apply for admission now only under our regular immigration laws.

Mr. Speaker, I hope we will consider these complicated problems from the long range point of view, not explode at either side right now. We should use our good offices wherever we can in line with the policy of all the governments of the Western Hemisphere—nonintervention, while sympathetically doing all we can to bring to an end what is being called a blood bath, so that the people of Cuba can have order with restoration of individual freedom and courts of justice, and can go ahead to improve the lot of their people.

The question has been raised of economic aid for the new Cuban Government, and I want to say something about that. The U.S. attitude on this matter was stated in our note of January 7 in which recognition of the new Cuban Government was granted. This note expressed the sincere good will of the U.S. Government and people toward the people and Government of Cuba. While I understand no request for economic aid has been received from the new Government of Cuba, my colleague from New York who seems to be in closer touch, has suggested that they need large amounts of aid urgently. They tell me downtown that any request received will be considered sympathetically and carefully by our Government, with a view to seeing what can be done to aid the Cuban Government in taking care of its economic problems in the light of prevailing conditions.

I understand the Cuban authorities are at this moment assessing the economic situation and I would not expect that they would wish to discuss their needs, if any, with us until they have completed the study of their situation.

Mr. Speaker, if we hold this door open for economic assistance and cooperation whenever they qualify so that we are justified in giving such assistance, I hope that will be a stabilizing factor. It may influence the hotheads which are present in every revolutionary movement to calm down, give security to the people, and resume internal economic activities as well as trade with the rest of the world.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield just for a statement and a question?

Mr. JUDD. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. First, I want to say that I am indeed gratified that we have a man of the gentleman's caliber

to talk to us on these important subjects that relate to our foreign affairs and our problems.

I am thankful the gentleman is taking the floor today to give us the benefit of this enlightened statement on these problems as he understands them, and which I know is based upon a great deal of study and devotion and, certainly, not without a great deal of experience, probably more experience than any other Member has had in the House of Representatives. We are fortunate to have people like the gentleman from Minnesota who are students in these matters and who give us the benefit of their thinking, and on occasion afford us an opportunity of becoming better posted on this subject ourselves.

Mr. JUDD. I thank the gentleman, and only wish his kind comments were more fully deserved.

Mr. SCHWENGEL. What I have to say to you, sir, is certainly true about the members of our loyal opposition and many of the members of the Committee on Foreign Affairs and many other Members of the House who have a like devotion and desire and interest to solve this very difficult problem on many fronts.

Now, I have a question I would like to ask the gentleman to see if you agree with me that our program in foreign affairs is, or should be, a program to develop and create an atmosphere where liberty and freedom can grow and expand, and if that happens, the outlook for peace and understanding is more hopeful than otherwise. Is that a true statement?

Mr. JUDD. It is. That has been the historic position of the United States Government and it is the present position. Any other position by any Government of the United States under whatever party would be rejected by the American people. I hope and I certainly believe that the American people will always insist that their Government stand only for policies that will promote freedom under law, provide greater opportunity for people to better their living conditions and encourage better relations throughout the world and therefore peace.

Mr. SCHWENGEL. I thank the gentleman. One further question. Is it not true too, that as we develop these atmospheres and, if and when, we help in the establishing of free governments and governments of the people, we have to recognize that this government of the people has to develop by stages, which is characteristic of the development of our way of life here; and also that we ought to teach our people to understand that we need to be patient in the development of this type of thing. Where foreign nations want and desire these things, they need a degree of patience and understanding.

Mr. JUDD. Yes, indeed. Sometimes we get impatient over the failure of other countries to come along as rapidly as we would like. While about a third of the people in the world have lost their political independence to the Communists since the last World War, about a third of the people in the world have gained

their political independence. These newly freed countries are trying to move in some cases, so to speak, from about the 2d grade to the 12th grade all in one jump. The problems are gigantic. I oftentimes try to remember our own country at a time when we were already more than 30 years old as a nation, right at the end of the War of 1812. Conditions were so bad in this country, there was so much graft and corruption and division between the different parts of the country that the people of New England, you will recall, met at Hartford, Conn., and solemnly voted to secede from the Union. Many were ready to give it up as a bad job, because it did not seem possible to get the Thirteen Colonies working together as one Union. It was probably only the word of Jackson's victory at New Orleans which came just then that pulled them together and gave them the will to keep trying. So, whenever we are inclined to be impatient because of some of these difficulties, or even excesses elsewhere, and there is a demand for a sudden change in our basic policy, I recall with gratitude how patient some other people were with our country while we were going through our growing pains. I trust that we will keep our foreign policy on an even keel through these difficult days.

CUBA

Mr. BOW. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I have been very much interested this afternoon in the discussions on foreign relations and affairs as they relate to Cuba.

The Castro government has been in power for about a week. This House has been organized about the same length of time. It seems to me we have discussed more the affairs of Cuba than we have the affairs relating to our own Nation since our organization. I believe there are times when we are a little too hasty in taking positions on matters as serious as those in Cuba, upon which we are only informed by what we read in the papers or see and hear on the television and radio. Perhaps sometimes we should restrain ourselves from taking those positions, pro or con, relating to these new governments and their action. It is more of interest to us that we do those things that are necessary for our own country and that Congress begin to look after our own people.

I am always interested when we get into situations such as this, to hear everyone begin to talk about fair trials. Everyone begins to talk about the fact that they should have jury trials, that they should have the right to present their evidence. Here again I stand on the floor of this House, not having been able yet to convince my colleagues that American soldiers serving overseas in the uniform of the United States, following their flag wherever it may go, are

denied constitutional rights that have been guaranteed to them. I hope that in this, the 86th Congress, we will be able to rally the forces which will write legislation to assure, not the men of the revolution of Cuba or the defenders of Batista or any other dictator or any other revolutionists their rights to proper trial and the right of trial by jury, but I hope that this Congress will enact laws to see that American servicemen, serving their country abroad, the right guaranteed by the Constitution, and that we will pass some legislation which will amend and correct the iniquitous status of forces agreement.

A BILL TO CLARIFY THE PRIVILEGES OF D.C. TRANSIT MONOPOLY AND TO RESTORE THE RIGHTS OF SMALL BUSINESSES IN COMPETITIVE FIELDS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I wish to call attention to a most distressing, unfair, and unusual situation in the District of Columbia, involving approximately 100 small operators in the sightseeing industry who are in danger of being forced out of business by the D.C. Transit System, Inc.

This state of affairs is the result of special privileges accorded to the D.C. Transit System, Inc., under Public Law 757, 84th Congress. Public Law 757 grants the corporation a franchise to operate a mass transportation system in the District of Columbia and surrounding area. Section 6 of said law authorizes the corporation to engage in charter and sightseeing services subject to compliance with applicable laws, rules, and regulations of the District of Columbia. Sections 8 and 9 grant special benefits, including exemption from District of Columbia taxes, such as motor fuel tax, excise taxes, sales tax, mileage tax, and personal property taxes.

Aside from the privileges given to the D.C. Transit System by the Congress, the corporation possesses the substantial advantage of being able to reach into its \$25 million annual revenue for underwriting its losses in sideline businesses, and of being able to use mass transit facilities—personnel, equipment, garage, and maintenance—in the operation of enterprises such as sightseeing, charter, limousine, and Government contract services. The president of the D.C. Transit System has said:

It is not only taxes but our maintenance is lower. We can't help it. Our ability to do lower cost maintenance—that is the basic difference between us. (House Small Business Committee hearings, p. 11.)

I am informed that one company, the Gray Line, Inc., has lost about \$250,000 in business to the D.C. Transit System, Inc., and that, subsequent to the hearings of the House Small Business Committee, four members of the Washington

Sightseeing Operators Association have lost hotel and motel concession to D.C. Transit. The following letter from the association sets forth the losses of its members.

WASHINGTON SIGHTSEEING
OPERATORS ASSOCIATION, INC.,
Washington, D.C., January 2, 1958.

Congressman WRIGHT PATMAN,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PATMAN: Since the close of the hearings of the House Small Business Committee, four members of our association have lost sightseeing concessions to the D.C. Transit System, Inc.

The concessions involved are the Ainsworth Motel, the Park Silver Motor Hotel, the Commodore Hotel, and the Franklin Park Hotel. They were operated by Eugene George, Frank P. Enfante, Paul A. Swan, and the writer, respectively.

In the case of Paul A. Swan, on October 1, 1958, the Commodore Hotel management informed him that, effective October 15, 1958, his company, Federal Sightseeing Tours, could no longer have the sightseeing concession at that hotel. Mr. Swan's successor, of course, was the D.C. Transit System.

Mr. Swan paid the Commodore Hotel \$75 per month for the sightseeing concession. His gross revenue was about \$6,000 annually. He has been told that the D.C. Transit System is paying the hotel considerably more, in the form of a percentage. In fact, the manager of the Commodore Hotel informed him that he could not possibly meet D.C. Transit's proposition.

This is the second time since the spring of 1958 that Mr. Swan has lost a hotel concession to D.C. Transit. This put him out of business. His testimony at the House Small Business Committee hearing on May 12, 1958, describes his loss of the concessions at the Stratford Hotel.

Where are the good motives and high principles articulated by Mr. O. Roy Chalk, president, D.C. Transit System, Inc., during the hearings of the House Small Business Committee and to the press, in statements such as, "I have no desire to put small businesses out of business—will be delighted to help them" (House Small Business Committee hearings, p. 9), "I wouldn't hurt anyone, particularly small businessmen" (Washington Star, May 14, 1958), "I am not out to put anybody out of business" (Washington Star, Aug. 4, 1958)?

We cannot conceal our feeling of indignation when we compare our situation with that of Mr. Chalk, the owner of the D.C. Transit System, Inc., a corporation doing \$25 million annually. He has been reduced to fretting in an 83-foot yacht called *Blue Horizons* (formerly named *New Horizons*), because an inquisitive 85th Congress questioned his business practices, and the officials of the District of Columbia will not grant him his every wish.

Thus, Mr. Chalk keeps imploring the Congress for more subsidies. They help finance his competition with taxpaying businessmen and pay the rent for a \$1,000-per-month suite at the Mayflower Hotel, vacation trips, dinners at plush restaurants, and numerous other luxuries amounting to \$69,000, all of which he charged to the D.C. Transit System, Inc. Of course, such subsidies, borne by the taxpayers, including myself and all other D.C. Transit competitors, do make it easier for Mr. Chalk to cope with the high cost of living high.

It is only a matter of time before we will all be out of business, unless the Congress provides adequate protection for us against the competition of the D.C. Transit System, Inc. The enactment of your bill, H.R. 13767, seems to be our only hope.

Sincerely,

RAYMOND WARRENNE,
Secretary.

Up to now, the D.C. Transit System has declared total dividends of \$690,000 in its 29 months of operations; \$290,000 was paid in December 1957; \$100,000 was declared on September 2, 1958; another \$100,000 dividend was disclosed on November 22, 1958; and \$200,000 was declared in December 1958. The \$690,000 represents a return of 138 percent on the \$500,000 equity capital invested by TCA Investment Corp. The stock of D.C. Transit System, Inc., is held by TCA Investment Corp., a wholly owned subsidiary of Trans-Caribbean Airways, a corporation of which Mr. and Mrs. O. Roy Chalk own more than 70 percent of the shares—House Small Business Committee hearings, page 146.

On May 12, 16, and 19, 1958, the House Small Business Committee held public hearings regarding the complaints of D.C. Transit's competitors. This was done upon the request of Hon. JOHN L. McMILLAN, chairman, House District Committee. I submitted a report to Chairman McMILLAN with the following letter of transmittal, dated July 31, 1958:

LETTER OF TRANSMITTAL

JULY 31, 1958.

Hon. JOHN L. McMILLAN,
Chairman, Committee on the District of Columbia, House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased to transmit to you herewith a report by me covering those hearings which our committee recently concluded dealing with the complaints of small and independent sightseeing companies in the District of Columbia.

You will recall, Mr. Chairman, our discussions and conferences concerning this matter at the conclusion of which you expressed to me a desire and a request that our committee conduct these hearings in order to develop information respecting those factors that appeared to be operating to the prejudice of the small business members of that industry.

In view of the fact that the adjournment of Congress is imminent, I have prepared this report which I trust will be of value to you in connection with your consideration of the situation.

Mr. Chairman, I wish to emphasize that the competitive situation confronting the small and independent sightseeing companies operating in the District of Columbia is serious and, unless remedied immediately, must inevitably lead to their extinction.

I do not believe that the D.C. Transit System, Inc., which was granted a monopoly in mass transportation in the District of Columbia and, among other benefits, a subsidy in the form of tax exemption by the Congress, should be permitted to utilize any part of its revenues of \$25 million annually, derived from bus and trolley riders, and the advantages inherent in its ability to use mass transit facilities, such as equipment, garages, maintenance, and personnel, in competition with any taxpaying businessmen whether in charter and sightseeing, limousine, helicopter, or other industries.

In addition, to date, Mr. Chalk has requested a subsidy on school fares, a rate increase, an increase in rate base, and extension or elimination of his obligation to remove streetcar tracks (estimated cost \$10 million). These concessions would provide Mr. Chalk with still larger revenues for competition with taxpaying businessmen.

I cannot believe that the Congress, in granting the franchise to D.C. Transit System, Inc. (Public Law 757, 84th Cong.), realized the consequences which that franchise, as interpreted and applied to date, was bound to exert upon the small business mem-

bers of the sightseeing industry here in Washington. As you know, the franchise grants sweeping and unique benefits, including tax exemptions, to the Transit System. These advantages have been applied and utilized as an effective competitive weapon which can result in the D.C. Transit System acquiring a monopoly in the sightseeing field in this area. I am confident that the Members of Congress, at the time they voted for this franchise, understood and believed that the benefits thereby conferred would be used to promote the advancement of the mass transportation system under private enterprise in the District of Columbia. Certainly, the Members had little, if any, reason to anticipate that their beneficence would be converted into destroying private enterprise in the sightseeing industry.

In view of all the foregoing, I urge that you consider this matter at the earliest possible date in order that the Congress may be given the opportunity of acting thereon prior to adjournment.

Sincerely yours,

WRIGHT PATMAN,
Chairman, Select Committee on
Small Business.

We must not permit such injustice to exist in our Nation's Capital. Indeed, if any one of us had a similar situation in our own districts, we would take quick action to correct the inequities. The D.C. Transit System interprets its franchise as if the Congress had offered it a bounty to exterminate competitive enterprises.

CONGRESSIONAL ACTION IS REQUIRED TO SUPPLEMENT THE PARTIAL RELIEF WHICH CAN BE PROVIDED BY THE DISTRICT OF COLUMBIA AUTHORITIES

A. Tax exemption: The Board of Commissioners of the District of Columbia have adopted the view that the D.C. Transit operations in the charter and sightseeing field are entitled to the statutory tax exemptions. They hold that when Congress enacted section 6 of the Franchise Act, which authorized such activities, it meant to exempt those activities from the various taxes specified in sections 8 and 9. This view is based on the opinion of Corporation Counsel of May 6, 1958, adopted by the Board of Commissioners on the same date.

President McLaughlin, however, was frank to admit that, at best, the act was ambiguous in this respect. As he stated—record, page 24:

This statute was pretty vague in many respects.

In my opinion, the statute, properly construed, was not ambiguous to this extent. I am confident that Congress did not intend to exempt charter, Government contract, and sightseeing operations from normal taxation and that the statute does not so extend the exemptions. Section 6 specifically provides that charter and sightseeing activities are to be carried on subject to the applicable laws of the District of Columbia. These laws must by definition include the taxation and revenue laws of the District. I believe that with this plain, though economical, language, Congress specifically declared that the activities authorized by section 6 were to be taxed, and explicitly ruled out extension of the exemptions in sections 8 and 9. In my view, the Corporation Counsel and the Board of Commissioners misinterpreted the statute and misconstrued the intent

of Congress when they held that the tax exemptions of sections 8 and 9 reached these collateral enterprises.

The interpretation of the District authorities, moreover, implies that Congress intended here to abandon policies which have long been fundamental to the body of national economic legislation; that is to say, the policy in preserving competition and fostering and protecting small and independent businessmen such as the businessmen engaged in charter and sightseeing operations in the Washington metropolitan area. To have granted a large company such as D.C. Transit a tax concession in its competition with small and independent businessmen, especially where this corporation was able to draw on resources built up in a legal monopoly, would have been totally inconsistent with this long tradition. There is no evidence that Congress was so motivated. In adopting the Franchise Act, it was concerned with establishing a successful transit enterprise within the District. The important tax concessions of sections 8 and 9 were extended for this purpose alone. Congress did not intend thereby to set D.C. Transit on the road of monopolization in fields extraneous to mass transportation.

The Board of Commissioners and the Corporation Counsel determined that the tax exemption of sections 8 and 9 extended to charter and sightseeing activities authorized by section 6 on the single ground that sections 8 and 9 spoke in terms of "The Corporation." They reasoned that since the charter and sightseeing activities were carried on by "The Corporation," the tax exemptions extended to the entirety of the corporate activities, including the nonfranchise operations. This liberal construction, however, conflicts with both a previous determination of the Corporation Counsel and with well settled rules of interpretation of such matters.

As to the first, Corporation Counsel has already determined that the tax exemptions in sections 8 and 9 do not extend to all activities carried on by the corporation. In his opinion dated January 17, 1957, he ruled that the company was liable for the payment of taxes in connection with the purchase of limousines in spite of the fact that those limousines were purchased by the corporation. This was ratified by the Public Utilities Commission in *In the Matter of the Net Operating Income of D.C. Transit System, Inc.* (PUC No. 3592), November 27, 1957. Hence, the District authorities have already determined that the use of the words "The Corporation" in sections 8 and 9 would not impliedly extend the tax exemptions of those sections to all corporate activities.

Furthermore, even if the District officials believed that the Franchise Act was ambiguous in respect to charter and sightseeing activities, they should have construed the ambiguity in favor of the tax. It is, of course, within the power of Congress to grant tax exemption. It is also within the power of Congress to make such tax exemptions irrevocable by way of contract. But it has long been a fundamental canon of construction in respect to such immunities that they are

to be strictly construed and that no exemption may be claimed unless it is expressly and unconditionally granted in specific terms. As the Supreme Court stated in the early case of *Minot v. Philadelphia, Wilmington and Baltimore Railroad Co.* (85 U.S. 206, 225-226 (1874)):

* * * The power of taxation is an attribute of sovereignty, and is essential to every independent government. As this court has said, the whole community is interested in retaining it undiminished, and has "a right to insist that its abandonment ought not to be presumed in a case in which the deliberate purpose of the State to abandon it does not appear." *Bk. v. Billings* (4 Pet. 561). If the point were not already adjudged it would admit of grave consideration, whether the legislature of a State can surrender this power, and make its action in this respect binding upon its successors, any more than it can surrender its police power or its right of eminent domain. But the point being adjudged, the surrender when claimed must be shown by clear, unambiguous language, which will admit of no reasonable construction consistent with the reservation of the power. If a doubt arise as to the intent of the legislature, that doubt must be solved in favor of the State.

The broad construction of tax exemptions has been rejected in innumerable cases. The statement of the Court in *Seton Hall College v. South Orange* (242 U.S. 100 (1916)), is directly in point:

To all claims of contract exemption from taxation, must be applied the well-settled rule that, as the power to tax is an exercise of the sovereign authority of the State, essential to its existence, the fact of its surrender in favor of a corporation or an individual must be shown in language which cannot be otherwise reasonably construed, and all doubts which arise as to the intent to make such contract are to be resolved in favor of the State. *Hoge v. Richmond & D.R. Co.* (99 U.S. 348, 354, 25 L. Ed. 303, 304); *New Orleans City & Lake R. Co. v. New Orleans* (143 U.S. 192, 195, 36 L. Ed. 121, 122, 12 Sup. Ct. Rep. 406); *Wilmington & W.R. Co. v. Alsbrook* (146 U.S. 279, 294, 36 L. Ed. 972, 978, 13 Sup. Ct. Rep. 72); *Phoenix F. & M. Ins. Co. v. Tennessee* (161 U.S. 174, 179, 40 L. Ed. 660, 662, 16 Sup. Ct. Rep. 471); *Yazoo & M. Valley R. Co. v. Adams* (180 U.S. 1, 22, 45 L. Ed. 395, 407, 21 Sup. Ct. Rep. 240).

This rule of strict construction is doubly applicable in this case in view of the fact that the claim for tax exemption is based on a franchise between the company and the United States, for it is the universal rule that such franchises must be limited to their terms. As stated in *Broad River Power Co. v. State of South Carolina* (281 U.S. 537, 548 (1930)):

The very fact that legislative acts of this character are commonly prepared by those interested in the benefits to be derived from them, and that the public interest requires that they should be in such unequivocal form that the legislative mind may be impressed with their character and import so that privileges may be intelligently granted or purposely withheld, has firmly established the rule that they must be strictly construed, and that any ambiguity or doubts as to their meaning and purpose must be resolved in favor of the public interest. (See *Blair v. Chicago*, *supra* (p. 471 of 201 U.S. 26 S. Ct. 427, 50 L. Ed. 801). *Northwestern Fertilizer Company v. Hyde Park*, *supra* (p. 666 of 97 U.S. 24 L. Ed. 1036). "The rule is a wise one; it serves to defeat any purpose concealed by the skillful use of terms, to accomplish something not apparent on the

face of the act, and thus sanctions only open dealing with legislative bodies." *Slidell v. Grandjean*, *supra* (p. 438 of 111 U.S., 4 S. Ct. 475, 487, 28 L. Ed. 321).

Where, as here, a tax exemption is provided as part of a franchise or corporate authorization, the exemption is limited to the property and operations contemplated by the franchise or authorization. In this case, D.C. Transit was enfranchised for the single purpose of insuring a successful and efficient mass transportation system in the District of Columbia. Thus the contractual tax exemptions must be interpreted as extending only to property and operations used exclusively for that purpose. As stated in *Bank of Commerce v. Tennessee* (104 U.S. 493, 497 (1882)):

The doctrine declared in them [i.e., certain cited cases] that the exemption, in cases like the one in the charter before us, extends only to the property necessary for the business of the company, is founded in the wisest reasons of public policy. It would lead to infinite mischief if a corporation, simply by investing its funds in property not required for the purposes of its creation, could extend its immunity from taxation, and thus escape the common burden of government.

The opinion of the Corporation Counsel of the District of Columbia disagrees with these rules of construction. Under its view, the tax exemption provided by Congress can, under certain circumstances, be exploited to provide for a dollar-for-dollar subsidy out of District of Columbia tax revenues for deficit competition by D.C. Transit against independent small businessmen. Unless relief through reinterpretation is forthcoming Congress should act to make clear its original intention in this matter.

Under dates of July 10 and July 14, Mr. Roy Chalk, president, D.C. Transit System, Inc., informed the District of Columbia Public Utilities Commission of his desire to make the following concessions in order to solve the problems of his competitors in charter and sightseeing:

First. To pay voluntarily from July 1, 1958, forward, the District of Columbia motor-fuel tax on all of our sightseeing operations.

Second. To work out, if possible, an agreement with the staff of your Commission, as to a set of rules for the allocation of all appropriate items to our sightseeing, charter (including Government contracts) and limousine operations; and

Third. To exclude all sightseeing, charter—including Government contracts—and limousine operations, profits and/or losses, for purposes of all present and future rate proceedings or determinations.

Concession No. 1 does not mention other District of Columbia taxes from which D.C. Transit is exempt. Further, the complainants assert that—

The offer that the D.C. Transit System made to the PUC to pay motor fuel tax on sightseeing and charter, excluding Government contract services which bring the corporation about \$200,000 gross revenue, does not solve the basic inequities in this situation. This concession has no effect on D.C. Transit's singular ability to use mass transit revenue and resources to underwrite its losses in sightseeing, charter, and related services.

As for concessions Nos. 2 and 3, the newspapers have reported that interpretations of them resulted in frequent verbal skirmishes between attorneys for D.C. Transit and the Public Utilities Commission during rate hearings in July-August 1958. D.C. Transit's competitors maintain that interpretations of those concessions by D.C. Transit officials at PUC rate hearings prove that the concessions are ineffectual. They declare that—

The Public Utilities Commission's separation of expenses of the mass transit system from those of sightseeing and related services, on D.C. Transit's books, will not resolve the problem. Such segregation on the books of a large corporation has inherent difficulties; allocation of costs and assets, as any businessman knows, is a matter of judgment. Mere accounting separation will not even up the terms of the competitive struggle. There are innumerable examples of where allocation would default, such as what percentage of storage costs of vehicles might be allocated, and what percentage of depreciation costs might be allocated.

The following are excerpts of letters, addressed to the House Small Business Committee by two D.C. Transit competitors, in reply to certain assertions made by Mr. Chalk in a supplemental statement he submitted to the committee under date of July 18, 1958:

ROBERTS & MCINNIS,
Washington, D. C., July 28, 1958.

Hon. WRIGHT PATMAN,
Chairman, Small Business Committee, House
of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: As counsel for Safeway Trails, Inc., * * * we are concerned with the assertions of Mr. Chalk as follows:

(1) "After studying all of the pertinent facts, we at D.C. Transit concluded that we would be entitled to the full rate increase requested by us in the PUC rate case even after the allocation and exclusion requested by the PUC staff. In addition, we noted that our rate of return was so far below the amount authorized by the Congress that it was of no consequence whether or not we allocated the above-described operations, even if such operations were incurring the losses alleged by the staff of the PUC." (Quotation from Mr. Chalk's supplemental statement, July 18.)

Our reply: Exhibit B, to which this statement is related, was a letter dated July 10 and addressed to the committee. It purported to make voluntary concessions which would alleviate unfair competition with other motor carriers operating in the Washington area. In this connection, Mr. Chalk, supposedly with the authority of his corporation, volunteered from July 1, 1958, to pay District of Columbia motor vehicle fuel tax on sightseeing operations; to work out with the District of Columbia Public Utilities Commission a set of accounting rules for the allocation of all appropriate items of the sightseeing operations; and to exclude all sightseeing operations profits and/or losses for purposes of all present or future rate proceedings or determinations. Subsequently, under date of July 14 (exhibit D of Mr. Chalk's communication), he agreed to amend his July 10 letter so as to extend to charter (including Government contracts) and limousine operations, the principle of allocation of expenses. On July 14, however, as a result of embarrassing lack of coordination between Mr. Chalk and Mr. James B. Flannigan, vice president and controller of D.C. Transit System, Inc., the latter presented to the Public Utilities Commission in the District of Columbia increased fare case a communication in ostensible compliance with an earlier mandate that the accounts

be correctly allocated, in which he insisted

that such allocation was being prepared only by order of the Commission; that he personally disapproved of it; and that he considered that the huge losses encountered in the promotion of sightseeing, charter, and governmental operations business were justified in the interests of creating a glamorous public relationship with the normal city transit bus operation. Subsequently, Mr. Flannigan, who clearly is the operating head of Mr. Chalk's Washington properties, modified his position in purported compliance with the Chalk agreement, but the allocation studies which he submitted to the District of Columbia Commission made it very clear that the compliance was in theory only and that the D.C. Transit Co. intended to negotiate with the staff of the Commission an arrangement under which a very large part of the losses and extravagances of the extracurricular services of D.C. Transit would remain buried in the subsidized accounts of the company. Illustratively, he proposed that only 50 percent of the promotional expenses assignable to or identified with charter operations would be deducted from the operating expenses of the city service. With respect to Government contract operations in which D.C. Transit competes with other qualified and licensed operators in the District of Columbia, Mr. Flannigan proposed that none of the costs attributable to depreciation, general overhead, or management, or solicitation of the Government contract business through officers, employees, and retained organizations, should be excluded from the operating expenses of the mass transportation operation.

The data which he submitted, supposedly in accordance with the agreement of full allocation and exclusion of the special services, in no sense were commensurate with the costs that totally separate and competitive operations would encounter. This was the D.C. Transit compliance with representations made by Mr. Chalk to the committee. It is quite understandable that Mr. Flannigan could testify under oath to the District of Columbia Public Utilities Commission that the changes as a result of his allocation of charter, etc., services were not significant.

(2) "As the result of my two letters to the PUC, it is clear that the so-called issue of subsidy is no longer a realistic issue. After I filed my letters of July 10 and 14 in the present PUC rate case, the PUC ruled on July 15, 1958, that the question of subsidy is no longer an issue in the present D.C. Transit rate case before the PUC. Over the objections of counsel for Gray Line and our other competitors, the PUC has now conclusively ruled that in view of my concessions, the matter of the alleged subsidy was not an issue in that proceeding or in any future transit rate case." (Quotation from Mr. Chalk's supplemental statement, July 18.)

Our reply: The statement is not only untrue, it is ridiculous. The congressional legislation makes the question of subsidy an imperative part of every rate case involving the D.C. Transit Co. The Commission did not rule that the question of subsidy or even the question of competition of subsidy upon inflated operating bases was to be excluded from the case and, in fact, it has been the subject and will be the subject of intensive cross-examination and substantial affirmative evidence. It is to be noted in this connection that Mr. Chalk concedes the hypocritical character of his concession. On the same page, he says:

"Because I am so certain that there is no subsidy in fact and because I am so certain that the PUC will so find, I have agreed to make the concessions which I have described in my letters to PUC Chairman George E. C. Hayes of July 10 and 14 (exhibits B and D enclosed herewith)."

If Mr. Chalk was advised and assumed that the inclusion of the deficits in the special

services operations were inconsequential or unimportant, it is clear that his concession of absolute allocation was fictional.

(3) At page 32 (of Mr. Chalk's supplemental statement, July 18), after saying that PUC staff member Falk has shown a loss of \$200,000 in the 1957 transit sightseeing operations of D.C. Transit, the letter stated:

"If, moreover, the charges for such labor and equipment are charged to sightseeing, then the equivalent amount of such expenses should be withdrawn from the mass transit charges, thereby increasing mass transit profits accordingly. If, therefore, it is said that sightseeing operations resulted in a loss, it necessarily must follow that our other net profit was understated proportionately by the absorption in sightseeing operations of costs which otherwise would have been charged to mass transit operations."

This is plain gobbledegook. Obviously, if the correct accounting with full allocation to the special services is maintained, the operating expenses of the mass transportation services would be less, the increase in rates required of the public would be less, and the loss reflected in the company's demand for increased schoolchildren fares would be substantially less. The difficulty lies in the fact that the basic book records maintained by D.C. Transit erroneously bury the special service losses and it requires persistent accounting detective work to untangle the basic errors. The alternative would be a mandatory, if not statutory, provision that prohibits the inappropriate accounting.

(4) "Finally, as I pointed out above, the overall result of sightseeing sales promotion has been to increase gross passenger revenues through the inducement to more persons to ride our streetcars and buses. All of the upward turn in passenger revenues should be attributed to our sales promotion work in the sightseeing business." (Quotation from Mr. Chalk's supplemental statement, July 18.)

Our reply: This is a plainly dishonest statement. It is not necessary to in any sense depreciate the superiority of Madison Avenue approach which Mr. Chalk has applied to our District of Columbia transit situation in order to reach a conclusion that unlimited advertising and promotion of a competitive non-mass-transportation service at the expense of the mass-transportation public must be restricted. If the airline owners of the D.C. Transit System are willing to expend their own capital (apart from Federal subsidy for airlines) in efficient promotion of the sightseeing business, and if this relationship can be policed under a private ownership subsidy policy, there could be no valid objection from their competitors. However, basic commonsense indicates restriction on monopolistic access to the public purse or to the pocketbooks of the mass transportation riders.

The seriousness of the fundamental issue before this committee is acknowledged. Every major city in the country is confronted with the necessity of a solution of the transportation problem involved in preventing further decay of the central city area because of the departure to the suburbs. Some seek solution in governmentally owned operations. In the District of Columbia, Congress has at least tentatively imposed a system of semiautomatic rate increases and public subsidy. In the meantime, the engineers have spent hundreds of thousands of dollars in reaching technical solutions which require the use of long-distance buses, suburban buses, and even new rail transit systems. Any conclusion of this committee which would destroy other existing transit and transportation facilities prior to their use in the composite system and at the public expense would be very unfortunate.

WILLIAM A. ROBERTS,
Counsel for Safeway Trails, Inc.

THE GRAY LINE,
Washington, D.C., July 23, 1958.
Hon. WRIGHT PATMAN,
Chairman, House Small Business Committee,
House of Representatives, Washington,
D.C.

DEAR MR. PATMAN: Mr. Chalk seems to imply he has remedied the inequity of this situation by his letters of July 10 and July 14, 1958. He claims too much. Those letters do not propose anything like competitive equality. * * *

Mr. Chalk states that in those letters he has agreed to allocate sightseeing, charter, and limousine losses out of his corporate expenses for purposes of rate proceedings before the Public Utilities Commission. This kind of assurance might easily be misunderstood by the committee. It would have no effect on D.C. Transit's singular ability to use its mass transit revenues and resources to underwrite its competitive losses in charter and sightseeing. Furthermore, in spite of the fact that the committee's own hearings demonstrated that Mr. Chalk's charter and sightseeing losses were not less than \$193,000 (hearings, transcript, p. 87), he has recently submitted a schedule, purportedly pursuant to this agreement to allocate, which shaves those losses down to \$30,000 and dramatically illustrates the pitfalls of D.C. Transit's own self-serving allocations in these matters.

In short, it is spectacularly not true that Mr. Chalk's letters of July 10 and 14 to the Public Utilities Commission rendered academic and moot the basic issues in the committee investigation or answer completely all of the matters as to which the public hearings were presumably called to investigate (p. 20). The complaints which the committee heard in its investigation were leveled at D.C. Transit's ability to use its revenues and resources to compete at a loss with the independent charter and sightseeing companies in the area, a circumstance which unless remedied will inevitably lead to a monopoly of a once competitive industry. The Commission, on the other hand, is concerned with the quite different issue of transit rate levels. Hence, regardless of the state of the record, the Commission could not issue relief in that proceeding which will have any effect on the circumstances of D.C. Transit's incipient monopoly powers at issue in the complaints presented here. Mr. Chalk would still be able to throw tax-exempt transit money into charter and sightseeing. He would still be able to use his common carrier buses and garages in those fields. He would still attempt to include the lion's share of his charter and sightseeing losses in his transit expenses by careful accounting misallocations. And he could still engage in predatory competitive practices against independent competitors such as paying excessive commissions, engaging in unjustified advertising, retaliating against complainants with street hawkers and other tactics which the record of the proceeding indicates he has used in the past.

We think Mr. Chalk is not confused. He understands the complaints perfectly and it is a situation he deplores as indicated by his complaint to the CAB against his airline competitors' rate reductions—except, of course, where he is the sole beneficiary.

Mr. Chalk's letter of July 18 implies that Mr. Chalk is not earning the rate of return on his investment which Congress, he says, authorized (p. 17). The record shows that Mr. Chalk's total personal investment in the D.C. Transit Co. (whose revenues exceed \$25 million per year) was only \$500,000 (e.g., hearings, transcript, p. 35). For this he received 100 percent of the common stock. For the fiscal year ending August 31, 1957, that company earned \$589,488, after income taxes, and had available for dividends on Mr. Chalk's stocks no less than 118 percent of his investment (hearings, p. 39).

Mr. Chalk suggests again that Public Utilities Commission rate regulation would be an effective answer to the complaints against him. Mr. Hayes, Chairman of that Commission, has already stated that such regulation would not be wholly effective (hearings, p. 51).

The facts—that is, D.C. Transit's tax exemption, its excessive profits on Mr. Chalk's investment, its totally unjustified losses in charter and sightseeing, its ability to use transit resources and revenues to cover those losses, and the likelihood that unless a remedy is forthcoming the independent charter and sightseeing companies of the area will be bankrupt—are on the record. For 2 years now, the Gray Line has been competing in the face of this dangerous, incipient monopoly. Every day brings it and the other independent sightseeing companies of Washington closer to bankruptcy. These matters have been aired with the committee. We hope that the time has come for remedies, and that attention will be focused on corrective legislation, Department of Justice Antitrust Division action—as Mr. Chalk himself recommends—and effective Public Utilities Commission regulation, all geared to an equalization of opportunity in the charter and sightseeing industries of metropolitan Washington.

THE GRAY LINE, INC.
HENRY BURROUGHS, President.

B. SEGREGATION OF EXTRANEous OPERATIONS

Congress should limit D.C. Transit's power to intertwine extraneous activities in with its monopoly transit operations. The company received major concessions from Congress because it expressed its readiness to concentrate on the overwhelmingly important problem of providing the residents of the District of Columbia with mass transit services. In this commitment the public and the Federal Government have a vital interest. D.C. Transit has engaged in an aggressive campaign of unfair competition which can lead to a monopolization of charter and sightseeing industries. In addition, the company has applied for authority in the corporate name to engage in scheduled limousine service to New York City and scheduled helicopter service in the Washington metropolitan area. Finally, it has announced plans to build shopping centers, office buildings, and other real estate developments in the District of Columbia. All these have been or will be conducted by the D.C. Transit Corp. and will be financed and operated with the assets and personnel of a company which came to Congress representing itself as a transit enterprise.

The company personnel is already spread thin over a variety of affiliated enterprises. Even Mr. Chalk admitted that he lost sight of the distinction between D.C. Transit and its airline parent occasionally—hearings, page 146. The advertising of the companies carries the names of both concerns. The transit trolleys and buses promote the sightseeing operations. The Trans-Caribbean name is spread on the sides of those trolleys and buses. The New York tie-line is used in transit, sightseeing, charter, and rental limousine operations—hearings, page 136. Trans-Caribbean personnel sell Trans-Caribbean tickets in the sightseeing headquarters owned by the transit company, and, in respect to the D.C. Transit sales department personnel, Mr. Chalk admitted that they

worked in a variety of fields—hearings, page 135:

It would be hard to allocate which portion of a man's salary should be chargeable to charter or sightseeing business. I just want to make that clear. There isn't a clear line.

Congress did not contemplate such a conglomerate, diffused, and complex corporate enterprise when it franchised the company in 1956. Concern at that time was directed to the District mass transportation system. D.C. Transit, in applying for that franchise, held itself out as a company which would concentrate on the problem of transit service. It is now apparent that transit operations are to be only a part of an empire which will also include a scheduled airline, an interstate limousine service, a helicopter system, a diesel and engine sales agency, real estate holdings, charter sightseeing and limousine operations, and street construction. Moreover, D.C. Transit seeks to extend its tax exempt monopoly from the District of Columbia into nearby Maryland and National and Chantilly Airports in Virginia, in competition with the existing taxpaying enterprises operating in those areas at present. The following letter of complaint has been addressed to me by the WMA Transit Co.:

WASHINGTON, D.C., January 14, 1959.
Re D.C. Transit's proposed expansion into
suburban areas.
Hon. WRIGHT PATMAN,
House of Representatives,
Washington, D.C.

DEAR SIR: O. Roy Chalk again seeks to use the advantages Congress has given him in the D.C. Transit Franchise Act to the detriment of the taxpaying public and small business concerns of the metropolitan area of the District of Columbia. Yesterday, Mr. Chalk announced that he is planning to extend the routes of his monopolistic D.C. Transit Co. into the suburban areas of the States of Maryland and Virginia. By doing so, he would be depriving companies local to these areas of the predominant portion of their income, and, in fact, ultimately could cause their bankruptcy. The method of such destruction of competitors is the utilization of the tax advantages the Congress of the United States has given the D.C. Transit Co.

Last year, Mr. Chalk and the D.C. Transit Co. were scored by Hon. WRIGHT PATMAN for extending their operations in the charter and sightseeing fields by conducting these operations at a loss in order to eliminate competition. This, too, was made possible by the tax advantages that D.C. Transit Co. enjoys. Any loss incurred in the sightseeing and charter operations was chargeable against the very, very profitable local business of D.C. Transit Co. and thus enabled that company to avoid the payment of taxes which would otherwise have been paid to the District of Columbia. It is common knowledge that in a period of 2½ years Mr. Chalk has had returned 138 percent of his investment in D.C. Transit Co.

In expanding into suburban areas of the States of Maryland and Virginia, D.C. Transit Co. again would be competing with local carriers to their detriment. However, it is not only the local carriers which would suffer by this all-encompassing expansion of D.C. Transit Co. Assuming that D.C. Transit Co. would purchase its gasoline within the District of Columbia where it is exempt from the payment of gasoline taxes, the State of Maryland could be deprived of approximately \$70,000 per year of revenue obtained from said taxes. By losing this revenue, the

road programs of construction and repair of the State of Maryland would have to suffer unless the general taxpaying public were to make up the difference. This would be only the first step of many inasmuch as many small businesses, both in the transportation business and out of the transportation business, would suffer from the unfair competition. In fact, the only company which would prosper would be the monopoly, D.C. Transit Co.

It is my hope that your championing of the cause of the small businessman, the taxpaying public, and the surrounding States to the District of Columbia, will be successful in the curbing of the ever-growing and ever-prosperous D.C. Transit Co.

Sincerely yours,

D. JAY HYMAN,
EARL M. FOREMAN,
Counsel, WMA Transit Co.

These new circumstances and considerations compel a reconsideration of the terms and conditions properly to be attached to the monopoly transit franchise within the District. Nor is Congress forestalled from taking proper action to protect the interests of the public. The Franchise Act is for a term of 20 years. It may be repealed at any time for nonuse. If it is revoked after 7 years, the corporation waives any claim for damages. These provisions do not mean that Congress is barred from enacting effective and necessary regulatory legislation at any time before or after the seventh year affecting D.C. Transit's operations. D.C. Transit is not, by virtue of the Franchise Act, in a special position in respect to police power legislation. Franchised companies are not immune. The police power is never and cannot be bargained away by a franchise. If the general welfare of the community requires regulation which affects the methods of operation of holders of franchises, they may not complain. The welfare of the community always is paramount. The Supreme Court of the United States has so held on numerous occasions. In *Chicago & Alton Railroad Company v. Tranbarger* (238 U.S. 67, 76-77 (1915)), the Court enunciated the principle in the following language:

But a more satisfactory answer to the argument under the contract clause, and one which at the same time refutes the contention of plaintiff in error under the due-process clause, is that the statute in question was passed under the police power of the State for the general benefit of the community at large and for the purpose of preventing unnecessary and widespread injury to property.

It is established by repeated decisions of this Court that neither of these provisions of the Federal Constitution has the effect of overriding the power of the State to establish all regulations reasonably necessary to secure the health, safety, or general welfare of the community; that this power can neither be abdicated nor bargained away, and is inalienable even by express grant; and that all contract and property rights are held subject to its fair exercise. *Atlantic Coast Line R. Co. v. Goldsboro* (232 U.S. 548, 558, 58 L. Ed. 721, 726, 34 Sup. Ct. Rep. 364), and cases cited. And it is also settled that the police power embraces regulations designed to promote the public convenience or the general welfare and prosperity, as well as those in the safety. *Lake Shore & M.S.R. Co. v. Ohio* (173 U.S. 285, 292, 43 L. Ed. 702, 704, 19 Sup. Ct. Rep. 465); *Chicago, B. & Q. R. Co. v. Illinois* (200 U.S. 561, 592, 50 L. Ed. 596, 609,

26 Sup. Ct. Rep. 341, 4 Ann. Cas. 1175); *Bacon v. Walker* (204 U.S. 311, 317, 51 L. Ed. 499, 502, 27 Sup. Ct. Rep. 289).

This doctrine has been applied to the extent of permitting subsequent legislation which outlawed a particular activity or business for the general welfare notwithstanding the legislature had previously granted a franchise to a company to engage in that business.

Stone v. State of Mississippi (101 U.S. 814 (1880)) (legislature conferred a franchise on a private corporation to conduct a lottery business; subsequently adopted State constitution prohibited lotteries); *Boston Beer Co. v. Commonwealth of Massachusetts* (97 U.S. 25 (1878)) (private corporation chartered by legislature to manufacture malt liquor; legislature subsequently enacted prohibition law).

It always permits regulations of the mode or manner of doing business by the holder of a franchise when that seems advisable to the legislative body.

Atlantic Coast Line Railroad Co. v. City of Goldsboro (232 U.S. 548 (1914)) (railroad company franchised by legislature to operate tracks through area which later became a city; subsequent city ordinance regulated operations on tracks within city and prohibited certain practices); *Northwestern Fertilizing Co. v. Village of Hyde Park* (97 U.S. 659 (1878)) (private corporation franchise by legislature to operate fertilizer works at specified place; subsequent village ordinance outlawed operation as a nuisance).

In this case, D.C. Transit's activities must be regulated. It is engaging in unfair competition against small and independent businessmen in the charter and sightseeing fields. It is doing this through a substantial tax concession and is using the resources, equipment, personnel, and financial power of the Transit System. It has announced similar plans to invade other competitive areas and threatens again to exploit its special transit concessions and advantages and to exercise power in these fields as well.

It is imperative that Congress condition and erect necessary safeguards around entry into extraneous and collateral fields by an enfranchised transit monopoly which has the responsibility to conduct mass transportation in the metropolitan area of Washington. Specifically, if Congress should permit D.C. Transit to engage in outside operations at all, it should at least be on a basis of complete corporate and operational separation. It should condition D.C. Transit's right to engage in such enterprises by providing that in each instance of operations outside the transit bus and trolley fields, D.C. Transit would be required to set up and establish a separate division, using separate and distinct facilities, personnel, finances, so that transit equipment, personnel, and finances would be limited to transit operations.

Such a statutory prohibition under the Congress' police power would not entail any special problems in the case of such activities as real estate enterprises, helicopter service, and interstate limousine operations. However, D.C. Transit has argued that its charter and sightseeing bus operations were a special case. It took the position that they were an inte-

gral part of transit service, and that to require D.C. Transit to operate in these fields with separate buses and personnel would seriously injure the mass transportation system.

This contention as it was phrased at the House Small Business Committee hearing was not supported by the facts. The charter and sightseeing bus operations of D.C. Transit have clearly not contributed to the financial success of the corporation. In fact, the contrary is true. As operated to date, these charter and sightseeing operations have been a very substantial drain on D.C. Transit's resources. They have lost 50 cents for every dollar of revenue they have produced. It is obvious that to the extent that D.C. Transit has dedicated its transit buses and operators to charter and sightseeing work, it has drained finances of the company and substantially prejudiced the financial integrity of the transit operations.

Secondly, the facts do not bear out the contention that D.C. Transit employs its buses in charter and sightseeing work in order to increase utilization.

The tour sightseeing schedules of D.C. Transit, as reported in the attachments to the letter of J. H. Flanagan, vice president and comptroller, to the House Small Business Committee, May 28, 1958, indicate that each sightseeing trip by D.C. Transit either begins before 10 a.m. or extends past 4 p.m., and hence pulls buses from transit operations during peak rush hours. Mr. Chalk's position could only be successfully advanced if the buses were used in charter and sightseeing work exclusively between the hours of 10 a.m. and 4 p.m. The record does not support this.

Accordingly, the charter and sightseeing operations actually remove transit buses from the mass transportation system during the peak hours and hence these operations do not contribute, as Mr. Chalk suggested, to maximum utilization of equipment and personnel.

It appears that charter and sightseeing operations could be segregated from the transit activities as easily as the other activities proposed by D.C. Transit in competitive fields, such as helicopter service, real estate activities, and interstate limousine operations. It further appears that such segregation would not have an adverse effect on the financial health of the transit operations; if anything, it would help it, in view of the company's losses in these enterprises. It is imperative that Congress require such segregation.

Segregation is necessary, not only to avoid unfair competition by D.C. Transit against small and independent businessmen in competitive fields, but also in order to avoid misuse and exploitation of the special privileges granted for transit purposes. D.C. Transit should be compelled to concentrate on mass transportation. Congress granted its franchise privileges because of a crisis in this field. It did not contemplate, and should now move to forestall, the development of D.C. Transit into a conglomerate hydra extending its powers out from a transportation monopoly into extraneous competitive industries.

In my view, the problem of placing the D.C. Transit System, Inc., and its competitors on a basis which will be fair, reasonable, and just is of concern to the Congress. It is an economic problem that affects directly the welfare of numerous small businessmen and their employees.

Therefore, I am introducing today H.R. 2316, a bill which will effectuate the intent of Congress in passing the Franchise Act by requiring that the facilities, equipment, and personnel employed by D.C. Transit in the mass transit system for which it was granted a monopoly, and tax exemptions shall not be employed in any sideline enterprise in competition with the nonsubsidized and taxpaying companies. The bill does not breach the franchise; it merely regulates the conduct of those operations in a manner so obviously needed to prohibit the unfair competitive situation which has arisen and which clearly was never contemplated by the Congress.

The bill is as follows:

A bill to insure effective regulation of D.C. Transit System, Inc., and fair and equal competition between D.C. Transit System, Inc., and its competitors

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all assets, including the real, fixed, personal, rolling, or quick assets of D.C. Transit System, Inc., used or usable, and all personnel employed in providing the service of mass transportation of passengers for hire, as provided in section 1 of the Act of July 24, 1956 (70 Stat. 598), shall be used and employed exclusively in such mass transportation service, and shall not be used or employed in whole or in part in any other service in competition with the service of any other company. The Public Utilities Commission of the District of Columbia is hereby authorized and directed to promulgate such rules, orders, and regulations as shall be necessary to implement this Act.

SINGLE-PACKAGE FARM PROGRAM BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. METCALF] may address the House for 5 minutes, and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. METCALF. Mr. Speaker, like Topsy, our national farm policy just grew. It has been described as consisting of a series of disconnected, inconsistent and improvised measures.

As a result of the piecemeal approach, we have seen farm program costs skyrocket and surpluses mount while the farmer's income fell. There have been economic and political attacks, which could have been avoided by taking the time to consider the whole program on a long-range basis. The Eisenhower-Benson flexible—actually, collapsible—price support program has fed upon our failure to present a bold new farm program.

We will never have an adequate farm family income improvement and protection program until we consider each

part in relation to every other part. I am today introducing a bill aimed at such a program.

This single-package approach to our farm problem has five major points. They are:

First. Income protection for farm families. This includes replacing the existing Federal farm price support program with an income parity program. It would provide 100 percent of parity income protection for the family farm production of all farm commodities by means of workable combinations of parity income supplement payments and price support loans, purchase agreements and purchases. Other sections expand and liberalize the Federal crop insurance program and provide supplemental programs for low income family farmers.

Second. A national security and safety reserve of food, fiber, and biological oils.

Third. Expanded human use and demand for farm commodities. It includes a food stamp plan, three half pints of milk free to each American school child each day, an international food and raw materials reserve bank, and extension and expansion of the Agricultural Trade Development and Assistance Act.

Fourth. A program enabling farmers, working together, to keep market supplies in line with augmented demand, thus making farm price and income supports essentially cost free to the U.S. Treasury in years of full employment. The bill would establish a voluntary national all-commodity marketing quota and conservation acreage reserve program; make improved marketing order legislation available to producers of all farm commodities; provide improved marketing-quota legislation for the basic commodities, wheat, corn, cotton, peanuts, and rice; establish a national single-commodity marketing quota and stabilization program available to producers of any commodity when needed; provide marketing premium payments on sales of hogs and cattle at desirable weights, and establish an REA-type program of loans and technical assistance to enable farmers to construct, acquire, and operate farmer-owned and controlled facilities for assembling, processing, marketing, and storing farm commodities and products.

Fifth. A comprehensive family farm yardstick credit program.

The program would be administered by a 20-man Federal Farm Income Improvement Board, 12 elected by farmers, 8 appointed by the President to represent industry, labor, and consumers.

I make no claim that this bill is the sole answer to our farm problem. It is an attempt to draft a farm program, each part of which is related to every other part. It is a draft for discussion. I will appreciate any constructive criticism and suggestions.

ORGANIZATIONS OF THE BLIND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I am today introducing three bills which affect the welfare of our needy aged, blind, and disabled.

The first of these measures amends the Social Security Act to provide insurance against the costs of hospital, nursing home and surgical services for persons eligible for old-age and survivors insurance benefits.

No one can deny that after a quarter of a decade of practical experience and much partisan criticism, our social security program has emerged as an American institution that is here to stay. Despite our general enthusiasm for the program, however, it has fallen short of expectations in some respects and there remains considerable room for improvement. To my mind the most glaring shortcoming of our social security system lies in the failure of the program to push forward into the vital area of health protection and insurance of medical costs for the aged. While workers in industry and government have made substantial progress through group insurance plans against the contingency of surgery or hospitalization, the opportunity available to older persons in our society for taking out health insurance is so limited, and the premium rates so prohibitively high, that our older citizens are left virtually unprotected at a time when their health needs make this type of protection virtually necessary.

Although the 85th Congress did not include in its 1958 amendments the provision of insurance against the cost of hospital, nursing home, and surgical care for our older citizens, it did direct the Secretary of Health, Education, and Welfare to undertake a comprehensive study of alternative methods for meeting the health problems of the aged. A report of his findings to the Congress is due by February, and I earnestly trust it will pave the way for this much needed measure to breach the medical and health gap in our social security program.

The second bill which I am introducing is designed to secure the self-respect and personal dignity of needy persons receiving economic help under the public assistance provisions of the Social Security Act.

As the law is currently administered in accordance with the regulations and requirements of the separate States, many citizens are subject to undue harassment and intimidation in complying with means tests and residence requirements. Indeed, arbitrary restrictions governing eligibility often require an outrageous intrusion on the personal privacy and dignity of the applicants.

My bill stipulates that such assistance "shall be administered promptly, humanely, and with due regard for the preservation of family life and that the assistance law shall be liberally construed" so as to assure our needy citizens that they will be treated humanely under the Public Assistance Act.

I hope that this body will enact this measure to provide more liberal minimum standards and to guarantee the personal privacy and dignity to which all Americans, however poor, are rightfully entitled.

The third measure I am introducing today, Mr. Speaker, is designed to secure the right of blind individuals to self-expression through organizations of the blind. Although Federal and State administrative officers insist that this right already exists, they have at times been extremely uncooperative and, in fact, often exerted undue influence against these organizations.

So much so, that whether this right exists in fact is open to serious question. My bill would encourage Federal and State agencies, administering Federal funds for blind aid and rehabilitation, to consult with these organizations in formulating administrative policies. I commend it to your serious consideration.

HOW A LIBERAL CONGRESS CAN BECOME BOGGED DOWN IN SPECIAL-INTEREST LEGISLATION— SUCH AS THE FINANCIAL INSTITUTIONS ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, we have a wonderful new Congress with many new and able Members who expect to draft and pass constructive legislation and do many important things that need to be done in the public interest.

I hope that I will be pardoned for my boldness in pointing out to the new Members of the House some perhaps unexpected ways in which able and determined Members, as well as entire committees of the Congress, can, however, become bogged down trying to unravel the meaning of special-interest legislation, and thus be diverted from the constructive public-interest matters with which they had expected to deal.

CLASSIC EXAMPLE OF HOW NOT TO LEGISLATE

For this purpose I would like to call attention to a piece of legislation which occupied the attention and the efforts of Members of both the Senate and the House throughout the entire 2 years of the last Congress. This legislation was a bill which was to be known, if it had passed, as the Financial Institutions Act of 1957. I have called it much more aptly the big bankers' bonus bill. I use this as my example now for two reasons: First, it is a classical example of how the legislative processes can be misused and abused, and it is on this point that our main lesson is to be learned. The fact is, of course, that the provisions of the legislation were also bad, extremely bad, but this fact is secondary. Many bad bills are introduced in every Congress; there is nothing new about that. The legislative process has long since accom-

modated itself to receiving and rejecting bad proposals. Safeguards have been built up by which, as a normal matter, the contents and the meaning of a bill are made known, at least to the legislative body. The big bankers' bonus bill demonstrates, however, that these safeguards are not foolproof. They can be bypassed when skillful planning and a great deal of preliminary work are put into the project. The country's universities and colleges will be making a case study of the remarkable history of the big bankers' bonus bill for many years to come.

BIG BANKERS' BONUS BILL MAY COME BACK TO LIFE

The second reason for mentioning this legislation is that there are some new signs which strongly suggest that the sponsors of this legislation have not entirely given up. There has been a new outbreak of propaganda within the last day or so, appearing in the CONGRESSIONAL RECORD and elsewhere, which would have the unwary believe that the big bankers' bonus bill was really a very fine bill, and it failed of passage in the last Congress only because a few misunderstanding Members of the House—perhaps only one or two—took an unfair advantage to defeat the will of a massive banker's lobby composed of the American Bankers Association, the State Bankers Associations, the U.S. Chamber of Commerce, plus the not inconsiderable artistry and influence of the Wall Street investment houses, the life insurance companies and the huge consumer finance corporations. These telltale signs suggest that a renewed drive is under way to have the new Congress grapple with this same legislation.

Here again, however, it should be said that we need have no fears about any of the objectionable features of this legislation—and there are many objectionable features—if these are put forward singly so that the committees and two Houses may consider and act on each on its own merits. In this way none of the objectionable features of the legislation would get very far, and, indeed, I doubt whether there is any Member of the House who would introduce bills to enact these objectionable features. And with the objectionable features out of this massive 252-page bill, I doubt that there would be anything left that would give anyone any reason for wishing to pass it—certainly not the massive banker's lobby that originated the bill.

REWRITE OF BANKING LAWS INCLUDED IN A CODIFICATION THAT DOES NOT CODIFY

This financial institutions bill originated in the other body. It was initially described by its official sponsors as a bill which would codify all the banking and other statutes dealing with financial institutions, remove obsolete provisions and modernize the laws in certain technical and noncontroversial respects. Originally the emphasis was on the codification, and there was hardly a suggestion that the bill contained any substantive changes in the banking laws at all. Later, as it began to be discovered that the bill contained quite considerable substantive changes

in law, the sponsors' statements began to concede that the bill did contain some changes in law, but these changes were said to be few and noncontroversial. In fact, the sponsors said that these changes had all received the favorable consideration of the banking committees at previous times.

Actually, the idea that the bill was to provide a needed codification of all the laws on financial institutions, which were said never to have been codified, proved to be ill considered. In the first place, all of these laws are very nicely codified in the official United States Code. Furthermore, the United States Code provides several distinctive advantages which a new code could not provide, in that, first, it is available to lawyers the country over; second, it is authoritative and kept up to date; and third, it is accepted as authoritative by the courts of the land.

A second thing wrong with the label under which the financial institutions bill was first packaged, moreover, was that, whatever else the bill may have been, it was, in no sense, a codification. Although the sponsors claimed that it codified all of the statutes dealing with financial institutions, in reality the bill dealt with only seven classes of institutions. According to a compilation which the Legislative Reference Service of the Library of Congress prepared for me, there are approximately 25 other classes of financial institutions governed by Federal laws which the bill overlooked. In the second place, the bill provided neither a system of cross-references nor a system of annotations; and on this point alone it failed completely as a code. Lawyers would still have to go to the United States Code to find out what the law is.

DELEGATING CONGRESSIONAL FUNCTIONS TO BANKERS PROVED TO BE DANGEROUS

As to the few substantive changes in law—changes in the nature or the practical application of the law—the staff of the House Banking Committee ultimately came up with a list of 117 of these; and there is no assurance today that all of them were found. In fact, one chapter of the bill which would have repealed more than 200 sections of law was not reviewed to make sure that the bill would elsewhere reenact the substance of these sections.

Some of the changes in law that were discovered and clearly established proved, however, to be fantastic, as will be pointed out later.

The most important lesson to be learned from the history of the big bankers' bonus bill is that the functions of a committee of Congress should not be delegated to private citizens—and certainly not to private citizens who have a large and direct financial interest in the subject matter for which the legislative processes are delegated to them. Probably most people would assume this to be true without testing it; but the bill in question provides a factual experiment with this highly novel, if not unprecedented, procedure.

The bill was drafted by an advisory committee, mostly bankers, who were appointed by the acting chairman of the

Senate Committee on Banking and Currency for this purpose. This advisory committee, known as the Cravens Committee, not only drafted the bill, but it reviewed and passed upon recommendations and suggestions that were solicited from the Federal agencies; and the Cravens Committee, or subcommittees thereof, held close-door hearings around the country, although how they selected their witnesses and what the witnesses testified to, we do not know. The official hearing records of the Banking Committee show the activities of the Cravens Committee, but not the hearings record of the Cravens Committee itself.

The Cravens Committee consisted of 27 individuals, 20 of whom were active bankers, that is, presidents, vice presidents, or board members of commercial banks. The Committee was divided into subcommittees to draft the different sections of the bill. All of the members of the subcommittee that drafted those sections dealing with the banks were bankers. Now, of course, it is impossible for me to deal here with all of the revisions of the banking laws which this bill would have brought about. It would have been a superhuman task for the Banking Committee to deal with all of them in any one session of Congress. I will make only two points:

BANKERS' LOBBY HAS NOT EXPLAINED HOW IT WISHES THE LAWS CHANGED, NOR WHY

First, many millions of words have been written about this bill. The articles, the commentators' analyses, and so on, which have appeared in the banking magazines and all kinds of trade journals are uncountable. But in all this publicity there has never been, to my knowledge, any discussion of the specific changes in law that are wanted, nor any discussion of why they are wanted. All of these writings merely allude to what a fine bill it is and deal at some length with how horrible the people are who have tried to discover and analyze the contents of the bill.

THE NEW PROPAGANDA OVERLOOKS CONSUMER AND FARMERS' OPPOSITION TO THE BILL—CONTAINS OTHER ERRORS

My second point is that the new propaganda which is now appearing gives the impression that only labor has opposed the bill.

For the Members' interest I will offer for the RECORD several interesting documents:

In order that the Members may know the AFL-CIO point of view, I will offer an article from the Industrial Union Department Digest of spring 1958.

In addition, I would like to call the Members' attention to the statement of the National Farmers Union, given to the House Committee on Banking and Currency. This gives most persuasive reasons why farmers were opposed to the bill.

Then, for the consumer point of view, I will insert a legislative letter from the Cooperative League of the United States of America, of July 1, 1958, addressed to the 150 legislative representatives of the member co-ops. This warns consumers bluntly to watch your pocketbooks.

Then there will follow an article by Bernard D. Nossiter, a distinguished economist and business analyst for the Washington Post and Times Herald. This appeared in the Washington Post on July 5, 1958. Much of it appears to be based on an interview with the official author of the bill, and it contains statements attributed to him which make important additions to the body literature on this legislation.

Finally, the recent propaganda statements have taken the position that a section of the bill which dealt with the national banks selling insurance really would have made no change in existing law, because Mr. Ray M. Gidney, President Eisenhower's Controller of the Currency, has said so. On this point I will include in the RECORD part of the testimony of Hon. EMANUEL CELLER, the distinguished chairman of the Committee on the Judiciary of the House, under whose supervision the United States Code is prepared. As will be seen, this careful analysis makes a convincing case that Mr. Gidney was dead wrong.

The following articles and statements are only illustrative. They do not even touch upon the great majority of the objectionable changes in law which this bill would have brought about, and about which protests were received after the contents of the bill began to be revealed. Nor do they suggest all of the interests who objected. Actually, most of the bankers themselves, and not a few of the State banker associations, began to learn what was in the bill only in the later days of its examination by the House Committee on Banking and Currency. This is clear from the fact that many of the small and medium-sized bankers, who had been actively supporting the bill, wrote in saying so, and saying that, after learning, they were opposed both to the bill and to the methods which were being used to try to push it through Congress.

BACK DOOR SWINDLE

When a clever confidence operator swindles a few thousand people out of their hard-earned cash—say several hundred thousand dollars, or even a million—he is clapped into prison to dampen his enthusiasm for other people's money.

When a confidence game runs into hundreds of millions and is perpetrated by respectable bankers, it becomes a matter for remedial legislation. We don't even call it a swindle.

There is today pending before Congress a bill whose sponsors say has only the purpose of bringing under one cover all laws which relate to commercial banking. It passed the Senate in the 1st session of the present Congress. Virtually no one questioned that it provided genuine codification of the banking laws until it reached the House of Representatives.

But until Representative WRIGHT PATMAN, Democrat, Texas, discovered that it contained some very peculiar provisions, there appeared to be every prospect that it would slide through the House untouched. PATMAN is a member of the House Banking and Currency Committee with a long-time interest in banking.

He discovered that this bill, called the Financial Institutions Act (S. 1451), went much further than codification of the laws. During many months of hearings he called this to the attention of BRENT SPENCE, Democrat, Kentucky, chairman of the committee.

But only after the hearings were over was the committee staff put to work digging out the substantive changes from existing law which the bill contained. Their report revealed that at least 117 substantive changes had been written into the Nation's banking laws without notice being taken of that fact—in the Senate.

Here appeared to be a misrepresentation of great magnitude—one that had slipped in by the back door. The bill had been represented by its sponsors as nothing really new. Now it was disclosed to contain a whole flock of new laws of far-reaching importance.

USURY LAWS

Outstanding among the basic changes in banking laws which this measure proposed was the repeal of the usury laws. Any repeal or weakening of usury laws strikes directly at labor. Protection against usury is of tremendous importance to all consumers, as well as to small business and farmers. Taking the lid off of interest rates at the consumer level means increased cost to buyers of automobiles, furniture, refrigerators, TV sets—in short, everything consumers purchase on time payments, including vacation travel.

It also means increased cost of farm machinery, office machines, and all kinds of equipment which farmers and small business people purchase on time.

This hits the little man in front and in back. He pays more for consumer durable goods. The market for his products shrinks as a result of decreased consumer purchasing power, whether that market is trucks that must be sold or vegetables carried in those trucks.

Seldom has there been so flagrant a hocus-pocus about any bit of legislation. When the history of pernicious lawmaking is written, the financial institutions bill of 1957 will go down in the book as a towering example of how badly our legislative system sometimes works—up to a certain point, at least. While there is little hope that the bill will be thrown out, there remains some hope that it can be amended to eliminate its worst features.

Take a glance at its legislative history.

If the sponsors of the banking law were correct in saying that this is merely a codification bill, it would be quite unimportant—merely a housekeeping matter. It has been found highly satisfactory to the banking industry. Everyone in the Eisenhower administration concerned with banking has pronounced it exemplary. It slid through the Senate as routine business—nothing new in it.

LOBBY OPERATION

But why, if it is merely a "recodification," did the American Bankers Association and the United States Chamber of Commerce put on a long, intensive lobbying operation to assure the passage of this bill? During the last year measures of enormous importance have come before Congress. Yet the financial institutions bill has never lost priority position on the calendar.

And it was only after hearings were closed in the House that the Banking and Currency Committee staff discovered that this bill had altered the law in 117 places. This staff report was dated March 7, 1958. It is too late now to question witnesses about all these changes.

In commenting upon this bill Representative PATMAN has said:

"The history of this bill violated all the rules of good procedure which democratic legislatures have learned over the last 3 or 4 hundred years. Not the least such violation concerns the usual rule against putting substantive amendments to law into a general recodification. If the bill accomplishes nothing else, it proves the soundness of that rule. It dramatizes the point that when changes in law are mixed into a codification

bill, these changes are likely to be enacted without sufficient public understanding of what is being done, and without sufficient understanding by the legislative body itself."

This was not an easy bill to understand. One has to look sharply at several clauses, and then consider them all together, to catch on to the very tricky game the bankers are playing. In any case, it appears to have been entirely too subtle for the newspaper reporters who have largely ignored the bill and its implications.

Take the business of knocking out the usury laws, for example. Section 35(a), title I, would do that. Congressman PATMAN calls this section, which would actually promote usury, the Ebenezer Scrooge amendment, after the famous miser in Charles Dickens' Christmas Carol.

The history of the Ebenezer Scrooge amendment is quite intriguing. The event which appears to have triggered the Financial Institutions bill was a decision in the United States Court of Appeals for the 5th Circuit entitled *W. E. Daniel and E. A. Dillard v. the First National Bank of Birmingham* (227 Fed. 2d 353). This decision in November 1955, followed by a supplemental decision in the same court the following January, electrified the banking world. However, the bankers didn't rush to the press. They kept their concern very quietly to themselves.

Some of them had been reaping unconscionable profits on what they thought was a loophole in the usury law. Upon the advice of their shrewdest lawyers, they had been charging interest on certain types of credit in excess of what the law allows. But it turned out that the loophole wasn't there. Billions (yes, billions) of dollars were involved.

CONDITIONAL SALES CONTRACT

The biggest bank in Alabama was found to be violating the usury law. Arguments in defense of an alleged loophole, contained in a brief filed by the Alabama Bankers Association were slapped down by the courts.

What was this dreamed-up loophole?

The bankers had invented a new kind of credit paper since the Federal usury law was passed and since most of the State laws were passed. This is called the "conditional sales contract." The usury laws mention such things as "loans," "discounts," "extensions of credit" and so forth, and they also contain a phrase—"other evidences of indebtedness." But they do not mention the conditional sales contract.

So the bankers got to thinking, or at least hoping, that when credit is extended by means of the conditional sales contract the usury laws could be ignored. Their lawyers gave them support for going on this theory. And the penalty for ignoring the law was rather slight. Indeed, there is none unless the individual who has been overcharged discovers the fact and brings suit. In that case, the court can order a refund of double the amount of excess interest paid.

In the Daniel case, a couple of truck drivers were buying the vehicles they drove from a trucking company. The court held they had been required to pay usurious interest. The decision destroyed the imagined loophole of the conditional sales contract. In effect, said the court, usury by any other name is still usury.

So what were the banks to do? In every city in this Nation there were national banks holding conditional sales contracts similar to those which had been declared illegal. These had been purchased from auto dealers and merchants of other goods and services.

At the end of December last, commercial banks held more than \$6 billion in automobile paper alone. Some \$4 billion of this had been purchased from dealers. The interest on this purchased paper, most of which was in the form of conditional sales contracts,

amounted to hundreds of millions of dollars annually. After the Daniel decision this became "hot" money. What could the bankers do about this very touchy situation, which might result in a deluge of lawsuits if customers wised up?

The answer to their dilemma appeared to be to keep very, very quiet until they could get the law changed. And this they proceeded to attempt. But they haven't quite gotten there yet.

If the American Bankers Association had asked outright for a repeal of the usury laws, there is little question that Congress would have turned them down flatly. So they thought up a pretty good scheme. They would ask for a codification of the banking laws—no substantive changes, of course.

The person they picked to engineer this job through Congress was Senator A. WILLIS ROBERTSON, Democrat, of Virginia, who became acting chairman of the Senate Banking and Currency Committee just as this legislation was brought forward. During the summer of 1956, ROBERTSON discovered that the banking laws of the United States never had been codified. He appears to have overlooked the fact that the United States Code consulted by every practicing lawyer codified the banking and credit laws, that a new edition is issued every 6 years, with supplements annually, and that this code for many years has satisfied the law profession.

Nevertheless, Senator ROBERTSON's assumption that the banking laws had never been codified was considered conclusive proof that codification was required instantly.

In August 1956 the Virginia Senator announced the appointment of an advisory committee, which was to work up the so-called codification. Senator ROBERTSON was very proud of his advisory group. On this 27-man committee, 22 were bankers. Each was either a president, vice president, or board chairman of his bank.

Rather naively Senator ROBERTSON remarked at hearings on his bill:

"During the past 24 years I have attended a lot of hearings in Washington, and I do not remember any in which as much concentrated wealth was represented as we have here this morning. For instance, the bankers alone represent over \$250 billion of liquid assets. It necessarily follows that a lot of people in this country ought to be interested in their views on how to make their money safer, or how to make it more plentiful, or how to let those that have not got it, and I think they ought to have it, get it."

If there is any doubt as to why the bankers suddenly became interested in codifying the laws that govern their operations, it is made clear in the testimony before the Senate committee of the chairman of the advisory committee, Kenneth Cravens, a St. Louis banker, who, incidentally, did not put the usury amendment into the draft of the bill submitted to the subcommittee. It was only when the Senate committee itself reported the official bill that this bit of legislation came to light, although the committee gave no reason for its existence. In fact, no one has yet claimed fatherhood of this clause.

If we turn to the Senate hearings, however, we find mention of the amendment in the testimony of Cravens. He said it was his understanding that the purpose of the amendment was to overturn a ruling of the Supreme Court in *National Bank v. Johnson* (104 U.S. 271). He approved that purpose, but without giving a hint as to what the ruling was, or what the consequence of overturning it would be. More recently the Federal Reserve Board also has stated that the amendment would reverse the principle held in *National Bank v. Johnson*.

STATE LAWS

Now what is the principle evoked in this ruling of the Supreme Court of more than 77 years' standing?

First we should note that there are two kinds of commercial banks: national banks which are chartered by the Federal Government, and State banks which are chartered by the States. The Federal usury law names a maximum rate of interest at 7 percent. However, many States set no maximum for the kind of credit extended under conditional sales contracts. But the Federal statute applies to national banks only when there is no State law which names a different maximum rate. Hence, it aims to give protection only when the State law does not do so.

But the Alabama State laws did not apply to the conditional sales contracts involved in the Daniel case; so the Federal usury law did apply.

Now section 35 of the bankers' bill reverses the principle of *National Bank v. Johnson*. The new approach is essentially this: If State law sets no maximum for a particular kind of credit transaction, there will be no Federal law either. The practical effect is to repeal the Federal law in many cases. The laws of most States permit the banks to buy usurious paper from automobile dealers, furniture dealers, appliance dealers, loan sharks, and others, even though their laws do not permit the banks to make usurious loans directly to consumers.

Many bankers are too dignified or respectable to look across the counter at their customers and tell them that they are going to charge an interest rate of 15 percent or even more. Yet instances have been brought to light where 60 percent has been charged by dealers. And the bankers have no objection if the dealer, or someone else, drives such a bargain.

SMALL STATE PROTECTION

Unfortunately only a handful of States have modernized their laws to establish firm consumer protection against exorbitant interest charges through the relatively new device of the conditional sales contract. The others still permit bankers to extend credit through the back door through dealers and loan sharks acting as their agents.

The bankers say that strict enforcement of the Federal laws would place national banks at a disadvantage with State banks. They demand what they call parity treatment. Even the Federal agencies which are supposed to be most directly responsible for this bill approve the parity idea. The assumption appears to be that customers would prefer to go across the street to a State bank that would charge them higher rates of interest than are permitted to national banks.

The bill, nevertheless, seems inconsistent regarding its desire to create parity for State banks. Section 51, title I, says that the States cannot require any license of a national bank to do business in their territory. It says that State banking authorities may not examine national banks. It even goes further, declaring that States cannot have laws which interfere with the citizens of the State doing business with national banks. In other words, it places national banks beyond the reach of State law.

It is illuminating to note that when the bankers were writing these exemptions for themselves they included the new terms—such as conditional sales contract and installment consumer paper—which they did not recognize in the sections where they were dealing with what are supposed to be prohibitions and limitations.

It is also extremely enlightening to note who will enforce the State laws. The answer is only a Federal official—the Comptroller of the Currency—so far as national banks are concerned. Section 3 sets up the Comptroller as supervisor of the national banks, and section 51 prohibits the States even from taking steps to find out whether or not there is compliance with their laws.

It is as if the Soviet Government said to one of its satellite countries:

"We are not going to interfere with your country. We are going to be democratic, and depend upon the laws your legislature passes. But we shall enforce them for you, just so you won't be bothered. Indeed, we are not going to let you find out whether they are being enforced."

Furthermore, section 49 of the bankers' bill says that reports which the Comptroller makes when his agents examine the national banks are to be privileged. They are going to have immunity from subpoena of any court.

There is another section of the bill which makes certain that the General Accounting Office will have no authority to audit the Comptroller of the Currency. It is based upon the strange practice which allows the Comptroller's office to operate upon fees which it collects from the banks. The Comptroller does not have to come to Congress for appropriations. And the bankers' bill declares that the fees he collects from them "shall not be construed to be Government funds or appropriated moneys."

PATMAN is today questioning whether there is any justification for giving the national banks immunity from State laws. They are 100 percent private, profitmaking business, He says:

"If the Federal Government can give national banks immunity from State law, it can give drug stores, automobile dealers, farmers, or any other business such exemption."

Nor does he see any reason why the Office of the Comptroller should be exempted from audit by the General Accounting Office as though it were owned by the private banks. He believes the Office of the Comptroller should be under budget control and audit review, as any other Federal office, and not operate under secrecy.

ROAD BLOCK

The few points reviewed here are enough to stamp the financial institutions bill as an extremely tricky piece of legislation. Obviously it is not what it is claimed to be—merely a codification of present laws. It is sufficiently something other than represented to be called a first-class swindle—one that could cost the public hundreds of millions of dollars. Nor would the reader escape its effects upon the cost of everything he buys.

But it is also something more. In the never-ending battle to protect the public against the growing power of great economic concentration this bill would place blocks in the way of true banking reform—reform which would amend the usury laws in the interest of the public, reforms which would bring the operations of the Comptroller of the Currency under Federal supervision, reform which would check the growing tendency of private bankers to swallow the Federal Reserve System.

The financial institutions bill should have a much more thorough public examination than either the Senate or House Banking and Currency Committees have afforded. Amendments now are being considered by the House committee. Some will be made. Eventually the House and Senate committees will go into conference on the measure. There is still a chance that its worst features may be eliminated.

STATEMENT OF NATIONAL FARMERS UNION BEFORE THE COMMITTEE ON BANKING AND CURRENCY, HOUSE OF REPRESENTATIVES, FEBRUARY 5, 1958

Mr. Chairman and members of the committee, my name is Richard Shipman. I am legislative assistant, Division of Legislative Services, National Farmers Union. As representative of Mr. James G. Patton, president

of National Farmers Union, and 300,000 farm families of our organization, I wish to express appreciation for the opportunity to appear before your committee.

We think all farmers have a proper interest in this legislation. We think farmers have a proper interest in all legislation that would change the regulations and limitations placed on banking. It is our money the banks are handling; in the areas of the country, anyway, farmers are the bank depositors.

Furthermore, we depend upon bank credit, both for carrying on the business of farming, and, as other consumers, for financing automobiles and other consumer goods.

From my own personal experience, I can assure you that farmers are vitally affected by the banks and banking policy. I lived through the depression years, the period when the banks were going bust, and through the bank holiday, on a farm in Montana.

In his first inaugural address, President Roosevelt said:

"The moneychangers have fled from their high seats in the temple of our civilization."

We do not know whether that statement was ever completely true. But from what we have seen of this financial institutions bill, it certainly puts the moneychangers back in the temple, and in higher seats than ever before.

Some serious sleepers have been inserted in this bill since we testified on it before the Senate committee. We have not had time to analyze them, nor to get expert assistance in analyzing them. But one provision of the bill which we have looked into makes us sure that your committee will want to stop, look, and listen, and call some more witnesses before you make your report to the House.

Actually, we don't really need a study-project to find out that roosters don't lay eggs.

As it stands this is a bad bill. It was written to promote a high and usurious interest rate policy. Those who want to live easy on high interest are trying mighty hard to rush it through to quick passage. This indicates that more careful study might be in order.

This bill has received little or no attention in the public press. It has not been mentioned in any of the President's messages to Congress. It has not been mentioned as a topic in any other official program.

It was originally described in the Senate as merely a recodification of existing law—that is, a bill where you take all of the laws that have already been passed on this subject and already on the law books and put them together in a single place.

Farmers Union put up a flag of caution to the Senate committee. However, these and similar warnings did not receive widespread publicity.

The speeches that were made in the Senate, when the Senate passed this bill, left the impression that it is merely a recodification, excepting only 2 or 3 changes which were debated on the floor of the Senate. It is no wonder then that the general public has been unaware of this bill.

Further study reveals, on the contrary, however, that the bill contains many important changes from existing law.

The record of the Senate Committee on Banking and Currency shows that the bill was written by a committee of private citizens. There were 27 of these citizens. Twenty-one are bankers and finance company representatives. There were no farmers or farmer representatives on the advisory committee.

The chairman of this committee of private citizens testified before this committee last week that the bill contains many major changes in law. This chairman, Mr. Kenton R. Cravens, testified before this committee

on January 21, 1958, and answered the questions by Congressman MULTER as follows:

"Mr. MULTER. Both bills, then, we can say, do contain major revisions of existing law?"

"Mr. CRAVENS. Oh, yes.

"Mr. MULTER. And some of them are quite important?"

"Mr. CRAVENS. I think so."—(P. 242, transcript of hearings before House Banking and Currency Committee.)

Since the bill does contain quite important changes in existing law, we can certainly assume that these changes are going to either strengthen or weaken banking regulation from the standpoint of farmers, and from many other standpoints. Presumably the committee of bankers was pleased with the changes. But what will be their effects on others in our economy?

Monetary and credit policy; banking policy and laws; are not just the concern of bankers. These matters are vital to our entire economy. Banking is everybody's business because we are all vitally affected.

No farm organization was told that there were to be major, quite important changes in the banking laws. They were not invited to have representatives on this private committee to help draft these changes in the Nation's banking laws.

Whenever a farm bill is to be considered, all proposals receive wide public attention. They are analyzed and reported in the newspapers. Then the chamber of commerce, the NAM, the bankers, and everybody else has an opportunity to make his recommendations. Banking legislation is technical, we have no doubt, but so is farm legislation.

Let me point out at least one provision in the financial institutions bill which gives concrete evidence to our fears that it will hurt farmers. This is the provision in section 35 of title I which, in effect, repeals the Federal usury law. Unless I am mighty wrong the farmers I know are going to be greatly surprised and disappointed, too, when they learn about this part of the bill.

Section 35 repeats the present law which sets out the general rule as to the maximum rate of interest a national bank can charge on a loan, discount, or other evidence of debt. But then the bill adds some new language which provides an exception to the rule. This new language is as follows:

"The purchase of obligations or evidences of indebtedness from the actual owner thereof shall not, for the purposes of this section, be deemed a loan or discount if such purchase would not, under the law of the State in which the purchasing bank is located, be deemed a loan or extension of credit subject to the interest or usury statutes of such State."

In other words, this exception repeals the Federal usury law insofar as it relates to a national bank buying loan-shark paper. And this means you might just as well repeal the whole law. If you are going to let the banks lend money out the back door at exorbitant rates, then there is no logic to require them to lend much through the front door at reasonable rates. The banker is not going to compete with the loan shark across the street, or with the tractor dealers, or the automobile dealer, when he knows he is going to buy the loans which these people make. This will result in farmers being saddled with much more exorbitant interest rates than they are already having to pay in most places.

If the law against receiving stolen property were to be repealed, so that you created a legal market for stolen property, it would result in a great deal more property being stolen.

Now what reason or excuse has been given for repealing the Federal usury law?

The only excuse that has been given is that the people who recommend repealing the Federal usury law think the right thing

to do is to let the State laws take care of this problem. In other words, this is a responsibility which they want to turn over to the States. The Comptroller of the Currency, Mr. Gidney, makes this argument several times in his testimony before this committee last year. At page 221 of part I of your hearings, Mr. Gidney said:

"We think the States are alert to their responsibilities in that field. And if a State bank of commerce can purchase a set of contracts, then our national banks of commerce ought to be able to do the same."

Then a little later at page 224 of your hearings, Mr. Gidney said:

"As to consumer credit, I don't know the laws of many States on that, but I do know the New York State law, which I believe is that it may be 1 percent a month on the unpaid balance, which really works out to be 12 percent."

In plain words, the Comptroller of the Currency is recommending repealing the Federal usury law to fall back on State laws for protection of consumers of credit when he doesn't even know what the State laws are.

This illustrates the reason why my organization feels that we cannot trust the judgment of the administrative agencies to protect the proper interest of farmers.

So the argument which has been made for repealing the Federal usury law is that we ought to let State laws take care of the problem. Then if the States take the same attitude and say that we will shift the responsibility back to the Federal Government, then there will be no law whatever.

We are asking you, the Federal Government, to do the right thing by the farmers on this matter. We think that the Federal usury law should be strengthened and improved so as to give farmers and all borrowers greater protection. We ask you to strengthen the law, not to repeal it.

Jean Jacques Rousseau once said:

"Good laws lead to the making of better ones; bad ones bring about worse."

Let's don't go backward. Let's make our banking system more civilized and enlightened—not less so.

We oppose passage of the bill as now written. We hope your committee will extend these hearings so that we can study the other sleepers in the bill that we have not had time to analyze. We urge you to call in some consumer representatives before you. You should hear the expert testimony of bona fide representatives of small business. We urge you to invite some consumer union economists to analyze this bill and give you their recommendations.

Don't rush this bill through to passage. Let's be sure what all its implications are and debate them fully.

THE COOPERATIVE LEAGUE OF THE U.S.A. LEGISLATIVE MEMO No. 16, JULY 1, 1958
BANKERS' BILL MAY COME TO LIFE—WATCH YOUR POCKETBOOKS

The Senate passed a bill (S. 1451) last year that was strictly for the bankers. In fact, 20 of the 27 members of an advisory committee that worked with a Senate Banking subcommittee to draw up the bill were bankers. Title VII, until amended by Senator SPARKMAN and others, would have crippled credit unions. Title I, in effect, repeals the Federal usury law.

While most of us were led to believe that the bill was dead for this session, word has leaked out that bankers have been working quietly with members of the House Banking Committee. The reported strategy is for the committee to accept all the rectifying amendments, report the bill out about the middle of July, and get it passed. In conference, where bankers' friends would predominate, the remedial amendments would

be dropped and the bankers' bill would prevail.

There are a number of objections to the bill. The gimmick to open a loophole in the usury law would allow national banks to buy or discount consumer loan paper whenever this is legal under the State law. National banks could buy conditional sales contracts which are loaded with high interest. They would make their loans through all kinds of dealers, rather than directly to the consumer.

Today national banks serve as a yardstick. Other loan firms which are not subject to the Federal usury law must meet the competition of the national banks. S. 1451 would destroy this yardstick. Interest rates could skyrocket. Consumer purchasing power would be cut.

The Supreme Court of Kansas recently granted an injunction against the Nation's largest credit company which was charged with violating the usury law of the State. It was found the company was charging 72 percent per year for financing automobiles—making more profit than both the manufacturer and the dealer combined. State legislatures are influenced by Federal law. If the usury law is weakened, some States may follow suit. Not all States have usury laws now.

Other objections to the bill: Minority stockholders in national banks would lose their voting power through elimination of cumulative voting requirements. Banks could still operate branches but Federal Savings and Loan Associations could not. Single loan ceilings for National banks would be raised to dangerously high levels.

Friends in the House have a number of good amendments ready to incorporate in the bill. It is possible, however, that these (1) may not be incorporated or (2) may be cut out in conference. Rather than risk passage of a bad bill, it may be wise to write your Congressman to the effect that no bill is better than a bad one. An effort to write better legislation under more favorable circumstances should be made later.

The fact that the bankers' bill is a bad one needs wide publicity. If consumers strongly show their opposition, the bill will not pass.

[From the Washington Post and Times Herald, July 5, 1958]

BILL CALLED PERIL TO USURY LAW

(By Bernard D. Nossiter)

A bill that could crack legal barriers against excessive interest charges on installment loans has touched off a backstage congressional furor.

At issue is the Financial Institutions Act, a lengthy and technical reworking of banking laws which passed the Senate in March 1957.

Its chief foe is a perennial banker's gadfly, Representative WRIGHT PATMAN, Democrat of Texas. He has charged the measure is loaded with hidden booby traps that could cost consumers, small businessmen and farmers billions of dollars. To the despair of leading bankers and the bill's congressional backers, PATMAN, aided by Representative ABRAHAM J. MULTER, Democrat of New York, is forcing the House Banking Committee to examine the 252-page measure line by line in drawn-out executive sessions.

The bill's self-styled patron is Senator A. WILLIS ROBERTSON, Democrat of Virginia. Without naming PATMAN, he has accused critics of misrepresentation. He recently denied the bill is an invitation to usury because, "What kind of people do they think are in the banking business."

PASSED BY SENATE

He successfully piloted the bill through the Senate, describing it as a device to remove obsolete provisions from the statutes

and to add new authority where needed to meet modern-day conditions.

At the floor debate, he continued: "What simplifies the matter for Members of the Senate is the fact that the greater part of the bill is existing law or is to repeal obsolete provisions."

Lately, he termed relatively minor a previously undiscussed section that PATMAN calls the "Ebenezer Scrooge amendment." To complaints that it opens the way for exorbitant interest rates, on consumer credit, ROBERTSON answered: "Will most of the people who buy automobiles be nitwits or morons? Do we have to assume a guardianship over those who buy on the installment plan?"

The bill was apparently languishing in the House Banking Committee until early in May. Then, Senator JOHN BRICKER, Republican of Ohio, urged Ohio bankers to redouble your efforts to bring it out and denounced a filibuster by a small antibusiness minority.

Chairman BRENT SPENCE, Democrat, Kentucky, of the House committee, a bill supporter, complained it had been filibustered and filibustered by dilatory tactics of offering amendments and amendments in the closed, markup sessions. With a heavy calendar of work before his group, he said it will be difficult to get the bill reported out this year. In which case, it would have to start all over again through both Houses next year.

PATMAN ADMITS TACTICS

PATMAN readily concedes his delaying tactics. He said it sailed through the Senate under "false colors" disguised as a simple recodification bill.

Biggest fight is over one sentence in section 35(a) which deals with usury or exorbitant interest. The law now limits national banks—those chartered by the Comptroller of the Currency—to a maximum 7 percent interest charge on loans unless the State in which they are located allows State-chartered banks more. A never-reversed 1881 court decision held that the 7 percent limit also applies to debt paper that national banks buy from other lenders—the process called discounting—if the States freed such discounted obligations from their usury laws.

But the modern growth of installment credit led to the invention of a new kind of debt instrument—the conditional sales contract. Most consumer credit and much small business equipment buying is financed this way. Unlike a simple loan with goods as security, the lender keeps title to the automobile, machinery, and other commodities until the last payment is made. These conditional sales contracts are not subject to usury laws in many States. National banks bought this paper without worrying about the interest rate charged.

APPEALS COURT RULING

In 1955, however, a court of appeals ruled that, except in special cases, these contracts were loans. If the State did not so regard them, the decision continued, no national bank could touch any that charged more than 7 percent.

A year later, ROBERTSON, as acting chairman of the Senate Banking Committee, began shaping his bill. Federal banking agencies and a 27-man citizens committee that included 20 bankers helped him.

The disputed 35 (a) sentence that emerged says any loan or discount that isn't regarded as a loan by a State is freed from the Federal usury law.

This week, ROBERTSON said the sentence overturns the 1881 ruling and the unexpected and strained 1955 holding. He argued that it merely provides parity for National banks with State banks. If the latter can discount conditional sales contracts or other debts without looking at interest rates he contended that it was unfair to bar national banks from handling the paper.

PATMAN argued that it would permit national banks to finance indirectly usurious loans that they are prohibited from financing directly.

ARGUMENTS CONTINUE

ROBERTSON aids insist the provision makes little difference to borrowers. In States that don't regulate consumer credit, a finance company can charge what it can get; if it needs capital, it can discount this paper at a State bank, anyway.

But Patman's technicians argue that since national banks have about half of the banking system's assets, the 1955 ruling cuts off a major source of refinancing for overcharged consumer credit.

Moreover, adoption of 35(a), it is claimed, will discourage States from following the lead of those who have set limits on installment charges. Finally, PATMAN has pointed to another section of the Robertson bill that prohibits State banking examiners from inspecting national banks. This, he has argued, will weaken State installment credit laws because the Comptroller's Federal examiners have other concerns than compliance with State rules.

An Indiana banking official, George O. Nichols, vice chairman of the State's department of financial institutions, testified before the House committee that his inspection of both State and National banks each year has turned back many thousands of dollars to overcharged installment buyers.

But ROBERTSON retorts that the Comptroller's check will be a safeguard and that anyway federally chartered banks need not submit to State examination under existing law.

No one is sure how much or what rates are involved in the hassle. In May, outstanding consumer installment credit was almost \$33 billion, however. And a Federal Reserve Board study of auto financing in 1955 showed that 96 percent of the paper held by commercial banks carried a 7-percent or higher interest charge. However, in one State that does limit conditional sales contract, the top rate allowed is 36 percent.

The bill has also set off these squabbles:

PATMAN contends that the banker advisory committee wrote the bill "in the back room," and a parallel chamber of commerce banking group polished it in the "back, back room." ROBERTSON answers that the advisers made only suggestions, and that he and Banking Committee counsel, Donald L. Rogers, drafted the language. The Senator is proud of the patriotic citizens who collaborated with him. He introduced them at one committee session this way: "I do not remember any hearing in which as much concentrated wealth was represented * * * the bankers alone represent over \$250 billion of liquid assets. It necessarily follows that a lot of people in this country ought to be interested in their views."

PATMAN objects to a section exempting national bank examinations from court subpoenas or inquiry by anybody except congressional committees without the comptroller's assent. He charges this will make more difficult discovery of fraud or improper use of funds. ROBERTSON and company answer that banks are subject to regular Federal examination by several agencies, that publication of an examiner's finding on a particular loan could unfairly hurt a shaky borrower.

Are 77 banks now selling insurance illegally? A 1916 law permitted banks in towns under 5,000 to sell policies. PATMAN says it was repealed in 1918, although the United States Code did not say so until 1952. But the House Banking Committee clerk, Robert L. Cardon, has written a memorandum to demonstrate that the "repeal" resulted because the 1916 law put some quotation marks in the wrong place, that Congress never intended to repeal the authority and

the 1918 law dealt with entirely different matters.

After several weeks of laborious executive sessions, the House committee has removed several sections that drew PATMAN's fire. But he fears that if the committee reports out any bill, even a good one, the House will adopt it. In the conference committee that will follow to resolve differences between the two versions, he is afraid he will be swamped and that the offensive sections will be restored. ROBERTSON recently told a reporter that PATMAN may not be so wrong at least about this.

STATEMENT OF REPRESENTATIVE EMANUEL CELLER, CHAIRMAN OF THE COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, BEFORE COMMITTEE ON BANKING AND CURRENCY, HOUSE OF REPRESENTATIVES, ON S. 1451 AND H.R. 7026, EXISTING LAW DOES NOT AUTHORIZE NATIONAL BANKS TO SELL INSURANCE

Mr. Chairman, section 45 of title I of S. 1451 would authorize national banks located in communities of fewer than 5,000 inhabitants to act as insurance agents and real estate brokers. Doubting the wisdom of a provision by which national banks would be permitted to commingle the business of banking with that of insurance and real estate brokerage, I consulted Senate Report No. 121, which accompanies the bill. Concerning section 45, Senate Report No. 121 makes the sole assertion:

"This section," it says, "continued the provisions of title 12, United States Code, section 92, governing the insurance agent and real estate broker activities of national banks in communities of not more than 5,000 inhabitants" (p. 19).

In other words, the Senate report presents section 45 as a mere continuation or codification of existing law. Curious as to the precise language of relevant existing law, I consulted title 12 of the current 1952 edition of the United States Code. Section 92 is not to be found in this title of the code. Instead, there is a compiler's note stating that the provisions of section 92, which had been added in 1916, were omitted in certain amendments made in 1918, and that therefore this section had been omitted from the code.

I have studied the matter further, and it now appears that what was presented to Congress as a mere continuation or codification amounts, in reality, to a proposal to revive a former, but long dead provision in favor of national banks located in small communities; that this provision was first enacted in 1916; was repealed in 1918, and has never thereafter been reenacted. For 40 years, in other words, to and including the present moment, there has been no such provision in the law.

I shall outline the basis for this conclusion:

Authority to national banks in small communities to act as insurance agents and real estate brokers was provided for the first and only time by Public Law 270 of the 64th Congress (39 Stat. 752, 3), approved September 7, 1916. The passage which created this privilege is part of a lengthy amendment to section 5202 of the Revised Statutes, set out within quotation marks following the words:

"Section 5202 of the Revised Statutes of the United States is hereby amended so as to read as follows."

As so amended, R.S. 5202 contained the following four major provisions:

(a) It prohibited national banks from incurring indebtedness in excess of capital stock paid in and remaining undiminished by losses, with five enumerated exceptions;

(b) It subjected transactions of Federal Reserve Banks in bills receivable to regulation by the Federal Reserve Board;

(c) It granted national banks in small communities authority to act as insurance

agents and real estate brokers, the provision which is the subject of this discussion; and

(d) It provided for acceptance by member banks of drafts and bills of exchange drawn on them.

The authority to act as insurance agents and real estate brokers which is now the subject of section 45 of S. 1451 thus became and was a part of section 5202 of the Revised Statutes of the United States.

So much for the enactment of the authority of national banks to act as insurance agents and brokers. The repeal of this authority is found in Public Law 121 of the 65th Congress (40 Stat. 506, 512), approved April 5, 1918. Section 20 of that enactment begins with the words:

"Section 5202 of the Revised Statutes of the United States is hereby amended so as to read as follows."

There follows, within quotation marks, that provision of the 1916 enactment, above referred to, which prohibits national banks from incurring indebtedness in excess of capital stock paid in, with a sixth exception added to the previously existing five. However, the three other major provisions of section 5202, as amended by the 1916 enactment, are omitted altogether, namely those:

(a) Subjecting transactions of Federal Reserve Banks in bills receivable to regulation;

(b) Granting national banks in small communities authority to act as insurance agents and real estate brokers; and

(c) Providing for acceptance by member banks of drafts and bills of exchange drawn on them.

There can be no question but that the effect of the 1918 enactment, in omitting from section 5202 of the Revised Statutes, as thereby amended, the grant of authority to national banks in small communities to act as insurance agents and real estate brokers, was to repeal that grant totally. The authority never existed outside of section 5202. Its omission from amended section 5202 left it without life, for it is well established that an amendment using the words "so as to read as follows" followed by matter within quotation marks has the effect of substituting the matter so included within quotes for the entire text of the provision which is the subject of the amendment.¹

I would not close without acknowledging some of the arguments I am informed have been made to sustain the position that the provision in question somehow survived repeal and is still on the books.

First, it is contended that Congress, in 1916, did not intend to include the second, third, and fourth major provisions referred to above as amendments to section 5202, but meant them as independent enactments. This argument requires the further contention that the inclusion of those provisions within the same quotation marks as included the first such provision was in error. It is urged that what was really intended was to make these three provisions amendments to section 13 of the Federal Reserve Act of 1913 (Public Law 43, 63d Cong., 2d sess., 38 Stat. 263) rather than amendments to section 5202. Support for this contention is sought in the practice of the Comptroller of the Currency in administratively treating the four major provisions of the 1916 enactment as parts 9, 10, 11, and 12 of section 13. Since the grant of authority under discussion was never part of section 5202, the argument continues, it was not repealed, nor were the other two major segments, when Congress, in 1918, added a sixth exception to the rule against incurring excessive indebtedness. It is also asserted that the managers of the 1918 act made no reference to the repeal of the substantive provisions under

¹ A subsequent amendment of sections 5200 and 5202 of the Revised Statutes (Public Law 62, 66th Cong., 1st sess.) does not affect the subject under discussion.

consideration in debating that act or in any committee report.

Further, the 1926, 1934, 1940, and 1946 editions of the United States Code continued to carry the provisions granting national banks in small communities authority for insurance and real estate activities, and only the 1952 edition of the code omitted it. It is also asserted that the 1952 edition of the code carried (as section 361 of title 12) the provision relating to dealings in bills receivable. This inclusion was inadvertent and is scheduled for deletion in the next edition.

Finally, I understand that the Comptroller of the Currency has regulations under presently nonexistent section 92 of title 12, and is enforcing them.

Mr. Chairman, I will not enter into dispute concerning the validity of any of the foregoing arguments. Some propositions are too clear for cavil. An unambiguous enactment is the law. The United States Code is *prima facie* evidence of what the law is. The various contentions that have been made, to the effect that the grant of authority to national banks in small communities to engage in tangential businesses was never repealed, all run afoul of these unassailable principles. More than mere doubt and conjecture are required to overcome the force of law, or to overcome the official *prima facie* statement of it.

Inasmuch as the authority under discussion was unambiguously repealed, candor requires that the proposal of section 45 be presented and fully considered on its merits, and not passed over a mere continuation or codification of existing law.

HOUSING AND URBAN RENEWAL BILL

Mr. BOWLES. Mr. Speaker, I have introduced today a housing and urban renewal bill designed to meet the increasingly critical needs that have developed in both metropolitan and rural areas across the country.

This bill represents the dedicated, conscientious, and detailed efforts of a number of public organizations and countless individuals to determine how we must proceed if our local governments in the United States are to remain economically and socially healthy, and how far American communities themselves are prepared to go in meeting their share of the costs.

SPONSORING GROUPS

The United States Conference of Mayors, the American Municipal Association, the National Housing Conference, and the National Association of Housing and Redevelopment Officials have all joined in vigorous support of the objectives of this bill. All have participated in its drafting.

These groups represent mayors from all the largest cities in the country, public officials from more than 13,000 municipalities, professionals from the fields of housing and planning, and spokesmen for leading business, religious, labor, and civic organizations.

These people, Mr. Speaker, are not dreamers; they are hardheaded realists who have been living day to day with the challenge created by our sprawling, ill-planned cities, and by inadequate housing for one-third of the Nation.

Undoubtedly this bill can and should be further refined. Thorough hearings will be needed to discover flaws where they may exist. I am confident that

Congress will enact an adequate bill without sacrificing any of the essentials.

Surely the challenge itself cannot be avoided, postponed or swept under the rug. We can no longer ignore our obligation to wipe out slum areas, to restore sagging industrial centers, to provide more low-rent housing for a wider range of low-income families, to aid displaced families to relocate, and to meet the special housing needs of our farm, veteran, college and elderly groups.

CONNECTICUT RENEWAL PROJECTS

In my own State of Connecticut, cities like New London, Middletown, Groton, Norwich, Willimantic, Putnam, Danielson, and several smaller towns, are in various stages of urban planning. Some already have Federal funds reserved for urban renewal projects which will offer their citizens a brighter and more profitable future.

Middletown, for example, has had its application approved and has \$1,883,653 reserved in Federal funds. Norwich has \$281,600 reserved. Also included are Putnam, with \$2,621,398, and Killingly with \$134,653.

At present, however, funds to carry forward existing plans and to finance new ones are exhausted. Unless effective legislation is passed by Congress in this session, and approved by the President, these and countless other urban renewal programs will grind to a stop.

Some communities will not need money immediately. Indeed the urban renewal expenditures which I propose would not appear in the actual budget for 3 to 5 years. Yet in order to make plans for these projects, municipalities must be assured how much money will be forthcoming.

NEW HAVEN PROGRESS

Mr. Speaker, in my own State, New Haven, under the unflagging effort of its mayor, Richard C. Lee, has shown the kind of exciting urban renewal progress that is possible with vigorous local support. The New Haven story can be repeated across the length and breadth of the land.

Mr. Speaker, we cannot afford further delay. We cannot, because in this day and age, millions of people in this country have a right to expect something more than a slum existence. Merchants and businessmen have a right to earn their living in a city that offers expanding opportunities for trade and development.

We cannot afford it because every day people all over the world read and hear about democracy in the United States. And they ask two questions: Will it work politically? Will it work economically? This legislation will help us answer affirmatively to both.

PROVISIONS TO ENCOURAGE HOME BUILDING

First. The bill liberalizes the present relocation housing program by increasing the maximum amount of an insurable mortgage on a single family house from \$9,000 to \$10,000 in normal cost areas and from \$10,000 to \$12,000 in high cost areas. It further permits the construction of such housing in the suburbs as well as within the community for

which the relocation housing has been certified.

Second. It facilitates trade-in financing by making builders and realtors eligible for mortgage insurance on units held by them for sale.

Third. It increases cost limitation on the maximum mortgage amount for many rental housing projects and increases the cost limitation per room and per unit to bring such limitations more in line with present building costs.

Fourth. It provides for liberalization of the cooperative housing program, by increasing the maximum insurable amount of the permissive loan and by providing for broader participation on the part of nonveteran families.

Fifth. It provides for an increase in the maximum amounts of the FHA—Federal Housing Administration—insured mortgages covering one- or two-family residences from \$20,000 to \$27,500, and provides for moderate reductions in the required downpayments on houses in the middle priced range.

Sixth. It establishes a program of mortgage insurance to encourage more rental housing for elderly persons. At least 50 percent of the units constructed under this section in a project would be specifically designed for elderly persons, who could be given preference in renting a unit in the project. The 50-percent requirement was included to assure that such projects will provide housing for a normal cross section of families.

Seventh. It increases the maximum dollar limitation on single-family dwelling mortgage amounts which FNMA—Federal National Mortgage Association—can purchase from \$15,000 to \$18,000. It also increases the special assistance authorization—all of which have been exhausted—for advance commitments to purchase FHA and GI mortgages of \$13,500 or less.

PROVISIONS TO ENCOURAGE THE REBUILDING OF OUR CITIES

First. The bill directs the HHFA—Housing and Home Finance Agency—Administrator to encourage the creation of State agencies to assist smaller communities in initiating and carrying out urban renewal programs.

Second. It encourages local public agencies to acquire and clear slum housing in the first stages of project planning and to expedite the program's progress.

Third. It increases capital grant authorizations for municipalities and expands the program 10 years. Where the annual amount available proves inadequate for any given year, the administrator may borrow funds from those assigned to future years in order to speed up the national effort.

Fourth. It will discourage the imposition of any rationing procedure on the allocation of capital grant funds by the HHFA. Thus communities filing applications for projects which in all respects meet the general requirements of the law can be confident that the Administrator cannot arbitrarily require the local public agency to scale back or cut back on the project as a condition to being given a capital grant reservation.

Fifth. It sets up a grant program to help local governments undertake broad

scale analysis of their slum and blight problems through community renewal programs.

Sixth. The proposed measure provides an increase of relocation payments to displaced families and business concerns, increasing the amounts to the families from \$100 to \$200 and in the case of displaced businesses, \$2,500 to \$3,500.

Seventh. It provides for an increase in the amount of program resources which can be devoted to nonresidential redevelopment from 10 to 25 percent. It amends the existing language to make it possible for areas to be redeveloped where there is no residential use. Present law requires at least 20 percent of the project area be devoted to residential use.

Eighth. It helps to make the public housing program more flexible and adjustable to local community needs. It authorizes the local housing agency to fix maximum income limitations for admission and continued occupancy, and to establish its own rent levels. The bill also encourages the Public Housing Administration to promote where appropriate, the acquisition, repair, and rehabilitation of existing dwellings for use as low-rent housing.

Ninth. It acts to restore the original provisions of the Housing Act of 1949, as it relates to the number of low-rent housing units which can be under construction. Under the current levels of construction costs this would mean that with the remaining program, about 190,000 additional units could be constructed. Under the 1949 act, the basic rate for any one year could not exceed 135,000 units. It could be increased by the President up to 200,000 or reduced by him to 50,000 for any one year.

Tenth. As an alternate approach to the problem of providing adequate housing facilities for the aged, the bill contains provision for a direct loan program to nonprofit organizations to construct, rehabilitate, or convert structures to provide rental housing for elderly persons.

Eleventh. Of great importance to rural areas in Connecticut's Second District and throughout the United States, the bill provides for housing loans by the Secretary of Agriculture to (a) expand coverage for housing all types of farm labor, (b) investigate farm housing needs, (c) expands loan coverage to smaller farms, and (d) reduce the housing loan rate from 4 to 3 percent.

It also establishes a new program authorizing the Secretary of Agriculture to insure loans for the purpose of providing housing to migratory farm labor.

The farm housing research program would also be extended for 3 more years, with an authorized appropriation of \$100,000 a year.

Twelfth. Finally, the measure also increases the amount available to the college housing program, provides for loans for classroom buildings and other academic facilities. It also contains provisions related to needed improvements in the veterans housing programs.

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. REUSS, for 10 minutes, today, and to revise and extend his remarks.

Mr. BAILEY, for 30 minutes, on Monday next, January 19, 1959.

Mr. ADDONIZIO (at the request of Mr. SANTANGELO), today, for 10 minutes.

Mr. FLOOD, for 1 hour, on February 16, on the subject Lithuanian Independence Day.

Mr. FLOOD, for 15 minutes, today.

Mr. DINGELL, for 5 minutes, on Monday next, January 19, 1959.

Mr. THOMPSON of Texas, for 30 minutes, today.

Mr. BOWLES, for 5 minutes, today.

Mr. SPRINGER, for 1 hour, today.

Mrs. ROGERS of Massachusetts, for 15 minutes, on Monday next, and to vacate the special order granted her for today.

Mr. JUDD, for 15 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. IKARD (at the request of Mr. THORNBERRY) and include extraneous material.

Mr. BRADEMAS.

Mr. PHILEBIN (at the request of Mr. BURNS of Hawaii).

Mr. BURNS of Hawaii and to include extraneous matter.

Mr. REUSS and to include extraneous matter.

Mr. BAILEY and to include a résumé of the argument by his colleague Congressman HECHLER before the Tobacco Division of the Department of Agriculture.

Mr. DULSKI and to include extraneous matter.

Mr. SIKES and to include extraneous matter.

Mr. BOSCH and to include extraneous matter.

Mrs. ROGERS of Massachusetts and to include copies of certain bills she introduced today.

Mr. CURTIS of Missouri in two instances and to include extraneous matter.

Mr. PELLY.

Mr. SCHERER and in one to include extraneous matter.

Mr. TUCK and to include an address delivered by Mr. HARRISON.

Mr. BERRY (at the request of Mr. ARENDS) and to include an article.

Mr. CRAMER (at the request of Mr. ARENDS).

Mr. SCHWENGEL (at the request of Mr. ARENDS).

Mr. FULTON (at the request of Mr. ARENDS) and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. ALBERT) in two instances and to include extraneous matter, notwithstanding the estimated cost in each instance will be \$283.50.

Mr. WILLIS (at the request of Mr. ALBERT).

Mr. LIBONATTI (at the request of Mr. ALBERT) and to include extraneous matter.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until Monday, January 19, 1959, 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:

324. A letter from the Governor, Farm Credit Administration, transmitting the 25th Annual Report of the Farm Credit Administration (including the report of the Federal Farm Credit Board), covering the fiscal year ended June 30, 1958 (H. Doc. No. 18); to the Committee on Agriculture, and ordered to be printed with illustrations.

325. A letter from the president, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the 31st annual report of the work and operation of the Gorgas Memorial Laboratory, covering the fiscal year ended June 30, 1958, pursuant to the act of Congress approved on May 7, 1928, as amended (22 U.S.C. 278a) (H. Doc. No. 10); to the Committee on Foreign Affairs and ordered to be printed.

326. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Virgin Islands Corporation for the fiscal year ended June 30, 1958 (H. Doc. No. 44); to the Committee on Government Operations and ordered to be printed.

327. A letter from the Adjutant General, United Spanish War Veterans, transmitting the proceedings of the stated convention of the 60th National Encampment, United Spanish War Veterans, held in Louisville, Ky., August 31 to September 4, 1958, pursuant to Public Law 249, 77th Congress (H. Doc. No. 45); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

328. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to extend the special enlistment programs provided by section 262 of the Armed Forces Reserve Act of 1952, as amended; to the Committee on Armed Services.

329. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting a quarterly report on the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of the government as of December 31, 1958, pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

330. A letter from the Acting Secretary of the Treasury, transmitting a report by the Secretaries of the Army, Navy, and Air Force, showing by rank and age group the number of officers above the rank of major of the Army and Air Force or lieutenant commander of the Navy receiving monthly flight pay for the 6-month period from July 1 to December 31, 1958, pursuant to Public Law 301, 79th Congress; to the Committee on Armed Services.

331. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 3,664 short-tons of mullite (calcined kyanite) now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (53 Stat. 811, as amended, 50 U.S.C. 98b(e)); to the Committee on Armed Services.

332. A letter from the Acting Assistant Secretary of Defense (Supply and Logistics), transmitting reports on Army, Navy, and Air Force prime contract awards to small and other business firms completed in the

month of September 1958, and in the fiscal year 1959 through September, pursuant to the Small Business Act as amended by Public Law 85-536; to the Committee on Banking and Currency.

333. A letter from the president, Georgetown Barge, Dock, Elevator & Railway Co., transmitting a report pertaining to the operation of the Georgetown Barge, Dock, Elevator & Railway Co. for the calendar year 1958, pursuant to the act of Congress approved September 26, 1888; to the Committee on the District of Columbia.

334. A letter from the Sergeant at Arms, U.S. House of Representatives, transmitting a statement in writing exhibiting the several sums drawn by him pursuant to section 78 and 80 of title 2, United States Code, the application and disbursement of the same, and the balance, if any, remaining in his hands, pursuant to title 2, United States Code, 84; to the Committee on House Administration.

335. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to enlarge the Devil's Tower National Monument in the State of Wyoming, and for other purposes"; to the Committee on Interior and Insular Affairs.

336. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458), entitled 'An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes'"; to the Committee on Interior and Insular Affairs.

337. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "A bill to amend title 28, entitled 'Judiciary and Judicial Procedure' of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes"; to the Committee on the Judiciary.

338. A letter from the Director, Administrative Office United States Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 1114 of title 18 of the United States Code, as amended, in reference to the protection of officers and employees of the United States by including probation officers of the United States district courts"; to the Committee on the Judiciary.

339. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 373 of title 28, United States Code, so as to authorize retired judges of certain territorial courts to perform judicial service when designated and assigned"; to the Committee on the Judiciary.

340. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 752 of title 28, United States Code"; to the Committee on the Judiciary.

341. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to fix the official station of retired judges assigned to active duty"; to the Committee on the Judiciary.

342. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend section 1870 of title 28, United States Code, to authorize the district courts to allow additional peremptory challenges in civil cases to multiple plaintiffs as well as multiple defendants"; to the Committee on the Judiciary.

343. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to provide that the United States district judges for the districts of Hawaii and Puerto Rico shall have the same tenure of office and retirement rights as all other United States district judges"; to the Committee on the Judiciary.

344. A letter from the Acting Secretary of the Treasury transmitting a draft of proposed legislation entitled "A bill to amend section 432(g) of title 14, United States Code, so as to increase the limitation on basic compensation of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard from \$3,750 to \$5,100 per annum"; to the Committee on Merchant Marine and Fisheries.

345. A letter from the Postmaster General transmitting a draft of proposed legislation entitled "A bill to credit to postal revenues commissions on pay telephones located in postal facilities and other items of revenues which otherwise would be required to be deposited by the Post Office Department in miscellaneous receipts of the Treasury, and for other purposes"; to the Committee on Post Office and Civil Service.

346. A letter from the Postmaster General transmitting a draft of proposed legislation entitled "A bill to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail, and for other purposes"; to the Committee on Post Office and Civil Service.

347. A letter from the Secretary of Commerce transmitting the annual report of the Foreign-Trade Zones Board for the fiscal year ended June 30, 1958, together with the reports covering the operations during the same period of Foreign Trade Zones Nos. 1, 2, 3, and 5, located respectively, at New York City, New Orleans, San Francisco, and Seattle, pursuant to Public Law 566, 81st Congress; to the Committee on Ways and Means.

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. SMITH of Virginia: Committee on Rules. House Resolution 19. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department and scientific research in support of the armed services; without amendment (Rept. No. 2). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PATMAN:

H.R. 2316. A bill to insure effective regulation of D.C. Transit System, Inc., and fair and equal competition between D.C. Transit System, Inc., and its competitors; to the Committee on Interstate and Foreign Commerce.

By Mr. ABERNETHY:

H.R. 2317. A bill to provide for the licensing and bonding of collection agencies in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2318. A bill to provide for the regulation of closing-out and fire sales in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ALGER:

H.R. 2319. A bill to provide for the appointment of one additional district judge for the State of Texas; to the Committee on the Judiciary.

By Mr. ANDERSON of Montana:

H.R. 2320. A bill to authorize the rehabilitation of the Sherburne Lake Dam and outlet works, Milk River project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. AUCHINCLOSS:

H.R. 2321. A bill to provide an elected commission form of government for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BROTHILL:

H.R. 2322. A bill to amend the act of July 1, 1902, to exempt certain common carriers of passengers from the mileage tax imposed by that act and from certain other taxes; to the Committee on the District of Columbia.

By Mr. BURNS of Hawaii:

H.R. 2323. A bill to make the calendar fixed and perpetual; to the Committee on Foreign Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 2324. A bill to permit the flying of the flag of the United States for 24 hours of each day over Independence Hall, Philadelphia, Pa.; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2325. A bill to amend the Clayton Act, as amended, by requiring prior notification of corporate mergers and acquisitions, and for other purposes; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.R. 2326. A bill to provide for Government contribution toward personal health service benefits for civilian officers and employees in the U.S. service and their dependents, to authorize payroll deductions for participants, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DOOLEY:

H.R. 2327. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 2328. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. DOWDY:

H.R. 2329. A bill to provide that wages, salaries, and commissions for personal services will be exempt from attachment and garnishment in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FLOOD:

H.R. 2330. A bill to provide effective congressional control over the budget of the United States, and for other purposes; to the Committee on Government Operations.

By Mr. FOLEY:

H.R. 2331. A bill to establish the Chesapeake and Ohio Canal National Historical Park and to provide for the administration and maintenance of a parkway, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRELINGHUYSEN:

H.R. 2332. A bill to amend the National Defense Education Act of 1958 by repealing section 1001(f) thereof; to the Committee on Education and Labor.

By Mrs. GRANAHAN:

H.R. 2333. A bill to revise the Postal Field Service Compensation Act of 1955 with respect to salary levels, position descriptions, longevity step increases, promotions, and other benefits of supervisory and other postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GEORGE:

H.R. 2334. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability

of establishing Huron Cemetery, Kansas City, Kans., as a shrine and monument; to the Committee on Interior and Insular Affairs.

H.R. 2335. A bill to repeal section 5 of Public Law 887, 84th Congress; to the Committee on Interior and Insular Affairs.

By Mr. HALEY:

H.R. 2336. A bill to amend paragraph (k) of section 403 of the Federal Food, Drug, and Cosmetic Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HEALEY:

H.R. 2337. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives with intent to destroy or damage any communal building, residence, or place of business; to the Committee on the Judiciary.

By Mr. HECHLER:

H.R. 2338. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 2339. A bill to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service"; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 2340. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments; to the Committee on Ways and Means.

By Mr. CURTIS of Missouri:

H.R. 2341. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments; to the Committee on Ways and Means.

By Mr. HUDDLESTON:

H.R. 2342. A bill to provide a particular designation for the proposed dam and lock on the Chattahoochee River at Columbia, Ala.; to the Committee on Public Works.

By Mr. JOHNSON of California:

H.R. 2343. A bill to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LESINSKI:

H.R. 2344. A bill to amend the National Labor Relations Act in order to permit supervisors to be considered as employees under the provisions of such act, and for other purposes; to the Committee on Education and Labor.

By Mr. LIBONATTI:

H.R. 2345. A bill to amend the Fair Labor Standards Act of 1938 to establish a \$1.25 minimum hourly wage, and for other purposes; to the Committee on Education and Labor.

By Mr. LINDSAY:

H.R. 2346. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 2347. A bill to extend for 5 additional years the authority of the Surgeon General of the Public Health Service with respect to air pollution control; to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMACK:

H.R. 2348. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN:

H.R. 2349. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

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By Mr. MATTHEWS:

H.R. 2350. A bill to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954; to the Committee on Post Office and Civil Service.

By Mr. GEORGE P. MILLER:

H.R. 2351. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. MORRIS of New Mexico:

H.R. 2352. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H.R. 2353. A bill to amend the act of May 14, 1948 (ch. 289, sec. 1, 62 Stat. 234), relating to those persons who may be buried in national cemeteries; to the Committee on Interior and Insular Affairs.

H.R. 2354. A bill to increase the equipment maintenance allowance for rural carriers; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 2355. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 2356. A bill to provide for the construction of a new Federal building in Winona, Minn.; to the Committee on Public Works.

By Mr. RAINS:

H.R. 2357. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROOSEVELT:

H.R. 2358. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives; to the Committee on the Judiciary.

By Mr. RUTHERFORD:

H.R. 2359. A bill to provide for the appointment of an additional district judge for the western district of Texas; to the Committee on the Judiciary.

By Mr. SAUND:

H.R. 2360. A bill to recognize the Ryan-Hemet Airport as a public airport for the purposes of the Federal Airport Act, and to provide for reimbursement for damage to such airport in accordance with such act; to the Committee on Interstate and Foreign Commerce.

By Mr. SILER:

H.R. 2361. A bill to provide for an appropriation of a sum not exceeding \$175,000 with which to make a survey of a proposed national parkway from the Great Smoky Mountains National Park in North Carolina and Tennessee to the Mammoth Cave National Park in Kentucky, and the Natchez Trace Parkway in Tennessee; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIMPSON of Pennsylvania:

H.R. 2362. A bill to encourage private U.S. investment in foreign countries by restricting the incidence of double taxation on taxpayers with gross income from sources outside the United States; to the Committee on Ways and Means.

By Mr. THOMSON of Wyoming:

H.R. 2363. A bill to affirm and recognize the water laws of the States lying wholly or

partly west of the 98th meridian; to the Committee on Interior and Insular Affairs.

By Mr. TOLLEFSON:

H.R. 2364. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. UDALL:

H.R. 2365. A bill to authorize assistance to States for the financial support of public elementary and secondary schools; to the Committee on Education and Labor.

By Mr. ULLMAN:

H.R. 2366. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALTER:

H.R. 2367. A bill to amend section 3253 of title 10, United States Code; to the Committee on Armed Services.

H.R. 2368. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 2369. A bill to amend section 2385, title 18, United States Code, to define the term "organize" as used in that section; to the Committee on the Judiciary.

H.R. 2370. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H.R. 2371. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 2372. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 2373. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 2374. A bill to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes; to the Committee on the Judiciary.

By Mr. WILSON:

H.R. 2375. A bill to amend the Annual and Sick Leave Act of 1951 to prevent the loss of annual leave by employees without opportunity to use such leave; to the Committee on Post Office and Civil Service.

By Mr. ZELENKO:

H.R. 2376. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is blind or otherwise permanently and totally disabled; to the Committee on Ways and Means.

H.R. 2377. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

H.R. 2378. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him in traveling to and from work on public conveyances; to the Committee on Ways and Means.

H.R. 2379. A bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. ALBERT:

H.R. 2380. A bill to provide for further research relating to new and improved uses which offer expanding markets for farm and

forest products, to assist the States to provide additional facilities for research at the State agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. ASHLEY:

H.R. 2381. A bill to amend the public assistance provisions of the Social Security Act to eliminate certain inequities and restrictions and permit a more effective distribution of Federal funds; to the Committee on Ways and Means.

H.R. 2382. A bill to amend title II of the Social Security Act and the Internal Revenue Code so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors' insurance benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 2383. A bill to permit articles imported from foreign countries for the purpose of exhibition at the World Congress of Flight to be held in April 1959 at Las Vegas, Nev., to be admitted without payment of tariff and for other purposes; to the Committee on Ways and Means.

By Mr. BECKWORTH:

H.R. 2384. A bill to amend title I of the Social Security Act to provide increased Federal matching of State old-age assistance expenditures thereunder; to the Committee on Ways and Means.

By Mr. BOWLES:

H.R. 2385. A bill to extend and amend laws relating to the provision and improvement of housing and the renewal of urban communities, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOYKIN:

H.R. 2386. A bill to direct the Administrator of General Services to convey to the city of Mobile, Ala., all the right, title, and interest of the United States in and to certain land; to the Committee on Government Operations.

By Mr. BROYHILL:

H.R. 2387. A bill to restore uniformity to the parcel post service; to the Committee on Post Office and Civil Service.

By Mr. CHAMBERLAIN:

H.R. 2388. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 2389. A bill relating to the treatment of certain advertising, sales promotion, and similar items in determining price and price readjustments for purposes of the Federal manufacturers' excise taxes; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 2390. A bill for the relief of the city of Maderia Beach, Fla.; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 2391. A bill to amend the Internal Revenue Code of 1954 to prevent increases in Federal income taxes as the result of tax relief measures enacted by State and political subdivisions for the relief of railroad corporations; to the Committee on Ways and Means.

By Mr. DOLLINGER:

H.R. 2392. A bill to amend the Internal Revenue Code of 1954 to prevent increases in Federal income taxes as the result of tax relief measures enacted by State and political subdivisions for the relief of railroad corporations; to the Committee on Ways and Means.

H.R. 2393. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to the payment of pension for non-service-connected disability or death to \$2,000 and \$3,500; to the Committee on Veterans' Affairs.

H.R. 2394. A bill to establish an effective program to alleviate conditions of excessive unemployment in certain economically depressed areas; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 2395. A bill to provide for the establishment of a United States Foreign Service Academy; to the Committee on Foreign Affairs.

By Mr. FENTON:

H.R. 2396. A bill to establish quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. FORAN:

H.R. 2397. A bill to amend the Internal Revenue Code of 1939 to provide a credit against the estate tax for Federal estate taxes paid on certain prior transfers in the case of decedents dying after December 31, 1947; to the Committee on Ways and Means.

By Mr. GAVIN:

H.R. 2398. A bill to provide for the establishment of a fish hatchery in the northwestern part of the State of Pennsylvania; to the Committee on Merchant Marine and Fisheries.

By Mr. GLENN:

H.R. 2399. A bill to amend the Internal Revenue Code of 1954 to provide that special equipment for disabled individuals shall not be subject to the tax on automobile parts and accessories; to the Committee on Ways and Means.

By Mr. HERLONG:

H.R. 2400. A bill to encourage private U.S. investment in foreign countries by restricting the incidence of double taxation on taxpayers with gross income from sources outside the United States; to the Committee on Ways and Means.

H.R. 2401. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H.R. 2402. A bill to provide for transfer of credit from the civil service retirement system to the old-age and survivors insurance system, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOGAN:

H.R. 2403. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to the payment of pension for non-service-connected disability or death to \$1,800 and \$3,000; to the Committee on Veterans' Affairs.

By Mr. HUDDLESTON:

H.R. 2404. A bill to amend section 6150 of title 10, United States Code, to provide for advancement on the retired list for certain naval officers who were granted decorations or commendations for merit in time of war; to the Committee on Armed Services.

H.R. 2405. A bill to amend section 101 of title 38, United States Code, to provide that a child shall be deemed to be the adopted child of a veteran where the child was a member of the veteran's household and is adopted by the spouse of the veteran within 2 years of the veteran's death; to the Committee on Veterans' Affairs.

By Mr. KEITH:

H.R. 2406. A bill to provide for a preliminary examination and survey of Green Harbor, Marshfield, Mass., for navigation and other purposes; to the Committee on Public Works.

By Mr. KEOGH:

H.R. 2407. A bill to amend the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LIBONATI:

H.R. 2408. A bill to amend title I of the Social Security Act to provide that old-age assistance otherwise payable to an individual thereunder shall not be reduced on account of certain increases in any insurance benefits to which such individual is entitled under

title II of such act; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 2409. A bill to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and stream pollution to be amortized at an accelerated rate for income-tax purposes; to the Committee on Ways and Means.

By Mr. McGOVERN:

H.R. 2410. A bill to amend sections 4081 and 4082 of the Internal Revenue Code of 1954 to include wholesale distributors within the definition of "producers" of gasoline, and for other purposes; to the Committee on Ways and Means.

By Mr. MAGNUSON:

H.R. 2411. A bill to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of tourist literature; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H.R. 2412. A bill to extend to veterans of the Spanish-American War, including the Philippine Insurrection and the Boxer Rebellion, the same eligibility for hospital care for any disability from the Veterans' Administration as they now enjoy with respect to outpatient medical services; to the Committee on Veterans' Affairs.

By Mr. OSTERTAG:

H.R. 2413. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending school; to the Committee on Ways and Means.

H.R. 2414. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits payable thereunder; to the Committee on Ways and Means.

H.R. 2415. A bill to amend title II of the Social Security Act to permit an individual to waive his right to receive benefits thereunder in order to preserve his right to receive benefits under other laws; to the Committee on Ways and Means.

H.R. 2416. A bill for the establishment of a Commission on Metropolitan Problems and Urban Development; to the Committee on Government Operations.

H.R. 2417. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 2418. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 2419. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. POAGE:

H.R. 2420. A bill to authorize the Secretary of Agriculture to make long-term contracts for the disposal of surplus agricultural commodities, and for other purposes; to the Committee on Agriculture.

By Mr. RAINS:

H.R. 2421. A bill to amend section 224 of the Social Security Act to provide that there shall be no offset against social security benefits for disabled persons on account of disability retirement pay for members of the uniformed services; to the Committee on Ways and Means.

H.R. 2422. A bill to provide an additional income tax exemption for a taxpayer supporting a child who is an invalid; to the Committee on Ways and Means.

H.R. 2423. A bill to create a Department of Urban Affairs, and for other purposes; to the Committee on Government Operations.

H.R. 2424. A bill to prohibit banks insured under the Federal Deposit Insurance Act

from engaging in the travel agency business; to the Committee on Banking and Currency.

H.R. 2425. A bill to amend the Internal Revenue Code to exempt from the manufacturers' excise tax certain automobiles furnished without charge to schools for use in driver training programs; to the Committee on Ways and Means.

H.R. 2426. A bill to amend the Defense Production Act of 1950 so as to require periodic reports to the Congress concerning action taken to carry out the policy of the Congress to encourage geographical dispersal of industrial facilities; to the Committee on Banking and Currency.

By Mr. ROBERTS:

H.R. 2427. A bill to amend title II of the Social Security Act to provide that benefits payable thereunder shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Ways and Means.

H.R. 2428. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for lease and transfer of acreage allotments; to the Committee on Agriculture.

By Mr. ROBISON:

H.R. 2429. A bill to amend section 203 of the Social Security Act to increase the amount of earnings individuals are permitted to earn without suffering deductions from their benefits; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 2430. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer fire-fighting organizations, and for other purposes; to the Committee on Government Operations.

By Mrs. ROGERS of Massachusetts:

H.R. 2431. A bill to amend section 312, title 38, United States Code, to establish a presumption of service connection for chronic and tropical diseases becoming manifest within 3 years from separation from service; to the Committee on Veterans' Affairs.

H.R. 2432. A bill to provide a further period for presuming service connection in the case of veterans suffering from Hansen's disease (leprosy); to the Committee on Veterans' Affairs.

H.R. 2433. A bill to provide that veterans age 65 shall be deemed to be permanently and totally disabled for pension purposes; to the Committee on Veterans' Affairs.

H.R. 2434. A bill to provide that veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while hospitalized; to the Committee on Veterans' Affairs.

H.R. 2435. A bill to provide pension for widows and children of deceased World War II and Korean conflict veterans on the same basis as is provided for widows and children of deceased World War I veterans; to the Committee on Veterans' Affairs.

H.R. 2436. A bill to increase the annual income limitations governing the payment of pension to veterans of World War I, World War II, or the Korean conflict, and their dependents; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H.R. 2437. A bill to amend section 1001(f) of the National Defense Education Act of 1958; to the Committee on Education and Labor.

By Mr. SAYLOR:

H.R. 2438. A bill to revise and amend the duties of the Secretary of the Interior as provided in the act of January 13, 1925 (43 Stat. 739), and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SISK:

H.R. 2439. A bill to amend sections 1612 and 1613 of title 38, United States Code, to

provide that where a veteran eligible for educational benefits on account of Korean conflict service has reentered military service, such service shall not be counted as part of the periods within which his education must be begun and completed; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 2440. A bill to amend the Internal Revenue Code of 1954 to provide funds for educational purposes by providing increased incentives for private giving through the allowance of a tax credit for charitable contributions to institutions of higher education; to the Committee on Ways and Means.

H.R. 2441. A bill to amend the Internal Revenue Code of 1954 to reduce the admissions tax where a substantial part of the program consists of live musical or dramatic performances in order to provide greatly increased employment, accompanied by larger tax revenues which will offset any losses to the Federal Government, in the entertainment and related industries; to aid the motion-picture industry which has suffered a decline; to foster the growth and development of the fine arts in the United States without resort to the subsidies common in other countries, and for other purposes; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H.R. 2442. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public recreation agencies; to the Committee on Government Operations.

By Mr. WHARTON:

H.R. 2443. A bill to amend title II of the Social Security Act to provide in certain cases for the payment of benefits to an individual as the wife, husband, widow, or widower of an insured individual, notwithstanding the existence of a legal impediment invalidating their marriage, where such marriage was entered into in good faith and they lived together for a specified period; to the Committee on Ways and Means.

H.R. 2444. A bill to amend section 170(b)(1) of the Internal Revenue Code of 1954 with respect to certain charitable contributions to libraries; to the Committee on Ways and Means.

H.R. 2445. A bill to increase from \$600 to \$800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 2446. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall, under certain circumstances, disclose the current addresses of husbands and parents who have deserted their families; to the Committee on Ways and Means.

H.R. 2447. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him in traveling to and from work on public conveyances; to the Committee on Ways and Means.

H.R. 2448. A bill to amend section 46, title 18, United States Code, with respect to transportation of water hyacinths and seeds; to the Committee on the Judiciary.

By Mr. WIER:

H.R. 2449. A bill to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minnesota; to the Committee on Armed Services.

By Mr. WILSON:

H.R. 2450. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 25 years on active duty and who thereafter

die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. ALBERT:

H.R. 2451. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASHLEY:

H.R. 2452. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

By Mr. BECKWORTH:

H.R. 2453. A bill to eliminate the requirement that veterans have served for 90 days or more to qualify for certain benefits under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 2454. A bill to provide that the former owners of land acquired by the United States shall, in certain cases, have the right to reacquire the mineral rights in such land when it is sold by the United States; to the Committee on Interior and Insular Affairs.

By Mr. BENTLEY:

H.R. 2455. A bill to provide for the promotion of certain persons who participated in the defense of the Philippines; to the Committee on Armed Services.

H.R. 2456. A bill to amend section 1612 of title 38, United States Code, to extend the period within which veterans must initiate courses of education and training where they have been prevented from initiating such courses because of disability; to the Committee on Veterans' Affairs.

By Mr. BERRY:

H.R. 2457. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 2458. A bill to establish the Rural Electrification Administration as an independent agency, and for other purposes; to the Committee on Agriculture.

H.R. 2459. A bill to provide that certain lands shall be held in trust for the Rosebud Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 2460. A bill to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

H.R. 2461. A bill to provide that certain lands shall be held in trust for the Standing Rock Sioux Tribe in North Dakota and South Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BOSCH:

H.R. 2462. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. BOYKIN:

H.R. 2463. A bill to amend the Federal Trade Commission Act to promote quality-and-price stabilization; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL:

H.R. 2464. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

H.R. 2465. A bill to authorize the exchange of certain lands in Arlington County, Va.; to the Committee on Interior and Insular Affairs.

H.R. 2466. A bill to amend the Internal Revenue Code of 1954 with respect to the basis of property acquired from a decedent who died before January 1, 1954; to the Committee on Ways and Means.

H.R. 2467. A bill to amend the act of September 7, 1950, to authorize the Secretary of Commerce to reimburse owners and tenants of lands acquired for Chantilly Airport for their moving expenses; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 2468. A bill to amend the Passport Act of July 3, 1926, to authorize certain restrictions and limitations with respect to the issuance and validity of passports; to the Committee on Foreign Affairs.

By Mr. CRAMER:

H.R. 2469. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. DOLLINGER:

H.R. 2470. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. DONOHUE:

H.R. 2471. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H.R. 2472. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 2473. 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; to the Committee on Ways and Means.

H.R. 2474. A bill to provide for unemployment reinsurance grants to the States to revise, extend, and improve the unemployment insurance program, and for other purposes; to the Committee on Ways and Means.

H.R. 2475. 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; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 2476. A bill to provide for the admission of the State of Hawaii into the Union; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H.R. 2477. A bill to provide that the hospital at San Patricio, P.R., presently operated by the Administrator of Veterans' Affairs shall be transferred to the Administrator of Veterans' Affairs; to the Committee on Armed Services.

By Mrs. GRANAHAN:

H.R. 2478. A bill to amend section 1552, title 10, United States Code, and section 301

of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. HALPERN:

H.R. 2479. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 2480. A bill to amend certain provisions of the Securities Exchange Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2481. A bill to amend certain provisions of the Investment Company Act of 1940, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2482. A bill to amend certain provisions of the Investment Advisers Act of 1940, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2483. A bill to amend certain provisions of the Trust Indenture Act of 1939, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 2484. A bill to amend section 1107 of the Federal Aviation Act of 1958 to authorize the sale of goods and services by any department or independent establishment to the owner of an aircraft or his agent in an emergency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2485. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses; to the Committee on Interstate and Foreign Commerce.

H.R. 2486. A bill to amend section 17 of the War Claims Act of 1948 to authorize rehearing of certain claims; to the Committee on Interstate and Foreign Commerce.

H.R. 2487. A bill to amend part I of the Interstate Commerce Act requiring filing of rules and regulations on operation of track motorcars and other self-propelled equipment; to the Committee on Interstate and Foreign Commerce.

H.R. 2488. A bill to amend certain provisions of the Securities Act of 1933, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. McDONOUGH:

H.R. 2489. A bill to amend the Internal Revenue Code of 1954 by adding thereto a new section imposing a tax in respect of tips and gratuities whenever election is made to have them included in the basis for benefits under the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. METCALF:

H.R. 2490. A bill to preserve and improve the family farm pattern of American agriculture, to establish a comprehensive full parity farm income improvement and protection program, to expand domestic consumption and exports of American farm commodities, to enable farmers to keep market supplies of farm commodities in reasonable balance with augmented demand therefor, to establish a yardstick family farm credit program, and for other purposes; to the Committee on Agriculture.

H.R. 2491. A bill to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to make grants to certain educational institutions for the construction of military and naval science buildings, and for other purposes; to the Committee on Armed Services.

By Mr. MAILLARD:

H.R. 2492. A bill to provide that members of the Armed Forces who have been retired

after having served satisfactorily in more than one branch of the Armed Forces shall be entitled to the highest retired grade in which they have served satisfactorily; to the Committee on Armed Services.

By Mr. MONTOYA:

H.R. 2493. A bill directing the Secretary of the Interior to convey certain property in the State of New Mexico to the pueblo of Santo Domingo; to the Committee on Interior and Insular Affairs.

H.R. 2494. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 2495. A bill to provide for the conveyance of certain real property of the United States, comprising a part of Beale Air Force Base, Calif., to the South Sutter Water District, East Niclaus, Calif.; to the Committee on Armed Services.

H.R. 2496. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mrs. PFOST:

H.R. 2497. A bill to add certain lands located in Idaho to the Boise and Payette National Forests; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 2498. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an Exemplary Rehabilitation Certificate; and for other purposes; to the Committee on Armed Services.

By Mr. RAINS:

H.R. 2499. A bill to amend part VIII of Veterans Regulation No. 1(a) and the Veterans' Readjustment Assistance Act of 1952 to provide that World War II and Korean conflict veterans entitled to education under such provisions of law who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

H.R. 2500. A bill to amend the Railroad Retirement Act of 1937 to provide that benefits payable under such act or the Railroad Retirement Act of 1935 shall not be considered as income in determining eligibility of veterans for non-service-connected disability pensions; to the Committee on Interstate and Foreign Commerce.

H.R. 2501. A bill to provide for the issuance of a special postage stamp in honor of Sequoyah, the famous Cherokee Indian; to the Committee on Post Office and Civil Service.

By Mr. REES of Kansas:

H.R. 2502. A bill to eliminate penalty charges on short paid mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROONEY:

H.R. 2503. A bill to enable the mothers and widows of deceased members of the Armed Forces now interred in cemeteries outside the continental limits of the United States to make a pilgrimage to such cemeteries; to the Committee on Armed Services.

By Mr. RUTHERFORD:

H.R. 2504. A bill to provide for the acquisition of sites and the construction of build-

ings for a training school and other facilities for the Immigration and Naturalization Service, and for other purposes; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H.R. 2505. A bill to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H.R. 2506. A bill to provide for the retirement of certain officers with 20 years' service; to the Committee on Armed Services.

H.R. 2507. A bill 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; to the Committee on Interstate and Foreign Commerce.

By Mr. WIDNALL:

H.R. 2508. A bill to prohibit unjust discrimination in employment because of age; to the Committee on Education and Labor.

H.R. 2509. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an "Exemplary Rehabilitation Certificate"; and for other purposes; to the Committee on Armed Services.

By Mr. YOUNGER:

H.R. 2510. A bill to amend section 4 of the Federal Home Loan Bank Act; to the Committee on Banking and Currency.

By Mr. ABERNETHY:

H.R. 2511. A bill to prescribe penalties for willful concealment of goods or merchandise on the premises of stores in the District of Columbia, and to exempt certain persons having probable cause to believe such offenses have been committed, from civil liability in connection with apprehension of persons suspect thereof; to the Committee on the District of Columbia.

By Mr. BECKWORTH:

H.R. 2512. A bill to provide for the payment of pensions to veterans of World War I and their widows and children at the same rates as apply in the case of veterans of the Spanish-American War, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BRAY:

H.R. 2513. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. COFFIN:

H.R. 2514. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

By Mr. CRAMER:

H.R. 2515. A bill to provide that the act to revise, codify, and enact into law, title 23 of the United States Code entitled "Highways" (Public Law 767 of the 85th Cong. U.S.C., title 23), section 108(a) thereof, shall be amended to increase the period in which actual construction shall commence on rights-of-way acquired in anticipation of such construction from 5 years to 7 years following the fiscal year in which such request is made; to the Committee on Public Works.

By Mr. CURTIN:

H.R. 2516. A bill to amend title II of the Social Security Act to increase from \$1,200 to \$2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 2517. A bill to increase the rate of pension of certain widows of World War I veterans and the annual income limitations governing the payment of pension to widows and children of such veterans; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Georgia:

H.R. 2518. A bill to provide for the admission of certain evidence in the courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2519. A bill to amend section 927 of the act of March 3, 1901, relating to responsibility for criminal conduct, and for other purposes; to the Committee on the District of Columbia.

H.R. 2520. A bill to amend the Federal Employees Salary Increase Act of 1958 to grant certain increases in compensation to employees of the agricultural stabilization and conservation county committees; to the Committee on Post Office and Civil Service.

H.R. 2521. A bill to make permanent certain temporary increases in rates of basic salary for postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 2522. A bill to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207); to the Committee on the District of Columbia.

H.R. 2523. A bill to amend the Civil Service Retirement Act to include as creditable service certain service performed in Federal-State cooperative programs financed in whole or in part by Federal funds; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 2524. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 2525. A bill to amend title II of the Social Security Act to increase the number of years which may be excluded under the "dropout" in computing an individual's primary insurance amount so as to permit the computation of such amount on the basis of his 5 years of highest earnings; to the Committee on Ways and Means.

By Mr. DOLLINGER:

H.R. 2526. A bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives with intent to destroy or damage any communal building, residence, or place of business; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 2527. A bill to provide for programs of public facilities construction which will stimulate employment in areas having a substantial surplus of labor, and for other purposes; to the Committee on Public Works.

H.R. 2528. A bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances; to the Committee on the Judiciary.

H.R. 2529. 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, and for other purposes; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 2530. A bill to amend the act of March 3, 1901, to grant a right of possession in certain property in the District of Columbia to surviving widows, widowers, and minor chil-

dren so long as such property is used as their principal place of residence; to the Committee on the District of Columbia.

By Mr. FINO:

H.R. 2531. A bill to amend section 522 of title 38, United States Code, to provide that the waiver of certain retirement benefits shall be effective in the computation of income of veterans entitled to non-service-connected pension benefits; to the Committee on Veterans' Affairs.

H.R. 2532. A bill to amend section 545 of title 38, United States Code, to increase the income limitations governing the payment of pension to widows of veterans of World War I, World War II, or the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 2533. A bill to provide appropriate public recognition of the gallant action of the *SS Meredith Victory* in the December 1950 evacuation of Hungnam, Korea; to the Committee on Merchant Marine and Fisheries.

H.R. 2534. A bill to provide for Federal lotteries to raise funds to provide for a reduction in the national debt and a reduction in the Federal individual income taxes; to the Committee on Ways and Means.

H.R. 2535. A bill relating to the Italian American War Veterans of the United States, Inc., and the status of that organization under certain laws of the United States; to the Committee on Veterans' Affairs.

By Mr. FINO (by request):

H.R. 2536. A bill to amend section 502 of title 38, United States Code, to provide that certain veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while they are hospitalized; to the Committee on Veterans' Affairs.

By Mr. GLENN:

H.R. 2537. A bill to provide for the procurement and installation of mechanism for recording and counting votes in the House of Representatives; to the Committee on House Administration.

By Mr. HALPERN:

H.R. 2538. A bill to amend the Civil Rights Act of 1957 to provide that the Civil Rights Commission shall have until January 2, 1961, to submit its report, findings, and recommendations; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 2539. A bill relating to the payment of World War veterans' adjusted compensation in certain cases of the veterans' continued absence from home for a period of 20 years; to the Committee on Ways and Means.

By Mr. HECHLER:

H.R. 2540. A bill to amend Public Law 552, 82d Congress; to the Committee on Education and Labor.

H.R. 2541. A bill 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; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD:

H.R. 2542. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

H.R. 2543. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an "Exemplary Rehabilitation Certificate"; and for

other purposes; to the Committee on Armed Services.

By Mr. HOLLAND:

H.R. 2544. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

By Mr. HULL:

H.R. 2545. A bill to provide for the stockpiling, storage, and distribution of essential foodstuffs and other essential items for the sustenance of the civilian population of the United States, its Territories, possessions, and the District of Columbia in the event of enemy attack or other disaster; to the Committee on Armed Services.

By Mr. JUDD:

H.R. 2546. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KILDAY:

H.R. 2547. A bill to amend section 633 of title 28, United States Code, prescribing fees of U.S. commissioners; to the Committee on the Judiciary.

H.R. 2548. A bill to amend title 10, United States Code, concerning the sale or disposal of uniforms; to the Committee on Armed Services.

H.R. 2549. A bill to authorize the withholding from the salaries of Government employees of amounts for health insurance premium payments; to the Committee on Post Office and Civil Service.

By Mr. LIBONATI:

H.R. 2550. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

By Mr. MC FALL:

H.R. 2551. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Folsom south unit, American River division, Central Valley project, in California; to the Committee on Interior and Insular Affairs.

By Mr. MATTHEWS:

H.R. 2552. A bill to amend sections 1074 and 1076 of title 10, United States Code, to provide medical benefits to certain reservists granted retired pay and their dependents, so as to render more equitable the application of service benefits, and to make a career in the Reserve components more attractive to qualified young men; to the Committee on Armed Services.

By Mr. MONTOYA:

H.R. 2553. A bill to provide that, for Federal income tax purposes, certain amounts received as reimbursement for moving expenses by employees of corporations formed exclusively to operate laboratories for the Atomic Energy Commission shall not be included in gross income; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 2554. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 2555. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H.R. 2556. A bill 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;

to the Committee on Interstate and Foreign Commerce.

By Mr. RAINS:

H.R. 2557. A bill granting pensions to veterans of World War I and their widows and dependent children equivalent to the pensions granted to veterans of the War With Spain and their widows and dependent children; to the Committee on Veterans' Affairs.

H.R. 2558. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

H.R. 2559. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 2560. A bill proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 2561. A bill to amend the Employment Act of 1946 to provide for the coordinated consideration of monetary policies thereunder, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability; to the Committee on Government Operations.

H.R. 2562. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 2563. A bill to provide that the highway running from Tampa, Fla., through Bradenton, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. SAUND:

H.R. 2564. A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 2565. A bill to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations; to the Committee on Merchant Marine and Fisheries.

H.R. 2566. A bill to repeal the act requiring the inspection and certification of certain vessels carrying passengers; to the Committee on Merchant Marine and Fisheries.

By Mr. SLACK:

H.R. 2567. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. STRATTON:

H.R. 2568. A bill to prohibit the termination, transfer, or curtailment of functions and activities at military or naval installations located in areas of substantial labor surplus which will result in a reduction of the number of civilian employees of the United States at such installation, until the Congress has had an opportunity to review such proposed action; to the Committee on Armed Services.

By Mr. THOMPSON of New Jersey:

H.R. 2569. A bill to provide for the establishment of a Federal Advisory Council on the Arts to assist in the growth and development of the fine arts in the United States; to the Committee on Education and Labor.

H.R. 2570. A bill to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in cultural and other activities in

the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. UTT:

H.R. 2571. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 25 years on active duty and who thereafter die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. VAN ZANDT:

H.R. 2572. A bill to amend title 38 of the United States Code to provide pensions for widows and children of veterans of World War II and of the Korean conflict on the same basis as pension is provided for widows and children of veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. YATES:

H.R. 2573. A bill to amend the Internal Revenue Code of 1954 with respect to the application of the estate tax marital deduction to widow's allowance or award; to the Committee on Ways and Means.

H.R. 2574. A bill to amend title II of the Social Security Act to increase from \$1,200 to \$2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2575. A bill to authorize the appropriation of \$500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.; to the Committee on Foreign Affairs.

By Mr. ZELENKO:

H.R. 2576. A bill to amend section 1552, title 10, United States Code, and section 301 of the Servicemen's Readjustment Act of 1944 to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. ANFUSO:

H.J. Res. 137. Joint resolution expressing the sense of Congress that a Pan American Parliamentary Association should be established, and to authorize participation by the United States in parliamentary conferences of such association; to the Committee on Foreign Affairs.

By Mr. BARING:

H.J. Res. 138. Joint resolution authorizing the President to invite foreign countries to participate in the First World Congress of Flight to be held at Las Vegas, Nev., from April 12 through April 19, 1959; to the Committee on Foreign Affairs.

By Mr. CELLER:

H.J. Res. 139. Joint resolution proposing an amendment to the Constitution of the United States to repeal the 22d amendment thereto; to the Committee on the Judiciary.

By Mr. CURTIN:

H.J. Res. 140. Joint resolution designating the marigold as the national flower of the United States; to the Committee on House Administration.

By Mr. DAVIS of Georgia:

H.J. Res. 141. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

By Mr. FRELINGHUYSEN:

H.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GROSS:

H.J. Res. 143. Joint resolution providing for the revision of the Status of Forces

Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. HOLFIELD:

H.J. Res. 144. Joint resolution authorizing the President to designate Los Angeles, Calif., as the site of the next world's fair to be held in the vicinity of such city in 1963; and for other purposes; to the Committee on Foreign Affairs.

By Mr. HUDDLESTON:

H.J. Res. 145. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

Mr. OLIVER:

H.J. Res. 146. Joint resolution designating the fourth Saturday of August of each year as Children's Day in Sports; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.J. Res. 147. Joint resolution declaring the first Tuesday after the first Monday of November in each even-numbered year to be a legal public holiday; to the Committee on the Judiciary.

By Mr. SAUND:

H.J. Res. 148. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.J. Res. 149. Joint resolution to establish the 15th day of September as Great Seal Day; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.J. Res. 150. Joint resolution designating the 9th day of March in each year as Amerigo Vespucci Day; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. Con. Res. 36. Concurrent resolution favoring universal disarmament; to the Committee on Foreign Affairs.

By Mr. PELLY:

H. Con. Res. 37. Concurrent resolution relative to the exercise by the President of the United States of veto powers over items in certain bills; to the Committee on Rules.

By Mr. BOSCH:

H. Res. 104. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. BONNER:

H. Res. 105. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; to the Committee on Rules.

H. Res. 106. Resolution to provide funds for the expenses of the studies and investigations authorized by H. Res. 105; to the Committee on House Administration.

By Mr. BUCKLEY:

H. Res. 107. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by H. Res. 91; to the Committee on House Administration.

By Mr. DAWSON:

H. Res. 108. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI (8) incurred by the Committee on Government Operations; to the Committee on House Administration.

By Mr. DONOHUE:

H. Res. 109. Resolution calling upon Congress to take effective action against the spread of inflation and the high cost of living; to the Committee on Banking and Currency.

By Mr. DOYLE:

H. Res. 110. Resolution to amend rule X and rule XI of the House of Representatives; to the Committee on Rules.

By Mr. FINO:

H. Res. 111. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 112. Resolution expressing the sense of the House of Representatives with respect to the presentation to Soviet Deputy Premier Anatas Mikoyan of a formal request for information concerning the whereabouts of certain citizens of the United States who have been missing in Soviet Armenia since September 2, 1958; to the Committee on Foreign Affairs.

By Mr. MORGAN:

H. Res. 113. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the overseas operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; to the Committee on Rules.

H. Res. 114. Resolution providing for expenses of conducting studies and investigations authorized by H. Res. 113; to the Committee on House Administration.

By Mr. SCHERER:

H. Res. 115. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. UTT:

H. Res. 116. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. WAINWRIGHT:

H. Res. 117. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. WESTLAND:

H. Res. 118. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS
Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H.R. 2577. A bill for the relief of Lt. Comdr. James S. Parkas; to the Committee on the Judiciary.

By Mr. BOSCH:

H.R. 2578. A bill for the relief of Helmut Helfrich; to the Committee on the Judiciary.

H.R. 2579. A bill for the relief of F. H. Hillel Co., New York, N.Y.; to the Committee on the Judiciary.

By Mr. BOYKIN:

H.R. 2580. A bill for the relief of William S. Sherrill; to the Committee on the Judiciary.

By Mr. BROWN of Georgia:

H.R. 2581. A bill for the relief of Dr. Herbert H. Schafer and his wife, Irma Niemeyer Schafer; to the Committee on the Judiciary.

By Mr. BROYHILL:

H.R. 2582. A bill for the relief of Worthington Oil Refiners, Inc.; to the Committee on the Judiciary.

By Mr. BROYHILL (by request):

H.R. 2583. A bill for the relief of Constantine Yani Hrisostomidis; to the Committee on the Judiciary.

H.R. 2584. A bill for the relief of Gourgen H. Assatian; to the Committee on the Judiciary.

By Mr. BURKE of Kentucky:

H.R. 2585. A bill for the relief of Aziz Elias Kassis; to the Committee on the Judiciary.

H.R. 2586. A bill for the relief of Miss Mame E. Howell; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 2587. A bill for the relief of Karl J. Staack III; to the Committee on the Judiciary.

H.R. 2588. A bill for the relief of Buck Yuen Sah; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2589. A bill for the relief of Elizabeth Lucie Leon (also known as Lucie Noel); to the Committee on the Judiciary.

H.R. 2590. A bill for the relief of Martha Wang; to the Committee on the Judiciary.

H.R. 2591. A bill for the relief of Max Warman and his wife, Rachel Warman; to the Committee on the Judiciary.

By Mr. CHRISTOPHER:

H.R. 2592. A bill for the relief of Mrs. Chui Sam; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 2593. A bill for the relief of Maria Bollman; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 2594. A bill for the relief of certain claimants against the United States who suffered personal injuries, property damage, or other loss as a result of the explosion of a munitions truck between Smithfield and Selma, N. C., on March 7, 1942; to the Committee on the Judiciary.

H.R. 2595. A bill for the relief of Earl Guyton; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 2596. A bill for the relief of Giuseppe Calafiore; to the Committee on the Judiciary.

H.R. 2597. A bill to waive any claims of the United States for the repayment of loans made by the Department of State to Harry H. Thomas and Jeanne A. Thomas; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 2598. A bill for the relief of Anna Almo; to the Committee on the Judiciary.

H.R. 2599. A bill for the relief of Carmelo Tumino; to the Committee on the Judiciary.

H.R. 2600. A bill for the relief of Giuseppe Linfante; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 2601. A bill for the relief of Miss Kyriakitsa (Koula) S. Psosidou; to the Committee on the Judiciary.

H.R. 2602. A bill for the relief of William C. Hutto; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 2603. A bill for the relief of American Hydrotherm Corp.; to the Committee on the Judiciary.

H.R. 2604. A bill for the relief of Grazia Rosselli; to the Committee on the Judiciary.

H.R. 2605. A bill for the relief of Lena Felicia Colletti; to the Committee on the Judiciary.

H.R. 2606. A bill for the relief of Dimitrios D. Kantartzogliou; to the Committee on the Judiciary.

H.R. 2607. A bill for the relief of General and Mrs. Yeh Nan and their minor daughter, Lin-Lin (Linda) Yeh; to the Committee on the Judiciary.

H.R. 2608. A bill for the relief of Ohannes Vartanyan and Mrs. Agavni Vartanyan; to the Committee on the Judiciary.

By Mr. DEROUMANIAN:

H.R. 2609. A bill for the relief of the North Shore Hospital, Inc., to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 2610. A bill for the relief of Rajko (Dobrasevic) Dobrasevich; to the Committee on the Judiciary.

H.R. 2611. A bill for the relief of Constantine Stathas; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 2612. A bill for the relief of Mrs. Amina Youssif Cosino (nee Simaan); to the Committee on the Judiciary.

By Mr. DOOLEY:

H.R. 2613. A bill for the relief of Anna Petrakakis Palatos; to the Committee on the Judiciary.

H.R. 2614. A bill for the relief of Pauline S. Clouston and daughter, Katrine Mary Clouston; to the Committee on the Judiciary.

H.R. 2615. A bill for the relief of Fal Ying Chan (Chin); to the Committee on the Judiciary.

H.R. 2616. A bill for the relief of Vincent Llewelyn Campbell; to the Committee on the Judiciary.

H.R. 2617. A bill for the relief of Giovanna Baseggio; to the Committee on the Judiciary.

H.R. 2618. A bill for the relief of Theresa Asphar; to the Committee on the Judiciary.

By Mr. DOYLE (by request):

H.R. 2619. A bill for the relief of Antonio P. Whitmoyer; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 2620. A bill for the relief of Angela Maria Chung Yan; to the Committee on the Judiciary.

H.R. 2621. A bill for the relief of Domingos Jose Barreto; to the Committee on the Judiciary.

H.R. 2622. A bill for the relief of Miss Jung Soon Han; to the Committee on the Judiciary.

H.R. 2623. A bill for the relief of Mrs. Maria Aurora Cabral; to the Committee on the Judiciary.

H.R. 2624. A bill for the relief of Kestutis Petras Mikaitis; to the Committee on the Judiciary.

H.R. 2625. A bill for the relief of Miss Vincenzina Villani; to the Committee on the Judiciary.

H.R. 2626. A bill for the relief of Mrs. Nicolina Donatelli Mastrocecco; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 2627. A bill for the relief of Tamara Olszewska and Lydia Olszewska; to the Committee on the Judiciary.

H.R. 2628. A bill for the relief of Rosa Angarica; to the Committee on the Judiciary.

H.R. 2629. A bill for the relief of Aphrodite Hadjipanayotou; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 2630. A bill for the relief of Mountaha Joseph Nakhle; to the Committee on the Judiciary.

H.R. 2631. A bill for the relief of the estate of Nathaniel H. Woods, deceased; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2632. A bill for the relief of Genoveva Dunatovi; to the Committee on the Judiciary.

H.R. 2633. A bill for the relief of Teresa Del Vecchio Cipollone; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 2634. A bill for the relief of Evangelos and Niki Valassidis; to the Committee on the Judiciary.

By Mr. GAVIN:

H.R. 2635. A bill for the relief of Juana Domenech; to the Committee on the Judiciary.

By Mr. GEORGE:

H.R. 2636. A bill for the relief of Petar Trbojevic and his wife, Milica Trbojevic; to the Committee on the Judiciary.

H.R. 2637. A bill for the relief of Khadidge Fakhrian Shemrani; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2638. A bill for the relief of Luigi Apuzzo; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 2639. A bill for the relief of Albert Gordon, Jr.; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 2640. A bill for the relief of Pacita A. Crabtree; to the Committee on the Judiciary.

H.R. 2641. A bill for the relief of Mrs. Sonja Winther; to the Committee on the Judiciary.

H.R. 2642. A bill for the relief of Lucio Yglesias Bernabe; to the Committee on the Judiciary.

H.R. 2643. A bill for the relief of Tayo Kubota; to the Committee on the Judiciary.

H.R. 2644. A bill for the relief of Bohdan Oparko; to the Committee on the Judiciary.

H.R. 2645. A bill for the relief of Jesus Cruz-Figueroa; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H.R. 2646. A bill to authorize the revestment of certain interests in land at the U.S. Naval Ammunition and Net Depot, Seal Beach, Calif.; to the Committee on Interior and Insular Affairs.

H.R. 2647. A bill for the relief of Nicholas Aponin; to the Committee on the Judiciary.

By Mr. HOLTZMAN:

H.R. 2648. A bill for the relief of Mrs. Berta Rakovsky de Spilkius; to the Committee on the Judiciary.

H.R. 2649. A bill for the relief of Franziska Aloisia Fuchs, nee Tercka; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 2650. A bill for the relief of Ivanka Raczidz; to the Committee on the Judiciary.

H.R. 2651. A bill for the relief of Adele Maneour; to the Committee on the Judiciary.

H.R. 2652. A bill for the relief of Gizela Hessheimer; to the Committee on the Judiciary.

H.R. 2653. A bill for the relief of Stanisława Siedlecka (nee Rejman); to the Committee on the Judiciary.

H.R. 2654. A bill for the relief of Ferris Abousada; to the Committee on the Judiciary.

By Mr. KASEM:

H.R. 2655. A bill for the relief of Gaetano Diano; to the Committee on the Judiciary.

By Mr. KILDAY:

H.R. 2656. A bill for the relief of M. Sgt. Louis Benedetti, retired; to the Committee on the Judiciary.

H.R. 2657. A bill for the relief of Mrs. Jeannine Gallot Garner; to the Committee on the Judiciary.

H.R. 2658. A bill for the relief of Edward Y. Chan; to the Committee on the Judiciary.

H.R. 2659. A bill for the relief of Maj. Gen. Willard K. Liebel; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 2660. A bill for the relief of Dominador Niclo; to the Committee on the Judiciary.

H.R. 2661. A bill for the relief of George Walter Paul; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H.R. 2662. A bill for the relief of Dea Pay Yut; to the Committee on the Judiciary.

H.R. 2663. A bill for the relief of Johan Willem van Wijk, also known as John Willem van Wijk; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2664. A bill for the relief of Ho Wey You; to the Committee on the Judiciary.

H.R. 2665. A bill for the relief of Briccio Garces de Castro; to the Committee on the Judiciary.

By Mr. CLEMENT W. MILLER:

H.R. 2666. A bill for the relief of Giovanna Mariotti; to the Committee on the Judiciary.

H.R. 2667. A bill for the relief of Giuseppe Mantegani; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H.R. 2668. A bill for the relief of John R. Cook; to the Committee on the Judiciary.

H.R. 2669. A bill for the relief of Mrs. Jue Chin Shee; to the Committee on the Judiciary.

H.R. 2670. A bill for the relief of Renate Elizabeth Puck; to the Committee on the Judiciary.

H.R. 2671. A bill for the relief of Antonia Martinez; to the Committee on the Judiciary.

H.R. 2672. A bill for the relief of Charlie Sylvester Correll; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 2673. A bill for the relief of Irene Kiss; to the Committee on the Judiciary.

H.R. 2674. A bill for the relief of Antigone Ligias; to the Committee on the Judiciary.

H.R. 2675. A bill for the relief of Joseph Polhe; to the Committee on the Judiciary.

H.R. 2676. A bill for the relief of Vassilios, Polyxeni, Savas and Rana Irene Trilivas (Trilivas); to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 2677. A bill for the relief of Ida Colaizzi Di Benedetto; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 2678. A bill for the relief of Chin Yung Kao; to the Committee on the Judiciary.

H.R. 2679. A bill for the relief of Huang Hsin Lung; to the Committee on the Judiciary.

H.R. 2680. A bill for the relief of Meir Sutton; to the Committee on the Judiciary.

H.R. 2681. A bill for the relief of Abraham Sutton; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 2682. A bill for the relief of Consolation M. Rapa; to the Committee on the Judiciary.

H.R. 2683. A bill for the relief of Ajit Singh Rana; to the Committee on the Judiciary.

H.R. 2684. A bill for the relief of Gurdev Singh Brar; to the Committee on the Judiciary.

H.R. 2685. A bill for the relief of Joginder Singh Toor; to the Committee on the Judiciary.

H.R. 2686. A bill for the relief of Harjinder Singh Dhillon; to the Committee on the Judiciary.

H.R. 2687. A bill for the relief of Joginder Singh Bains; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 2688. A bill for the relief of Gabriel and Sara Aryeh; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.R. 2689. A bill for the relief of Karel Dobr; to the Committee on the Judiciary.

By Mr. OLIVER:

H.R. 2690. A bill for the relief of Giuseppe Pujia; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 2691. A bill for the relief of Mrs. Mary Frances (Ouang) Loh; to the Committee on the Judiciary.

H.R. 2692. A bill for the relief of Dr. Walter H. Duisberg; to the Committee on the Judiciary.

By Mr. RAY:

H.R. 2693. A bill for the relief of Milan Belic; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 2694. A bill for the relief of Lt. Comdr. Melville F. Riley; to the Committee on the Judiciary.

H.R. 2695. A bill for the relief of the Inter-County Telephone & Telegraph Co., Fort Myers, Fla.; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 2696. A bill for the relief of Imre and Margareta Seykeli; to the Committee on the Judiciary.

H.R. 2697. A bill for the relief of Michael Garyfalidakis; to the Committee on the Judiciary.

H.R. 2698. A bill for the relief of Stjepan Sternberger (Srecko Ljubicic); to the Committee on the Judiciary.

H.R. 2699. A bill for the relief of Elemer Christian Sarkozy; to the Committee on the Judiciary.

H.R. 2700. A bill for the relief of Charles Blue and Dona Blue; to the Committee on the Judiciary.

H.R. 2701. A bill for the relief of Eugenia Dweck; to the Committee on the Judiciary.

H.R. 2702. A bill for the relief of Normando Berovides; to the Committee on the Judiciary.

H.R. 2703. A bill for the relief of Carmela Adele Falanga-Graziano; to the Committee on the Judiciary.

H.R. 2704. A bill for the relief of Antonia Grova; to the Committee on the Judiciary.

H.R. 2705. A bill for the relief of Bernardo Paternostro; to the Committee on the Judiciary.

By Mr. SCHERER:

H.R. 2706. A bill for the relief of Tomislav Lazarevich; to the Committee on the Judiciary.

H.R. 2707. A bill for the relief of Gustav K. Broecker; to the Committee on the Judiciary.

H.R. 2708. A bill for the relief of Mrs. Rita Louise Lozano and her children, David Lozano and Rudiford Lozano; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 2709. A bill for the relief of Dr. John P. Kim; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2710. A bill for the relief of Yoko Kawamura; to the Committee on the Judiciary.

H.R. 2711. A bill for the relief of Dr. Carlos M. Piacentini; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 2712. A bill for the relief of Mrs. Elsie Ruth Garcelon; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 2713. A bill for the relief of Moshe Nadir; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.R. 2714. A bill for the relief of Elmer E. Johnson; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.R. 2715. A bill for the relief of Theresa Bertotti Zamperoni; to the Committee on the Judiciary.

By Mrs. WEIS:

H.R. 2716. A bill for the relief of Miss Elisabeth Hollander; to the Committee on the Judiciary.

H.R. 2717. A bill for the relief of Eber Bros. Wine & Liquor Corp.; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H. Res. 119. Resolution providing for sending the bill (H. R. 1592) for the relief of Willard L. Gleeson-Broadcasting Corp. of America with accompanying papers, to the U.S. Court of Claims; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Defense of the Small Tobacco Farmer of West Virginia

EXTENSION OF REMARKS OF

HON. CLEVELAND M. BAILEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. BAILEY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I desire to call the attention of my colleagues to the excellent presentation made by my colleague, KENNETH HECHLER, of West Virginia, before the Tobacco Division of the Agriculture Department on the controversial question of acreage allotments to burley tobacco growers of his State.

Mr. HECHLER's remarks, which appear under the caption "Defense of the Small Tobacco Farmer of West Virginia," are pertinent because they attribute the plight of the tobacco industry in the State as one of the contributing causes to West Virginia's overall sad economic situation.

Congressman HECHLER's remarks follow:

I represent the Fourth Congressional District of West Virginia, along the Ohio River. In this district live virtually all of the more than 4,000 tobacco farmers in our State. It is on their behalf that I am appearing before you today.

None of these West Virginia tobacco farmers own large, prosperous farms. Their farms aren't mechanized to any great extent. None of them surveys vast tracts of land from the shade of a veranda, with a mint julep in his hand.

Instead, these are, in the main, poor people. The smallness of their farms is matched only by the smallness of the tobacco quotas assigned to them. In fact, each farmer in my district grows an average of less than six-tenths of an acre each year under the present quota system.

With an average yield of 1,600 pounds an acre, at 60 cents a pound, this means that the average farmer in my district receives

only about \$576 a year from the growth and sale of tobacco.

This, I am sure, sounds trivial to you. You may be asking yourselves, "Why should we concern ourselves with a small group of farmers who produce only a small amount of tobacco?"

May I answer by pointing out that for a majority of these 4,000 farmers, tobacco is the only major cash-producing crop. For many of them, it is the one crop that brings any dollar income into their homes. For a large number of these people, it is the only way they have of making cash for themselves as they eke out a rustic, precarious living in the mountains of our State.

Considering these farm families, it is possible that the actions you agree upon here will determine directly whether or not upwards of 20,000 West Virginia citizens will have their pitifully low income slashed even further.

May I offer a corollary to this problem: Other sections of our Nation have recovered from the recent recession. West Virginia has not.

In the past 18 months, 45,856 persons have exhausted the unemployment benefits they merited under West Virginia's regular job-security program.

More than 300,000 persons in the State of West Virginia are subsisting on Federal surplus commodities. This constitutes more than 15 percent of the people in the State—the highest percentage of any State in the Union.

What this all means is that if these small tobacco farmers are not permitted to continue to make a small amount of cash income from their burley crop, they have no place to go to find new sources of cash income. I sincerely trust that no action will be taken by the Department of Agriculture that would add more of these hard-working people to the relief rolls. If they are driven to the cities in search of jobs, this will make the urban unemployment problem much more acute.

The economic fate of the tobacco farmer is so closely bound to the actions you take here, I am certain you will do nothing to damage his already hazardous position.

The West Virginia tobacco farmer has stood by passively and cooperatively while acreage controls have been drastically reduced. The number of acres harvested in our State has dropped from a high of about 19,000 acres in 1910 to 2,300 acres in 1958. This is the low-

est figure since records of tobacco acreage were begun in 1866.

Even more recently, we can see how the production of burley in West Virginia has declined. In 1954 the poundage marketed at our warehouses in Huntington totaled 7,930,874 pounds. By 1957 this figure had dropped to 5,633,013.

Now this all has come about because of quota cutbacks. I have been informed by Charles E. Campbell, tobacco specialist with the West Virginia State department of agriculture, that West Virginia tobacco farmers have notably good records of support for the control program.

This means that although the Government was cutting back acreage in the only money crop many of these farmers grew, they still were willing, in a spirit of cooperation and good will, to accept these controls and, indeed, roll up an enviable record of compliance with the Government's orders.

Now it would be a gross distortion of the truth to say that these small West Virginia farmers are happy with these small quotas. I don't think we can expect them to be happy with quotas that limit their cash income to an average of less than \$600 a year.

But I can say that these farmers are good people; they recognize and agree with the theory behind crop controls and adjustments. They realize that maintaining a good price for tobacco is essential, and they want the burley export market to remain strong.

If it is in the best national interest to keep quotas at their present levels, I am sure the West Virginia tobacco farmers will accept them. But any effort to cut quotas below their perilously low level will cause havoc and additional economic misery in the State.

This is the general viewpoint of tobacco farmers in my district regarding the present system of figuring acreage allotments.

Now may I pass to another phase of the problem.

I would like to comment for a few moments on a series of recommendations made to the Secretary of Agriculture by a group of representatives of growers, auction warehousemen and leaf exporters of burley tobacco. These recommendations were handed to Secretary Benson on November 17, 1958.

Recommendations concerning a return to the old parity formula—that is, parity as calculated prior to the Agriculture Act of 1948—receive our understanding. Also, we might add that we support these tobacco

men in advocating acreage allotments for 1959 the same as those for 1958—since there seems little prospect for any increase in quotas.

I believe this is a sound proposal because the facts indicate that the surplus of burley tobacco is declining. I would like to point out that the production of burley tobacco has been below the level at which total stocks have been depleted for four consecutive years.

It is a third proposal put forward by these tobacco experts which disturbs me, and places me sharply at odds with the men who drafted these recommendations.

That would be the proposal which states "that the Department assign a task force to work with leaders representing various segments of tobacco production and trade, including college of agriculture personnel, in studying, developing, and preparing in legislative form an acreage-poundage control program for tobacco."

This recommendation, which would take tobacco off an acreage system and put it under a pounds-per-acre system, is a very serious mistake, in my opinion. It might prove harmful to the large tobacco farmer under certain circumstances. It would surely prove disastrous to the small farmer such as we have in West Virginia.

And why is this so?

For one thing, the regulation of pounds per acre is a difficult business at best. It is well known that annual rainfall—or lack of it—has a powerful influence on the weight and quality of tobacco yielded by any given field.

For a more important reason, however, I must assert again that this bill would hurt the small farmer.

The small farmer has a small tract of land to nurture and coddle. Because he is so severely limited by acreage, he devotes tender care to his tobacco plot, and often is rewarded with a heavy yield. The big tobacco farmer, who uses mass-production methods, consequently is willing to forego the higher yield in order to cut production and labor costs.

I am told that acreage limitations of something in the neighborhood of 1,600 to 1,800 pounds may be advised for the 1960 crop year. This would work a serious hardship on many West Virginia farmers, who by diligent work and unstinting effort obtain a yield of 2,300 to 2,500 pounds per acre on some of their pitifully meager tracts. Sometimes their output rises into the vicinity of 2,800 to 3,000 pounds.

Surely we are not going to reward these small farmers who obtain superior production by dint of long hours and unceasing care by altering the formula for calculating the amount they may produce, so that it will wipe out the fruits of their efforts.

It also can be argued that the small farmer deserves a better break than this because he must spend a longer time cultivating his crop, regardless of the methods and yield. It is estimated that in our West Virginia mountains, a minimum of 500 man-hours must be spent in cultivation of one acre. In Kentucky's bluegrass area, this figure drops to a comparatively low 300 hours. Thus, the extra hours put in by the hill-country farmer will go unrewarded if we make such an alteration in the quota-figuring formula.

The pound-acre formula is specifically designed to help the large, big-quota, mass-production farmer. The Secretary of Agriculture has argued that he wants to return agriculture to the free enterprise system. But can this be free enterprise, when a system is devised that takes money from the pockets of the man who is willing to spend long hours and devote tender care to his crop, and favors the man who operates on impersonal, businesslike lines?

You must agree that this is not free enterprise, as we understand it, in any sense. It

is instead, I fear, a callous and heartless policy which builds a monument to massive, factory-type, mass-production farms upon the graves of small, marginal farms. This may seem to be efficiency, but it is a false efficiency if it is achieved by driving our small farmers into bankruptcy and starvation.

But, as I said, this program was evolved by tobacco men, not Federal officials.

However, it is significant that West Virginia's tobacco farmers were not even invited to the meeting at which these policies were adopted and endorsed.

I protest against the unfeeling and cruel attitude toward the little farmer, and I strongly urge that action be taken to protect this little man in the tobacco business, who apparently is being thrown to the wolves by his big brothers.

The West Virginia tobacco farmer is, in his way, as efficient as the big men in the field. Although West Virginia rates a rather low 18th in production, it rates 13th in yield per acre. And when we consider that tobacco is the State's fifth most important crop, the effect on the already troubled West Virginia economy can be appreciated.

So stringently do West Virginia burley farmers oppose this new formula that the State's department of agriculture has informed me that "this program, if adopted, could put the State out of the tobacco business."

I do not dispute the right of the big tobacco interests to present their case before you here today. I do not dispute that their share of the tobacco economy is larger than ours.

I ask you only to remember that any action you take here which is detrimental to the small tobacco farmer will be disastrous to 20,000 people in my home State. Therefore, I urge that you take no steps which would strike another blow at West Virginia's economy.

I do not want the famous old tobacco slogan "LSMFT" to come to mean "let's starve mountaineer farmers of tobacco."

Statehood for Hawaii

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. DULSKI. Mr. Speaker, the 86th Congress will have an opportunity to perform a significant act of justice, equity, and diplomacy this coming year by granting Hawaii's request for statehood.

As a matter of justice, Hawaii meets every historical standard we have required for the admission of new States. Hawaiians have been immersed in American traditions since 1820. They have demonstrated their devotion to the principles of democracy and to the American form of government in numerous ways, including the adoption of a constitution, in 1950, which has been commended as a model among such instruments.

In 1950, about 84 percent of the Hawaiians were native-born American citizens. The record of island troops in combat is impressive testimony to their loyalty. Gen. Mark Clark described the Hawaiian organization as "the most decorated unit in the entire military his-

tory of the United States." They served with equal valor in Korea.

That the majority of Hawaiians desire statehood is unquestionable. In 1940 they voted two to one for admission. In 1950 they approved the proposed State constitution by more than three to one.

Hawaii has first-class qualifications insofar as population and resources are concerned. It has more people than five of the present States—more than twice as many as Alaska. It has a well-developed, prosperous economy. Its citizens support a per capita tax burden considerably higher than the national average—larger, in fact, than in 33 States.

Hawaii richly merits statehood as a matter of equity as well as justice. Permanent political inferiority for American citizens in American Territories is simply too foreign to our ideals to be tolerated for long. Hawaii is the only incorporated Territory not yet welcomed into the Union. It has been petitioning for entrance since 1903. It has more people and a better developed economy than Alaska, our newest State. Both political parties have, in their platforms, approved Hawaiian statehood. Both President Eisenhower and former President Truman are for it. According to recent polls, the people of the United States are also for it by a ratio of more than 4½ to 1.

Finally, as an act of diplomacy, the admission of Hawaii would be of incalculable value. It would reverberate to our credit throughout the Far East. It would stand as an irrefutable proof that we really live by the principles of freedom and self-government we preach.

For these and many other reasons, I shall, in Congress, support passage of a Hawaiian statehood bill, which I am introducing today.

Proposal To Create a Pan American Parliamentary Association

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. ANFUSO. Mr. Speaker, I am introducing a joint resolution expressing the sense of Congress that a Pan American Parliamentary Association—PAPA—should be established and that the United States be authorized to participate in the parliamentary conferences of such association.

All of us are well aware of the need to establish the greatest possible measure of understanding, harmonious relations and cooperation between the nations of the Western Hemisphere. Despite our good neighbor policy of the past quarter of a century, we know that much resentment and dissatisfaction persist in Latin America with U.S. policy toward those countries. Much of this dissatisfaction, of course, is stirred up in recent years by Communist elements

who seek to create chaotic conditions among our neighbors to the south in the hope of gaining a foothold in this hemisphere.

The truth of the matter is that the Latin Americans desperately need our help in their efforts to attain a higher standard of living, in the exploration and exploitation of their natural resources, in economic growth, in expanding their agriculture and industry, and most especially in giving them an equal voice and the right of joint participation in the affairs of the Western Hemisphere and in the formulation of hemispheric policy.

Mr. Speaker, I was privileged to visit several Latin American countries during part of November and December 1958 in connection with my joint resolution on a Pan American Parliamentary Association. A full report of my visit there, as well as my views and findings, appears in the CONGRESSIONAL RECORD of January 9, 1959, pages 396-399.

It is high time that we look upon the peoples of Latin America not only as good neighbors but also as our best friends, which they are. Here we have a wonderful opportunity to regain some of the ground we have lost in other parts of the world, our moral position and our international prestige in the eyes of all nations, by stressing democratic principles and championing human rights. We can do so by offering the fullest measure of aid possible in order to achieve genuine friendship and inter-American support. We must prove to them that they stand to gain more by aligning themselves with the United States in order to protect their political freedom, their national independence, their economic gains, and the security of the whole hemisphere.

Fortunately, we are in a position to be of invaluable assistance to Latin America in many ways, particularly in helping them with their economic and development problems. The standard of living in those countries is extremely low. The average per capita income for all of Latin America is reported to be only \$312 per year, compared with over \$2,500 average in the United States. We must help them raise this standard of living through economic development and expansion, through increased production and consumption, and by increasing their purchasing power in domestic markets.

The more we help Latin America achieve these goals, the more we too shall benefit in the long run because of increased trade relations. Even now our trade with Latin America is greater than with any other area in the world. About one-third of our imports come from this area and about one-fourth of our exports go there. They sell to us half or more of such products as copper, coffee, raw wool, petroleum, and other products, while the value of our exports to them is approaching the \$5 billion mark annually. Thus, by aiding them in their economic growth and in attaining a higher standard of living we can look forward to increased trade relations which should prove mutually advantageous.

What we need today is greater unity of purpose and a program of action which, I believe, should and could best be done on a people-to-people basis. It is for this very reason that I have proposed the establishment of a Pan American Parliamentary Association. My original resolution containing this proposal was offered to Congress in the summer of 1958 when the hectic period of adjournment was approaching and no time left for consideration. Nevertheless, within a few short weeks several of our leaders in Congress approved the idea in principle, it was similarly approved in principle by statesmen from 12 of the 20 Latin American countries, and the Department of State encouraged me to undertake my visit to several South American countries to discuss the proposal in detail with leading legislators there.

Following my visit I reached the conclusion that the idea proposed in my resolution is very timely and very urgent. Thereupon, I revised it and expanded it on the basis of my findings. The resolution proposes the establishment of a Pan American Parliamentary Association which is to meet annually, or as frequently as deemed necessary, in the different capitals of the Western Hemisphere. It is to be attended by the parliamentary representatives of the 21 American nations, since they are the direct representatives of the people having been elected by them as their spokesmen.

The purposes of the association are set forth in the resolution in the form of a 12-point program, which may be expanded upon whenever necessary. This program is as follows:

1. Create better understanding and foster closer personal contact among the elected legislators of the 21 American nations.
2. Stimulate greater public knowledge of, and making more effective, the Organization of the American States (OAS) and other agencies designed to promote the best interests of the American nations.
3. Expand the educational and scientific exchange programs.
4. Develop closer cultural relations throughout the hemisphere.
5. Improve trade relations and reduce the barriers to trade between countries in the Western Hemisphere.
6. Encourage large-scale tourism between the Americas.
7. Help to provide relief in times of disaster and other emergencies.
8. Seek means to dispose of surplus commodities of all sorts in the various countries in order to help their economies.
9. Help to raise the standard of living throughout Latin America.
10. Aid in the development of plans for the sound economic expansion of the Latin American countries, including U.S. public and private investment in their economic development.
11. Assist them in modernization of their agricultural methods.
12. Seek solutions to other problems of common concern to the countries of the Western Hemisphere.

My resolution further calls for U.S. participation in the Pan American Parliamentary Association and the appointment of 18 Members of Congress from both Houses and both political parties as the delegation of the United States to the conferences of the Association.

tion. The U.S. delegation is to submit a report to Congress each year on the activities and decisions of the Association.

I am convinced that if the elected representatives of the 21 American nations could meet in person to discuss pressing problems of mutual interest to the entire hemisphere, much could be achieved in the way of better understanding and harmonious relations. We must stop taking Latin America for granted. We must develop a positive and direct people-to-people approach in our relationship, treatment and dealings with our neighbors of the Western Hemisphere.

Mr. Speaker, I believe sincerely that my resolution is the key to such improved relations of the future, only we must bring that future closer—not some distant tomorrow, but today. I hope and trust that the idea to set up a Pan American Parliamentary Association, as proposed in my resolution, will soon become a reality. Let us be the first to pave the way.

Changing the Level of Imposing the Federal Tax on Gasoline

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. SCHWENGEL. Mr. Speaker, because I feel that all segments of small business in this country should be entitled to compete equitably with larger concerns, I have introduced H.R. 1343, which is designed to give the independent oil jobber and wholesaler the same break as the major oil company has with reference to the payment of the Federal tax on gasoline.

Under existing law the 3-cent Federal tax on gasoline is imposed at the time of sale by the producer. The producer is the refiner and, from the standpoint of volume, this really means the major oil companies. The word "producer," as defined by section 4082 of the Internal Revenue Code, includes "blenders" and "importers"; however, the volume of gasoline handled by these last two categories is relatively insignificant.

When the existing language of the code—as implemented by regulations—is translated into actual operation what it means is that the refiner or major oil company does not pay the Federal gasoline tax until up to 45 days after the time of sale, whether that sale be direct to a consumer, to a service station, or to a reseller, such as a jobber or wholesale distributor. It also means that the wholesale distributor who pays this tax at the time of purchase must not only permanently encumber approximately 20 percent of his inventory capital but, in addition, he must suffer tax losses due to evaporation and unavoidable spillage between the time of purchase and the time of delivery into the tank of the person to

whom he sells. Neither of these burdens is imposed on the major oil company with whom this small, independent jobber must compete. It is estimated that the jobber's losses due to evaporation and unavoidable spillage amount to approximately 2 percent of the total volume of gasoline handled. A majority of the States imposing gasoline taxes recognize this inequity and allow the jobber varying percentages to compensate for these losses and some of them allow additional percentages for the handling of this tax burden, collection of the tax and the maintenance of the necessary records required by the collector. The Federal Government, however, has refused to either recognize or remedy this inequity.

My bill would change the definitions in the code in such a way that the independent jobber or wholesale distributor will be placed on the same basis as his major oil company competitor insofar as payment of the Federal gasoline tax is concerned. In my bill the jobber will pay the tax at the time he sells the gasoline rather than at the time of purchase. This will not only release badly needed capital which this category of small businessmen can use to improve their competitive position but, in addition, will relieve them from paying taxes on a product which has evaporated before the time of sale. This method of collection will not add any appreciable number of taxpayers to the rolls nor will it cause any loss of revenues to which the Government is equitably entitled. The bill, in brief, will at little or no cost to the Federal Government remove an existing inequity between a group of deserving small businessmen and the major integrated oil companies. I can conceive of no cheaper way to help some small businessmen than the passage of this legislation which I have introduced.

Broadening the Market for State and Local Bonds

EXTENSION OF REMARKS OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I am joining with Mr. HERLONG, my colleague on the Ways and Means Committee, in reintroducing a bill to broaden and relieve the market for State and local bonds. It will accomplish this by attracting investment companies, both regulated and unregulated, with their ever-increasing pools of investable funds, into the so-called municipal bond market. The incentive is that they may distribute or pass through the tax-exempt interest to their shareholders. At the present time the shareholders can invest in these bonds directly, but their corporate funds are effectively sealed off from the market by the fact that the interest becomes fully taxable when distributed to the shareholders.

This bill, except for minor refinements, is the same as H.R. 8702, which I introduced in the last session. Earlier in the last session I had introduced a very narrow passthrough bill, H.R. 4380, which applied only to regulated investments and only if they were 90 percent invested in tax-exempt bonds. Thereafter I became convinced that the narrow bill would extend negligible help to State and local governments. The present bill, however, will provide substantial, essential, and inexpensive assistance by really broadening the market for State and local bonds.

I want to emphasize that we are dealing with an existing exemption. This bill makes that exemption more effective from the point of view of the issuers of tax-exempt bonds. For that reason, the legislation is actively supported by leading national organizations in the municipal, county, and educational spheres, such as the American Municipal Association, National Association of County Officials, and National Education Association.

I have been advised by a prominent economist, Mr. Harry L. Severson, that leaders in the field of municipal finance have been worried for some time about the failure of markets for tax-exempt bonds to increase as rapidly as the supply, and that more recently the underwriters who handle these bonds have been discussing most seriously how and where the ever-increasing volume of new issues can be placed.

The legislation is unique in that it grants substantial assistance to local governments at little, if any, cost to the Federal Government. For this particular reason the legislation has the support of such diverse organizations as the American Farm Bureau Federation and the Council of State Chambers of Commerce.

State and local governments are finding it increasingly difficult to finance the growing volume of new capital improvements which are required to meet the needs of our expanding economy. Traditionally, large capital improvements, with the exception of highways, have been financed largely by borrowing. Since all of the costs of government are rising, there is little reason to hope that it will be feasible for these jurisdictions to meet a significantly greater proportion of the cost of capital improvements on a pay-as-you-go basis in the foreseeable future. The problems of financing capital improvements are made more difficult by the fact that new bond issues do not sell as well as they did a few years ago.

During World War II the supply of new tax-exempt bonds was not only relatively small but it was contracting at the very time that the demand for tax exemption was expanding due to raises in the income tax rates. The result, of course, was an extremely favorable market for State and local bonds. As the volume of new issues increased following the close of World War II, this situation has gradually changed until it is now the investors who enjoy most of the advantages at the bargaining table.

Under existing law the large and growing pools of investable funds held by investment companies are effectively excluded from the municipal bond market by the fact that tax-free interest is converted to taxable dividends when paid out to the shareholders of these companies. The need for a broader market is even more pressing now than when I first introduced this bill in July 1957. The volume of new offerings of these securities continues to mount. In 1957 a total of \$7 billion came to the market which was practically the same as the previous high reached in 1954 when new toll road bonds were at the height of their popularity. In 1958 a new high of approximately \$7.5 billion was reached in spite of the tight money conditions in the last two quarters of the year which undoubtedly caused the postponement of some new offerings.

What is more, there is every reason to expect that the volume of new offerings will continue to increase. Our growing economy will make it necessary for State and local governments to install many new capital improvements all of which must be financed. The widely quoted Severson projections show a steady increase in the volume of new offerings. According to these projections the volume in 1959 will be above \$8 billion, increasing to more than \$16 billion in 1968. This represents a lot of bonds to place with investors. The market is choking up periodically on the present volume and this gives us some idea of the task ahead in finding permanent outlets in 10 years for a flow more than twice as large as the greatest we have known.

The enactment of the passthrough would be of material assistance in placing these new issues. Investment companies not only hold large reservoirs of funds but they are growing steadily. An important advantage of the passthrough is the fact that it would open up these new markets without upsetting existing institutional arrangements. Furthermore, the cost to the Federal Treasury would be nominal. If the aspirations of the people for new improvements are to be realized, the volume of new issues must continue to grow. In many instances the failure to sell these bonds would result in the economic strangulation of the area.

Since these bonds will be tax free in any event under existing law to whoever buys them, no tax loss of any consequence is involved. Moreover, certain offsets must be considered. By holding down the rate of interest on new issues the total volume of interest on which tax is not paid is reduced. Also by reducing the cost of debt service the passthrough will tend to reduce or hold down local taxes which are a deduction in computing the income subject to tax.

State and local governments are requesting assistance in meeting their obligations. Their burdens are heavy. About this there can be no question. In considering these requests for assistance I think it well to give real consideration to those forms of aid which would enable these governments to help themselves, since this type of assistance is likely to be the most efficient. As governments

are called upon to perform more services, efficiency becomes increasingly important, and I think we will all agree that keeping the controls close to home tends toward economy. It is easier to waste a dollar which comes from Washington than one which must be raised locally.

In closing, I feel that the broad pass-through should be enacted into law at this session of Congress since it would assist State and local governments in financing their capital improvements by reducing or at least holding down the cost of debt service, and debt service will become an increasingly important item for these governments. The control of the capital improvement programs would be left with local government. The Federal Government would not be concerned over what a local community did or did not undertake. Each locality could build its improvements as simply or as elaborately as it chooses.

The bill follows:

H.R. 2341

A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsections:

"(c) EXCLUSION FOR EXEMPT-INTEREST DIVIDENDS.—In the case of a taxpayer other than a corporation, there shall be excluded from gross income an amount equal to the aggregate amounts received during the taxable year as exempt-interest dividends. Any amount excludable from gross income under this subsection shall be treated for purposes of this subtitle as an item of interest excludable from gross income under subsection (a)(1).

"(d) DEFINITIONS.—For purposes of subsection (c)—

"(1) EXEMPT-INTEREST DIVIDEND.—The term 'exempt-interest dividend' means any dividend or part thereof (other than a capital-gain dividend within the meaning of section 852(b)(3)(C)) paid by a corporation and designated by it as an exempt-interest dividend in a written notice mailed to its shareholders not later than 30 days after the close of its taxable year, if such corporation meets the requirements of paragraph (2) for such taxable year. If the aggregate amount so designated with respect to a taxable year of the corporation is greater than the amount of interest received or accrued by such corporation during such taxable year and excludable by it under subsection (a)(1), the portion of each distribution which shall be an exempt-interest dividend shall be only that proportion of the amount so designated as the amount of such interest so excludable bears to the aggregate amount so designated.

"(2) SECTION 103 CORPORATION.—A corporation shall be treated as meeting the requirements of this paragraph for a taxable year if—

"(A) such corporation is a domestic corporation other than a bank as defined in section 581 or an insurance company taxable under subchapter L,

"(B) such corporation files with its return for such taxable year an election to be a section 103 corporation or has made such election for a previous taxable year which began after the effective date of this Act,

"(C) at least 90 percent of its gross income is derived from dividends, interest, and gains from the sale or other disposition of stock or other securities (and for purposes of this subparagraph and subparagraph (D), the terms 'gross income' and 'interest' include interest excludable under subsection (a)(1), and

"(D) less than 30 percent of its gross income is derived from the sale or other disposition of stock or other securities held for less than 3 months."

Sec. 2. Section 265 of such Code (dealing with nonallowance of deduction for expenses and interest relating to tax-exempt income) is amended as follows:

(a) In paragraph (1) by deleting the period at the end thereof and substituting the following: ", or any amount otherwise allowable as a deduction which is allocable to interest received and distributed as an exempt-interest dividend by a corporation meeting the requirements of section 103 (d)."

(b) By adding at the end of the section the following new paragraph:

"(3) INTEREST RELATED TO EXEMPT-INTEREST DIVIDENDS.—Interest, on indebtedness incurred or continued after the effective date of this Act, to purchase or carry stock of any corporation, for any period during which such corporation meets the requirements of section 103(d) (2)."

Sec. 3. The amendments made by this Act shall apply only with respect to distributions by corporations with respect to taxable years of such corporations which begin after the date of the enactment of this Act.

Hon. Davis Elkins

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. PHILBIN. Mr. Speaker, it was with deepest sorrow that I learned of the recent passing of the esteemed and beloved former distinguished Senator of the great State of West Virginia, the Honorable Davis Elkins.

Illustrious scion and great leader of a family which for more than 75 years has been a prominent, vital force in the upbuilding and development of his great State, Senator Elkins leaves a precious legacy of devoted public service and constructive business leadership.

Educated at Lawrenceville, Andover, and Harvard College, Davis Elkins early enlisted in the Spanish-American War as a volunteer with Company E of the 1st West Virginia Volunteer Infantry, and served with great distinction with that unit throughout that history-making conflict. During World War I inspired by that high sense of patriotism and civic virtue for which he and his family were noted, the Senator again enlisted in the Army and served in Europe with the high rank of major and once more distinguished himself as a gallant fighter and a devoted son of Uncle Sam.

Of his outstanding service in this war, the late famous Percy D. Haughton, famous Harvard football coach of the era, himself an officer in the American

Expeditionary Force, said of Senator Elkins: "Dave Elkins was a great soldier and a great human being, respected and loved by all."

Evidently the people of his home State felt the same way about his patriotic contributions, high character and ability since, while he was still on the European battlefield, they elected him to the U.S. Senate in November 1918.

Much could be spoken of his fine service in the Senate. He early won the high regard of his colleagues and served his constituents, the State, and the Nation with unquestioned integrity, outstanding fidelity, and great ability during his term.

He did not run for reelection. His large and varied business interests, civic and family responsibilities which he had long unselfishly sacrificed to serve his country, demanded his consideration and attention and he reluctantly retired to private life.

Senator Elkins' warm friend of Senate days, President Warren G. Harding, greatly honored him by offering him an important Cabinet post, but his many business affairs and domestic duties enjoined him from acceptance, notwithstanding the persistent urgings of the President and his many friends and advisers. As the Senator put it himself: "I am grateful for the honor and wish it were possible for me to serve. But I must give some attention now to my business and my family."

Senator Elkins' family life was typically American and fabulously happy. In 1926, he married the charming, talented, and gracious Mary Regan of Washington, a young lady noted for her beauty, keen wit, and popularity, who bore him three lovely children, Katherine, now Mrs. Charles J. Kelly of New York City, Maureen, now Mrs. A. Thomas Zirpolo of Cleveland, Ohio, and Davis Elkins, Jr., now of Elkins, W. Va.

The Elkins family life was also truly ideal and brought great joy and great pride to the distinguished Senator. Very many friends of official Washington, the Nation, and even the world, the famous and the unsung, drawn from every walk of life, moved from time to time in and out of the noted Elkins home where hospitality, graciousness, love, generosity, kindness, and a strong Christian faith always abided.

I can speak with intimate personal knowledge of this lovely Elkins family because it was frequently my privilege and pleasure to visit them in their home. Never have I known more generous hosts; never have I experienced more gracious hospitality; never have I seen a more beautiful family or a more wholesome, interesting, inspiring home environment.

The great and the humble passed through the doors of that inspiring home. It was a salon, in the very best sense, of fine culture, enlightenment and gayety. Above all, it was a home which exemplified the finest qualities of parenthood and the most appealing attributes of filial love and devotion. The home of Davis and Mary Elkins was a home to remember, as those who have ever visited it will gratefully testify.

The Elkins children were brought up with scrupulous, yet loving vigilance, care, and affection and they have lived up to high early promise. The girls are happily married, are blessed with beautiful children; the boy is rapidly making his way in the business world. Together, they brought great joy to their devoted dad and granddad and to their loving mother and grandmother—a family of which anyone could be proud—American to the core, that can "walk with kings nor lose the common touch," that shines out like a bright star in the firmament of modern life in our great Republic.

Davis Elkins was a man of rectitude and high honor, a two fisted American who up to the time of his disability attended prize fights, wrestling matches, and athletic contests. Born to the manor, so to speak, he was plain in speech, democratic in manner, kind of heart, generous of impulse.

He was a hard hitter, blunt spoken against injustice, sham, and quackery, firm in his convictions, rugged of character, stern in his sense of duty. Essentially, he was a kind and generous soul, deep in his knowledge of humanity, keenly aware of its problems, eager to do his part whether by bountiful private philanthropy or public action to lighten the burden and better the lot of all those unable to help themselves.

His loyalties and affections knew no narrow bounds of party, race, creed, or class. He was a friend to man, a public servant of whom any nation could be proud; a husband and father of whom any family could be eternally grateful, as I know his devoted family is.

In the poignant sorrow of their bereavement, I extend to Mrs. Elkins and to each and every one of them the most heartfelt sympathy of my family and myself. May the good Lord bring them strength and courage in their dark hour of sadness and travail. May they find "that peace of God, which passeth all understanding."

An able honest man, a noble statesman, and a great American, Davis Elkins, has gone to his heavenly reward. His State, the Nation, the people and his many friends join his bereaved family in mourning his lamented passing. May God bless and keep him.

Inspection of Alcatraz and Terminal Island Prisons

EXTENSION OF REMARKS

OF

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. WILLIS. Mr. Speaker, having drafted legislation affecting Federal prisons in the 85th Congress, members of the House Judiciary Committee's Subcommittee No. 3, of which I am chairman, visited two Federal institutions during the latter part of August 1958, to study at firsthand the problems associated

with the confinement of Federal offenders. Representatives WILLIAM M. TUCK, ROLAND V. LIBONATTI, and I, accompanied by Mr. Cyril F. Brickfield, counsel to the committee, inspected the Federal correctional institution, Terminal Island, Calif., on August 25, 1958, and the U.S. penitentiary, Alcatraz, Calif., on August 28, 1958.

TERMINAL ISLAND

Terminal Island is headed by Warden Preston G. Smith and is the only Federal institution in which both men and women prisoners are confined. Terminal Island is a medium security institution located in the heart of Los Angeles Harbor on a small peninsula known as Reservation Point. On the day of our visit the total prison population was 845, with 688 men and 157 women. It has a staff of 163 persons, 129 of whom are assigned to the men's prison and 34 to the women's division. The ratio of prisoners to employees is quite excessive, especially when it is remembered that the employee staff must be spread out over a 24-hour day, 7 days a week.

Terminal Island receives men prisoners, with sentences of 5 years or less, and women prisoners, regardless of length of sentence, from the area west of the Rockies, Alaska, and Hawaii.

The largest offense group is made up of prisoners convicted of narcotic law violations. Other offenses represented most numerously in the population are forgery, car theft, and illegal entry into the United States. The average length of sentence for the men is about 39 months and for the women about 50 months. However, the committee noted the length of sentences varied over a wide range even in virtually identical car theft or forgery cases. Public Law 85-752, enacted in August 1958 by the 85th Congress, was drafted in subcommittee No. 3 to minimize such disparities, and the members of the subcommittee are hopeful that the prevalence of the noted disparities will dwindle as the new law becomes more commonly used by the Federal courts.

The subcommittee visited the recently overhauled admission-orientation unit where the men are housed during their first month in the institution. This is a clean, well-lighted and well-ventilated area consisting of a dormitory with a capacity of 46 beds, 8 individual cells, a combination day-lecture room and 2 small interview rooms. It was explained that the capacity of this unit would be increased shortly by the addition of double-deck beds, required because the population of this unit frequently exceeds the present 54-man capacity.

During the month that the men spend in this unit they are given a program of orientation geared to help them adjust to the routine of the months and years ahead and to encourage them to make the best possible use of their time in prison. A good many of the men begin various types of study courses while they are still in this unit.

At the end of their first month the men appear before the classification committee, composed of the warden, associate warden, classification and parole chief, educational supervisor, social worker,

chief medical officer, and chaplain. This committee advises the inmate on the type of program considered best suited to his needs and assigns him to living quarters, work program and custody classification. For those who test below fifth-grade level one-half day school attendance is compulsory. All other school work is voluntary but the committee encourages attendance at evening classes on this basis. The school is staffed by two full-time staff instructors, two part-time instructors from the local school system and a number of inmate teachers. The program is accredited by the Los Angeles school system and certificates and diplomas are awarded for attainment of elementary or high-school graduation.

An active vocational training program and on-the-job training is carried on in the various shops, powerplant and culinary department. A concerted effort is made to install good work habits, to promote a high standard of personal appearance, to maintain excellent sanitation in living quarters and places of employment, and to discourage vulgar and profane speech.

The committee was pleased to note that Terminal Island has two full-time chaplains. These are young and vigorous men who appear to be keenly interested in their work. The Catholic chaplain speaks Spanish fluently and acts as interpreter for the classification committee in dealing with the considerable number of Mexican inmates who speak and understand very little English.

The medical staff is composed of two doctors, a dentist, and four male nurses for the men's division and two female nurses for the women's division. They are supplemented by part-time consultants in the various specialties from the local community, available on an as-needed basis.

The subcommittee visited the institution's library, and the hobby shop where men can spend their leisure hours working upon articles of handicraft. Television sets were observed in some of the housing units and Warden Smith explained that these sets were rotated weekly among the several units on an incentive basis. Each group is anxious to have the benefit of television and competition for these sets is quite keen. One of the results of this system was seen in the extreme orderliness and sanitation in the living quarters. These sets, incidentally, were acquired partly through donation and partly through purchase from commissary profits. No appropriated funds were expended for this purpose.

The work program at Terminal Island poses some unusual problems because of the site, the dual nature of operations and the restricted area of the reservation which precludes the farming operations normally carried on at a penal institution. To offset the lack of a farm to some extent the institution has developed with neighboring government agencies working arrangements which permit the use of labor details at those installations for grounds maintenance, shop operations, and various similar services. Approximately 50 inmates are

assigned to details of this type at the Coast Guard station and immigration and naturalization offices just across the street from the institution and at Fort MacArthur in San Pedro.

On industrial activity, furniture refinishing, is now operated at the prison and employs 40 to 45 prisoners. Construction of a new building to accommodate additional industrial activities is under way. It is planned to use this new space for metals industry fabricating steel shelving, lockers, and various small metals products. With institutional maintenance requirements, the services performed for other agencies and the expanding industrial program, sufficient employment to keep approximately 700 men usefully occupied will eventually be furnished.

Keeping the women inmates usefully employed is more of a problem and an industrial activity for them is being developed. Meanwhile job training is being afforded by such activities as cooking and baking, sewing, landscape gardening, cosmetology, and various other lines.

Terminal Island uses the standard ration allowance common to the entire prison service. Its food costs are higher than those of prisons having farms but notwithstanding this circumstance the food costs slightly less than 59 cents per inmate per day, including raw food, minor equipment, repairs, and the supplies involved in meal preparation and serving.

When the institution was returned to the Bureau of Prisons in 1955—it was used by the Navy from 1942 to 1950 and by the State of California from then until 1955—funds provided for its reactivation were sufficient to cover only a part of the total job required to restore the plant to minimum standards. The dining hall, kitchen, and dormitories are in need of overhauling. The hospital also requires a number of alterations and improvements, including adequate facilities for disturbed patients, modernization of the operating room, ceiling and floor treatment in the wards and corridors. A chapel is needed to replace the present makeshift space that is being used for religious services.

The women's unit is housed in a temporary type of barracks buildings which were constructed by the Navy during World War II. These buildings offer no security and constitute a fire hazard. Replacing the women's unit with buildings of fireproof construction, designed and equipped for their intended purpose, is perhaps the most urgent need at Terminal Island at this time.

CONCLUSION

On the whole, the Terminal Island institution seemed to be operated efficiently. Morale among both staff and inmates appeared to be at a high level. Sanitation and orderliness were especially noteworthy throughout the institution and the personal appearance of employees and inmates was excellent. It was the feeling of the members of the subcommittee that the Terminal Island staff is doing a good job in attempting to rehabilitate the men and women prisoners committed to their custody and that Federal funds

are being expended economically and judiciously at this institution.

The problem of disparity of sentences will, it is clear, remain an important concern of our subcommittee. The new law, we hope, will reduce the prevalence of such disparities.

THE BAR ASSOCIATION

The members of the subcommittee also had an opportunity to attend several sessions of the American Bar Association which was meeting at the same time in Los Angeles.

We attended the dinner of the section on judicial administration and some of the meetings of the criminal law section dealing with the problem of representation of indigent clients and the administration of criminal law. A very interesting paper, entitled "What Price Justice?" was delivered by the Honorable Irving R. Kaufman, of the U.S. district court of New York. A number of suggested improvements in the administration of Federal law were discussed and these doubtless will be presented later to the full committee for consideration.

ALCATRAZ

On Thursday, August 28, 1958, the members and counsel of the subcommittee, accompanied by Representative T. ASHTON THOMPSON, visited the U.S. Penitentiary, Alcatraz, Calif. This institution, of course, is much different from Terminal Island and holds some of the most hardened criminals in America.

The 290 prisoners at Alcatraz were transferred there because they were too unmanageable even for such penitentiaries as Leavenworth and Atlanta, or because they were considered to be dangerous men whose escape would represent a distinct threat to the public safety. They were convicted, typically, for committing quite serious crimes and their sentences are long, averaging well in excess of 20 years, and including about 30 life terms. Alcatraz, in the opinion of Director James V. Bennett, must be considered one of the most difficult and complex prisons in the world to administer.

The subcommittee was transported from Fort Mason to the island by the penitentiary's boat. Upon arriving at the landing the committee observed a metal detector and stepped through it to test its operations. The manner in which the inspectoscope worked was explained by the operating officer and it was obvious to the subcommittee that this type of equipment is needed for a super-security institution where both prisoners on the inside and their friends on the outside are constantly trying to devise some means of outwitting the institution's security system. This was sharply dramatized in an episode several weeks after the committee's visit when two long-term prisoners made an abortive attempt to escape from the island by overpowering their supervisory officer and swimming away with sets of makeshift waterwings.

Warden Paul J. Madigan, a veteran of over 25 years in the prison service, is in charge of operations at Alcatraz. It is run on a surprisingly economical basis, considering the fact that everything that

is used and consumed, including water, must be ferried to the island. Each prisoner, for example, is fed three meals a day for the relatively small sum of 59 cents. The subcommittee learned that the Government expends an average of \$10.34 a day to keep one prisoner at Alcatraz, as contrasted to \$3.05 at Leavenworth and the \$4.58 average for the entire Federal prison system. Yet Alcatraz is performing a valuable service for the protection of the public.

The penitentiary has a rather ancient physical plant which presents a difficult maintenance problem. The climate surrounding the island is highly damaging to physical structures, and while at other prisons, inmates can be used to make repairs, the custodial requirements of Alcatraz permit very little use of inmates outside the security of the inner compound. Consequently, practically all repairs to the physical plant must be made by civilian tradesmen.

Upon entering the cellhouse the subcommittee observed that the visiting room was being renovated. The area for the outside visitors was partitioned off solidly from that for the prisoners. Speakers were being installed which would permit two or three visitors to converse at one time with a single inmate. The subcommittee was informed that each prisoner was allowed one visit of 90 minutes duration each month. However, of the population of 290, an average of only 15 inmates received visitors each month.

The subcommittee first visited the cellhouse which contains 2 inside cell-blocks, each with 168 cells. The cellhouse was immaculate, and the cells themselves were sparingly but comfortably equipped. The committee then went to the kitchen area where feeding arrangements were discussed and the menu for the current 10-day period was displayed. It was obvious that although the Alcatraz prisoners have few privileges and no commissary as in other Federal prisons, they were well fed. The kitchen and dining room looked exceptionally neat and clean.

At the prison hospital the committee talked to the chief medical officer and his medical technician. The subcommittee was informed that on the average about three prisoners a day were in hospital status, which would indicate that the health of the Alcatraz population was safeguarded well. The subcommittee inspected the operating room, the outpatient clinic, and the wards which were equipped with beds recently acquired from surplus property lists. Like the rest of the penitentiary, the hospital was neat and orderly. While Alcatraz does not have a full-time dentist, a local dentist visits Alcatraz one day each week, and, according to the warden, this time has been sufficient to provide adequate dental care for the men.

The subcommittee visited the treatment unit, where men who are in punitive status or who must be segregated from the rest of the population for various reasons are housed. At the time of the subcommittee's visit, 20 prisoners were in segregation status and 1 in punishment status.

Returning from the disciplinary unit, the subcommittee stopped at the library and examined the bookshelves. The warden pointed out that Alcatraz had recently received a number of surplus books from the Navy and now had about 14,000 volumes. He explained that the average Alcatraz prisoner read about 85 books a year. The books, selected from a published list, are delivered to the cells. After the working day is over, the prisoner can also listen to the radio, if he wishes, by means of the earphones installed in each cell. The radio is turned on at 6 p.m. each night and turned off at 9:30.

Following lunch, the committee went to the industrial area and entered the laundry. This unit performs work for local government agencies; and while 40 inmates were assigned at the time of the subcommittee's visit, the laundry was being disbanded because local government agencies do not furnish enough work to keep 60 or 70 men busy.

Visiting the clothing factory next, the subcommittee observed 36 inmates working on an order from the U.S. Army for cooks' and bakers' white trousers. The members circulated through the cutting room and through the main shop, stopping occasionally to talk to the prisoners. Warden Madigan advised me that this was the most efficient industrial activity at Alcatraz and that there was little difficulty in securing enough work to keep the factory busy. The morale of the inmate workers seemed high, considering the circumstances, and few of them stopped work long enough even to inspect their visitors.

In the glove factory the members observed operations in the leather cutting department and the sewing shop, where 35 men were making leather gloves for the Army Quartermaster. According to Warden Madigan, the shop had enough orders on hand to keep the activity busy for several months.

In the furniture refinishing shop, 20 prisoners were renovating desks and chairs for Travis Air Force Base, one of several air bases in the area served by the unit. The quality of the work turned out by the prisoners was very high, with the finished product not readily detectable from a newly manufactured article. The issue of tools was carefully controlled by means of a carefully designed tool board, with the absence of a tool evident at a glance.

In the brush shop, the last industrial activity visited by the subcommittee, 22 men were making 14-inch brushes for the Navy. The brushes were turned out with rapidity, and it was obvious that the inmate workers had acquired high skill.

After leaving the work area, the subcommittee inspected the powerplant. Warden Madigan explained that the electricity supply was a source of difficulty, inasmuch as it generated chiefly d.c. current. For example, it was troublesome to operate the prison's metal detectors with only a small amount of a.c. current. The powerplant itself was operated by a chief engineer and five assistants, who rotate on shifts around the clock.

The committee was interested in noting that many of the staff lived on the island with their families and were dependent upon the institution's boats to get to San Francisco for shopping, attending school, and securing other community services. Normally a boat makes round trips every hour or two between 6 a.m. and 12 midnight. However, it is apparent that the life of the island's civilian residents is rather restricted, and the dedication of these public servants must be admired.

CONCLUSION

Although it might be considered regrettable that the United States has need for a supersecurity prison such as Alcatraz, the prisoners confined there are being accorded treatment which is as humane and reasonable as the circumstances permit. The primary function of Alcatraz is to protect the public, and this task is being performed well, under rather trying and difficult circumstances, in the opinion of the members of the subcommittee who visited the institution.

Needed: More Defense Contracts in Indiana Areas of Unemployment

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. BRADEMAS. Mr. Speaker, I want to praise the action taken this week by the Rules Committee of the House in urging that the Committee on Armed Services investigate the failure by the Department of Defense to award Government contracts to areas of substantial unemployment.

I refer specifically to House Resolution 19 which, among its other purposes, authorizes the committee "to conduct a full and complete investigation" into the procurement and use of materiel, equipment, supplies, and services by or within the Department of Defense.

Mr. Speaker, since 1953 we in the Third District of Indiana have suffered violent fluctuations in employment. Two of the four counties in my district have too often been in the substantial labor surplus or distressed area category.

Because of economic conditions within my district and because of similar conditions in other distressed areas throughout the Nation, I am glad to see the scope of the investigation covered by House Resolution 19 extended to include a study of whether or not defense contracts are properly being awarded to business firms in areas suffering from serious unemployment.

I have discussed this possibility with the Honorable RAY J. MADDEN, of Gary, Ind., who was among those members of the Rules Committee reporting H. R. 19 favorably to the House. My distinguished colleague from Indiana has informed me that the Honorable CARL VINSON, of Georgia, chairman of the Committee on Armed Services, is in agree-

ment with the extension of the committee's power to study the relationship between first, unemployment, and second, the favoritism by the Defense Department of big companies over small firms in the granting of Government contracts.

I specifically call to the attention of the Armed Services Committee and of Congress the critical unemployment situation in the South Bend area, and I want to commend my good friend, Congressman MADDEN, for his emphasis at the Rules Committee hearing yesterday on the situation at the Studebaker-Packard plant in South Bend.

I respectfully submit that the investigation of which I speak can develop much valuable information toward the end that areas of substantial unemployment are, whenever practical, awarded more contracts by the Department of Defense.

The human and economic cost of high unemployment is ample justification for awarding more government work to such areas.

Communist-Inspired Smear Campaigns

EXTENSION OF REMARKS

OF

HON. GORDON H. SCHERER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. SCHERER. Mr. Speaker, I request permission to bring to the attention of my colleagues the recent series of scurrilous attacks against the Federal Bureau of Investigation and its highly respected Director, J. Edgar Hoover.

I particularly command to your attention the underlying forces behind this patterned campaign of vilification and abuse.

For more than a quarter century, Mr. Hoover and the FBI have been targets of malicious smear campaigns launched by subversive organizations. Communists and other unsavory groups, through distortion and deceit, have directed a wealth of misinformation, innuendoes, and smears against the FBI. But, in the light of its past achievements it is, of course, not too difficult to understand why. Like a stuck pig, they have had good reason to squeal, and are out to get the FBI.

Mr. Hoover is a public servant who has given a lifetime of dedicated effort to unselfish public service. He has dedicated every legitimate resource to an unrelenting war upon the criminal underworld and against those whose ideologies are contrary to our American way of life.

Those whose wish it has been, and is, to unlawfully overthrow our Government are Mr. Hoover's sworn enemies. We all know this. And they leave no stone unturned in their vicious efforts to hamper his effective work. Their malicious smears, however, go on and on.

In 1940 there was a concerted wave of Communist-inspired criticism denouncing the FBI as "an American Gestapo" and a "threat to freedom." Communist demands were heard for a "sweeping investigation of the FBI."

Again in 1947, the Communists spearheaded a vicious drive to slander this

agency and undermine public confidence in its operations. Behind this all-out attack were the fear and hatred of subversive groups for the then newly established Government Employees Loyalty Program, a measure clearly designed to strengthen our national security. The attack failed.

In the late 1940's, and early 1950's the FBI's investigative machinery dealt crippling blows to the Soviet spy system here in America. It was during this time, you will remember, that Judith Coplon, Valentin Gubitchev and Harry Gold were arrested and exposed; the Rosenbergs were convicted, and later executed, as atomic spies.

Following these successes, Director Hoover and his staff were subjected to renewed castigation and abuse. Through hate propaganda, and the technique of the big lie, efforts were made to dupe an unsuspecting public into the ridiculous belief that J. Edgar Hoover and the FBI were the menace to the citizenry of our Nation, not the Communists and their allies, the pseudoliberals.

The Federal Bureau of Investigation has admirably weathered periodic storms of Communist-directed scorn and contempt. Its record of past accomplishments speaks for itself. But in taking a stand for the preservation of the American way of life, Mr. Hoover has invited upon himself the wrath of experts adroit and skilled in the art of character assassination.

In more recent months, this attack has assumed a well-organized pattern of smear, slander, and hate. The leopard has not changed its spots: As in bygone years, the current hate Hoover campaign is implicit in the forces of the Communist Party, U.S.A., its willing dupes, its sympathizers, and its respectably cloaked apologists and pseudoliberals.

"THE NATION"

The initial impetus to this rabid anti-FBI drive was sparked by the Communist-line magazine, "The Nation." Its entire issue of October 18, 1958, some 60 pages, is devoted exclusively to a highly distorted and biased attack upon J. Edgar Hoover and the FBI by Fred J. Cook, a writer who has earned the unenviable distinction of being an apologist for Alger Hiss. This article contains many of the same contradictions, falsehoods, and innuendoes characteristic of those hurled at the FBI by Max Lowenthal and others of similar ilk. The Ford Foundation's Fund For the Republic, a tax-exempt organization, was the largest single advertiser in this smear issue of "The Nation."

"The Nation" is edited by Carey McWilliams, a character whose record relating to Communist Party activities extends over a period of more than 20 years. These facts speak for themselves.

COMMUNIST PARTY U.S.A.

Blistering criticism, nurtured by a feeling of bitter resentment and hate, of those who would zealously defend the country against its internal enemies, has always been, and still is, an unceasing Communist Party tactic. Yet the very

ruthlessness and violence of these attacks are a grudging acknowledgment of FBI vigilance in its relentless fight against the treacherous guiles of Communist subversion and intrigue.

One of its latest salvos appeared in the official publication of the Communist Party, U.S.A., "The Worker," on November 16, 1958, in an article brazenly captioned "Edgar Hoover's Four Decades of Fight Against Peace."

But let us not be misled. Today, the American people are being fed the phoney propaganda line that the Communist Party, U.S.A., is just another legitimate political organization. Of course, what it really is—is just what it has always been: A Soviet-dominated link in the international Communist conspiracy, dedicated to the ultimate forcible destruction and overthrow of the U.S. Government.

Soviet leader, Nikita Khrushchev, himself restated this aim in a television interview in June 1957, when he boasted your grandchildren would live under the heel of Communist socialism.

EMERGENCY CIVIL LIBERTIES COMMITTEE

Elaborately linked to the current conspiratorial chain of smear forces are the many fronts exploited by the Communist Party, U.S.A. to convey insidious propaganda designed to discredit truth. They are "the marks" of the conspiratorial con-game swindlers: the willing dupes of the Communist "roper" and "inside man."

These are the individuals whose sly and slanted writings oppose urgently needed internal security measures; present the menace of communism as a myth of hysteria, urge that we tolerate the subversive acts of Communists because the Communist Party is just another political movement; and whose outraged cries have been joined in the attack against everyone and everything related to the exposure of the Communist conspiracy.

It was back in September 1957, you may still recall, that the Emergency Civil Liberties Committee started its campaign of vilification to abolish the House Committee on Un-American Activities. Immediately, the efforts of these Communist stooges were broadened to include the Federal Bureau of Investigation.

Their motives were all too obvious. The record will show that the Emergency Civil Liberties Committee was designated a Communist-front organization by the Internal Security Subcommittee of the Senate Judiciary Committee. Harvey O'Connor and Corliss Lamont are its officiating heads.

For some years the name "Harvey O'Connor" has been on the Nation's list of editors as a staff contributor. It was this individual to whom the House Committee on Un-American Activities referred when it stated:

Harvey O'Connor was identified as a member of the Communist Party by Benjamin Gitlow, the Communist Party's former secretary general, in sworn testimony before the Committee on Un-American Activities on September 11 and October 17, 1939.

And this same committee, in its report on Lamont, states: "Corliss Lamont has been one of the foremost apologists for

the Soviet Union in the United States," and then factually recounts his association with many Communist-front organizations.

NEW YORK POST

Next to join forces with the "hate Hoover" campaign was the New York Post whose efforts are being directed by James Wechsler, its editor, a self-admitted former member of the subversive Young Communist League.

The New York Post has probably published more character-assassination attacks on J. Edgar Hoover than any other paper except the Daily Worker. It now has assigned a staff of reporters in the United States and abroad in a farflung attempt to dig up dirt for a professed objective study of the FBI.

We should note that James Wechsler, editor of the New York Post, in the 1930's was on the National Committee of the Young Communist League, and was also formerly an editor of the Nation.

SOCIALIST WORKERS PARTY

The latest blast in the current series of vicious attacks to discredit Mr. Hoover and the FBI was launched on December 8, 1958, by the Militant, a weekly organ of the Socialist Workers Party, in a smear bearing the warped caption, "J. Edgar Hoover, Chief of Thought-Police."

But, here again, let us not forget that the Socialist Workers Party is a militant revolutionary group advocating the immediate violent overthrow of our Government. It is an organization which was cited by the Attorney General under Executive Order 10450.

Over the years, the attitude toward law enforcement of American Communists, leftwingers, and those skilled in concealing foul and despicable acts behind the fifth amendment, has been one of deliberate hostility, coldly calculated to smear, slander, and hate. Their repeated attacks against the FBI are not rooted in a spirit of honest criticism and fact.

But we do know this: Their hostile smears are based upon wishful thinking. They want the FBI abolished. Therefore, they ridicule and vilify its personnel. They condemn its lofty purposes, revile its methods, and rail at its lawful techniques employed to cope with their trickery. In essence, Communist hatred of democratic law enforcement is rooted in the fact that our system is a strong bastion against violent revolution by a minority of political gangsters. Because it is such a barrier, it must be destroyed.

The Communists have raised no audible objection to a system in which the whims of each new tyrant and his hierarchy become the law of the land. The citizen who survives the torture chambers, brainwashers, and firing squads is consigned to a slower death in the slave-labor camps. In the sardonic and semantic lexicon of the Communist conspiracy, this system is called the people's police.

The individual who does not recognize Communist techniques may find himself providing grist for the Red Fascist propaganda mill.

The sinister chain of smears currently being leveled against the FBI prompted

Preston J. Moore, national commander of the American Legion to issue a statement in which he recently declared, in part, and I quote:

It is difficult to attribute any purpose to these attacks other than a desire to destroy this Federal law enforcement agency and its leader as an effective deterrent to undetected, unopposed Communist subversion in this country. * * * The American Legion believes that the American people will not permit their justified confidence in Mr. Hoover and the FBI to be compromised by scurrilous distortions and half-truths. Nor will they allow irresponsible journalism to blind them to the need for continued FBI investigation of the dangerous Communist conspiracy in this country.

I feel that this statement by the national commander of one of America's foremost patriotic organizations very well summarizes the issue: "FBI smears do not stick."

Amendment Offered to Federal-Aid Highway Act of 1958

EXTENSION OF REMARKS OF

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. CRAMER. Mr. Speaker, Congress worked its will in regard to Federal aid to highways by passing H.R. 10426 which was an amendment to the Federal-Aid Highway Act of 1956, and provided for an additional 2 years for advance purchase of rights-of-way. Notwithstanding this fact, a later enactment which was in essence a codification of basic highway law passed and became law. Thus the amendment introduced by me and passed by Congress was nullified by the subsequent passage of the Federal-Aid Highway Act of 1958. In the final form of the codification of the highway legislation into title 23, United States Code, which was a very essential bill and one which I actively supported, my amendment was not embodied.

It is my desire in reintroducing this measure to have Congress reinstate its approval of the extended term of 2 years so that we may take full advantages of this program and to make the benefits more effective. Last year when this amendment was first introduced I pointed out to the House that additional time is justified and needed between the purchase, not only for construction of the Interstate System but also on primary, secondary, and rural and urban highways, of rights-of-way and actual construction.

The present law provides that a 5-year period is the outside limit of time between the fiscal year in which a request for reimbursement of the cost of acquired rights-of-way is made and commencement of actual construction. Under the present provisions the States are seriously hampered from purchasing rights-of-way unless construction is definitely programmed to begin within the 5-year period. In many States such as Florida, where the cost of rights-of-way is daily

increasing and plans for substantial highway construction are being made far in advance of the actual beginning of work this provision is not as fully helpful as was intended.

I am in fact, by introducing my amendment, asking Congress again to do that which was intended to be accomplished on August 6, 1958. Due to provisions in codification of highway legislation in United States Code, title 23, repealing all other previous passed legislation, my bill approved August 6 and becoming Public Law 85-597 of the 85th Congress was repealed by this code which was approved on August 28, 1958.

It being the obvious will of Congress that the rights-of-way time limit be extended from 5 to 7 years, I trust immediate action on my bill will be forthcoming. This being the case, I understand that the Bureau of Roads is holding in abeyance, but on active basis, State requests coming within the 5- to 7-year extension in anticipation of such favorable congressional action.

Let Us Defend the Written Constitution

EXTENSION OF REMARKS OF

HON. WILLIAM M. TUCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. TUCK. Mr. Speaker, on October 23, 1958, our distinguished colleague, the Honorable BURR P. HARRISON, who so ably represents the Seventh Congressional District of Virginia, delivered a masterful address at a meeting of the American Carpet Institute in Skytop, Pa. The sound doctrines expounded by Mr. HARRISON merit serious thought and consideration. Under leave to extend my remarks in the RECORD, I include the following complete text of the address:

There is an element in the United States dedicated to the principle that the working class is the only essential class, and that wealth produced by this class and paid to private ownership is surplus. To obtain this surplus, a constant class warfare must be waged for the control of the private property essential for the production of wealth. The control of such private property should vest in Government, and the control of Government in Socialists' hands. You are fully aware of the vast progress the Socialists have made in the past 25 years toward these objectives. Tonight in every corporation represented here, the Government is the unwanted partner to the extent of 52 percent of net income. Fortunate indeed is the executive who does not contribute 50 percent of his net earnings to Government. A galaxy of laws, State and national, have invaded and pounded down upon our free enterprise system. But, as yet, the Socialist victory has not been complete and the outcome of the struggle remains in doubt. Corporations still earn and declare dividends, farmers still maintain some control over their lands, laborers still in some places may obtain employment without paying tribute, Government control of person and property is not yet fully realized though the outcome teeters in the balance.

To obtain their objectives, the Socialists must reduce the Constitution of the United States to shambles. To the extent its writ-

ten word is observed, the rights of private property and private enterprise are observed because the Constitution protects them both. An authority cited with all inclusive acceptance by Chief Justice Warren in the school segregation cases was "An American Dilemma," by the Swedish sociologist, Gunnar Myrdal. This book to which the Supreme Court of the United States has given unanimous approval contains this passage: The Constitution of the United States "is impractical and unsuited to modern conditions" and its adoption was "nearly a plot against the common people."

Speaking 2 years ago of decisions of the Supreme Court of the United States, Edmund W. Flynn, Chief Justice of the Supreme Court of Rhode Island, declared "recent decisions have departed so far from constitutional precepts that this country no longer has a written Constitution any more than England."

Judge Learned Hand, of New York, one of the most eminent men ever to sit on the bench and the kind of man who used to be appointed to the Supreme Court, in a series of lectures at Harvard University, has charged that the Supreme Court is pursuing a tendency to set itself up as a third legislative chamber. He says that the Supreme Court has one rule where property is involved and another where liberty is at issue. He says public support disappears from the Court "insofar as it is supposed permissible for the judge to smuggle into his opinions his personal notions of what is desirable." "For myself," continues Judge Hand, "it would be most irksome to be ruled by a bevy of platonic guardians."

The chief justices of 36 States in a remarkable indictment have charged "that the overall tendency of decisions of the Supreme Court over the last 25 years or more has been to press the extension of Federal power and to press it rapidly * * * the Supreme Court too often has tended to adopt the role of policymaker without proper judicial restraint. * * * It has long been an American boast that we have a government of laws and not of men. We believe any study of recent decisions of the Supreme Court will raise at least considerable doubt as to the validity of that boast."

Let me give you one more quote. The California leader of the Communist Party said: "This decision will mark a rejuvenation of our party in America. We've lost some members in the last few years, but now we are on our way again."

No outsider can match the abuse which members of the Court have heaped upon one another. For example in one case, Justices Douglas, Black, and Chief Justice Warren said the action of their colleagues was "a shocking instance of the abuse of judicial power." This is not a suggestion that the majority has made an honest mistake, it has been pointed out. A shocking abuse of authority is an intentional act; a wicked and dishonest thing. In another case, Justice Tom Clark said: "Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets * * * and all in the name of justice."

The layman cannot realize the extent to which these nine men have gone toward destroying and distorting our written Constitution. They have decreed that under our Constitution a local school board of the State of New York may not dismiss a teacher who refuses to say whether he is a Communist; that this very State of Pennsylvania may not convict Steve Nelson, a notorious Russian spy, for plotting to overthrow the State government; that the Fed-

eral Government may not convict, under the Smith Act, one who advocates the violent destruction of the Federal Union provided such advocacy is "abstract," whatever that may mean; that the State of California and New Mexico must permit subversives to practice law in their courts; that the Government of the United States may not dismiss its own employee who plots the Government's overthrow unless he occupies a sensitive position; that the Cabinet head of a Government department must keep on the public payroll a person he believes should not be entrusted with confidential assignments bearing on national policy; they have so tortured the salutary provisions of the fifth amendment, that "taking the fifth" has become a part of the language of the underworld meaning a smug and effective recourse of racketeers and subversives. These nine men have opened the secret files of the FBI to the criminal; they have struck down the criminal laws of the States; they have licensed the seller of filth and obscenity to the youth; they have assaulted the rights of officers of the law to arrest for serious felonies committed in their presence; they have swept away the power of the police to fight crime by reasonable interrogation of suspects and by introduction of voluntary and truthful confessions in evidence; they have decreed that the Congress of the United States, which this year spent \$40 billion of the people's money to protect against Communist invasion, has no power to control hostile Communist activity in the United States or even to make inquiry into Communist doings or to remove Communists from Government payrolls; in countless other decisions they have gladdened the hearts and built up the power of criminals and subversives.

In the South conditions threatening chaos have been produced by the decision that racial separation in the public schools violates the Constitution of the United States. This decision did not contend that Southern States had denied equal opportunity to colored children in the public school. Upon the facts, such a contention could not be made. In my State of Virginia, for example, the average salary of a public school teacher is higher for the Negro than for the white. In 10 years, the value of school property per enrollee has increased 258 percent for the Negro as against 144 percent for the white. Thirty-four percent of the State money spent on school construction since 1950 has gone for Negro schools, although Negroes represent only 25 percent of the school population. The taxpayers of Virginia—and that means, by and large, the white taxpayers—have been paying willingly for the creation of truly equal facilities for education of the white and colored child.

Does the Constitution of the United States prohibit the separation of the races in the public schools?

The judges said the acts of Congress providing for segregated schools in the District of Columbia are in violation of the fifth amendment. The fifth amendment was written into the Constitution in 1791, and under it human slavery existed for 75 years until abolished by the 13th amendment. Can any honest man say that language which permits human slavery denies the right of separate school facilities? Separate schools in Virginia, the judges said violated the 14th amendment. The 14th amendment did not give to Negroes the right to vote which was conferred by the 15th. Can any honest man say that language which does not give the right of suffrage denies the right of separate school facilities? The very Congress which submitted the 14th amendment set up a system of segregated schools in the District of Columbia and six times the Supreme Court of the United States has decided that separate but equal facilities comply with the 14th amendment. Chief Justice William

Howard Taft was the most recent and expressed the opinion of the Court that "the separate but equal principle *** is within the discretion of the State in regulating its public schools and does not conflict with the 14th amendment."

However much we may argue about legal niceties, there are certain aspects of this decision which we in the South know, and know beyond peradventure of debate. First, we know that we cannot carry it out and at the same time educate the youth of either race. In the District of Columbia the public schools were integrated in 1954. A congressional committee has established that in the wake of this action has come disciplinary problems described as appalling, demoralizing, intolerable, and disgraceful. Fighting, lying, stealing, vandalism, obscene writing, vulgar talking, absenteeism, and truancy have increased to an amazing degree. Teachers have resigned in disgust, courses of study had to be abandoned because supplies were stolen so rapidly they could not be replaced, children go to school with weapons. The committee found that the vilest sex talk, dirty writing on walls, foul and unspeakable language to teachers, and vicious and obscene tongue battles in classroom, as well as during recess. They reported an enormous increase in venereal disease, which included 13 colored girls of 6 years of age. A majority of the people in the District of Columbia are white, but the school population is 73 percent Negro. Where are the children of the white parents?

A second thing we know about this decision is that no civil government, Federal or local, can enforce it. Under the principles of the Declaration of Independence, governments derive their just powers from the consent of the governed. When you have government exercising power to which the people do not consent, and to which they are deeply opposed, you have widespread violation if you leave enforcement to civil authority, as during prohibition. The only alternative must be a substitution of government by fiat and military might for civil authority and popular government.

I earnestly contend that when constitutional liberty, the right of peaceable assembly, the right to operate local government dies anywhere in the United States, it is threatened everywhere.

What is the real reason the leftwing, with the Supreme Court as its heavy artillery, wages war on the South? In an editorial in this week's U.S. News & World Report, David Lawrence says: "If it had not been for Democratic leaders from the South in the last session of Congress *** America now would be facing economic disaster."

The leaders of the South, such as BYRD, RUSSELL, IRWIN, and HOLLAND, for 20 years, have held the pass against the Socialist march. When they are succeeded in the Congress by a new generation of carpetbaggers and scalawags, kept in power by Federal bayonets, the votes will be in the Congress to carry the class war to victory not only against the South but over the last vestige of written constitutional government, the last trace of private ownership of property and private enterprise. Thus, the purpose of all of the decisions discussed tonight, including the segregation decisions, is not the protection of the Negro, or the workingman, or the downtrodden individual; the purpose is the destruction of the written Constitution, the breakdown of the police power of the States, the promotion of class warfare, the establishment of Marxist socialism.

As one people of one nation, let us defend the written Constitution and say of it, as did that great New England poet:

"Sail on, O Ship of State.
Sail on, O Union, strong and great.
Humanity with all its fears,
With all the hopes of future years
Is hanging breathless on thy fate."

Castro Not Fit To Rule Cuba

**EXTENSION OF REMARKS
OF**

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. ANFUSO. Mr. Speaker, I have long sought and hoped for a democratic and peaceful change in dictator governments like Cuba. The revolutionary change in Cuba, commencing with uncivilized bloodbaths, does not seem to be a change for the better. Today violence reigns in Cuba, instead of order and democracy for which the people have long prayed.

Already some 200 lives have been needlessly taken, while many hundreds more are reported facing secret trials and possible death. Although executions have been temporarily suspended by the new regime, rebel leader Fidel Castro has defended these mass executions as "necessary to purify the nation." The civilized and free world had high hopes that the Castro movement would establish a government of freedom and democracy for the Cuban people, but it has been disillusioned.

On the basis of what has taken place in the brief period since the Castro regime has come to power, we can only reach one conclusion and that is: Castro is no better than Batista. The methods he has used to attain power—and I am thinking of his kidnaping of U.S. military personnel and civilians in Cuba—and his conduct after the bloody revolution clearly demonstrate that Castro has little or no regard for human lives or human rights. In less than 2 weeks he has authorized the murder in cold blood of 200 human beings under public view and without any semblance of law or order.

At the same time, it is reported that some 500 other persons are being held in Oriente Province alone and they will soon face summary mock trials by hot-headed rebels, lasting perhaps a few minutes per person and with very little chance of defense. And this the Castro regime is trying to tell the world is legal and civilized procedure. In the United States we call these lynchings and murders.

Present-day justice in Cuba under the Castro regime is succinctly discussed in an editorial in the Washington Post of January 14, where it is stated as follows:

There is a difference between an open trial fairly conducted in a less impassioned moment and drumhead justice dispensed by hot-headed rebel troops. Capital punishment in such a situation too readily becomes lynching. Terror has a way of passing beyond control as the appetite for vengeance increases with use. ***

According to recent press reports, Castro stated that he has no desire to run for the office of President of Cuba. By his own admission, the job of governing Cuba is too big for him and he ought to resign from active leadership or perhaps take on some kind of professorship at the University of Habana and bide his time.

Castro cannot, by self-appointment, be the commander of the land, air, and sea forces of Cuba which by removing conscription, as he has promised, will eventually be composed of volunteers who are actually his followers. In this way he will succeed in entrenching himself in power and as such become just as dangerous and threatening as any dictator. Under such circumstances it is difficult to see how free elections can be held, except at the point of the bayonets of these self-appointed liberators. No President and no Member of Congress could possibly be elected or serve in office without Castro's approval.

Furthermore, Castro admits that his brother Raul has Communist leanings, having been trained in Moscow. Simultaneously, it is reported that a large number of Castro's followers are Communists, but Castro himself protests that he is not a Communist and is willing to aline himself with the United States. Here again, however, he throws in a proviso that we first show our respect for him. I should like to ask: Respect for him as what? As a kidnaper of American citizens? As a brutal murderer of his own people?

No matter how flushed he may be with victory, Castro should quickly come to his senses and realize that the United States will not take any bluff from him, just as it had not taken and still refuses to take any bluff from other dictators. He would do well to study the map of the Western Hemisphere and learn the facts of life, particularly as they affect the economy of his own country, before he makes demands on the United States. We will not stand for a Nasser or a Hitler so close to our shores.

Whatever justification may have existed for the Castro revolution has now been completely annulled by his most recent threat to kill 200,000 gringos, or Americans, should we decide to send marines to Cuba, although there has been no such suggestion on our part.

I have never forgotten Castro's unwarranted seizure of American soldiers, sailors, marines, and civilian workers, holding them as hostages for a considerable period of time, and thus humiliating the United States in the eyes of the world. I am sure that many other Americans have neither forgotten nor forgiven him for this deed. Nor do we in this country particularly like his treatment of U.S. citizens who presently have to travel to Cuba for business or pleasure. Authentic reports show that Americans are forced to wait long hours at airports under the restraint of armed men and that before being admitted their bags are searched and their bodies frisked like criminals.

I think we ought to make it clear to Revolutionist Castro, for his own good and before he gets any more wild ideas, that it is we who demand respect from him. I think we should tell him in no uncertain terms that we will not tolerate any further mistreatment, friskings, kidnapings, and other indignities to U.S. citizens residing in, or traveling to, Cuba.

At the same time, let us state unequivocally that we are opposed to dictators

in any form. Castro and his revolutionists in Cuba must realize that government of the people, by the people, and for the people—as the immortal Abraham Lincoln has so correctly defined the democratic form of government—must be sustained by ballots and not by bullets.

Mr. Speaker, I wish to serve notice that unless a democratic form of government is soon established in Cuba and free institutions are allowed to flourish there, I shall be the first to move before the House Committee on Agriculture, of which I am a member, and before the Congress of the United States to drastically reduce the sugar quota for Cuba. Perhaps Castro will be able to understand that kind of language better, since appeals based on justice and morality do not seem to have the desired effect on him.

Veterans' Legislation

EXTENSION OF REMARKS

OF

HON. EDITH NOURSE ROGERS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a copy of the following bills which I have introduced for the benefit of our veterans:

A bill to provide that veterans age 65 shall be deemed to be permanently and totally disabled for pension purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502, title 38, United States Code, is amended by redesignating subsection (b) as subsection (c), and adding a new subsection (b) to read as follows:

"(b) For the purposes of this chapter, a person shall be considered to be permanently and totally disabled upon reaching the age of 65 years."

A bill to provide that veterans suffering from active pulmonary tuberculosis shall be deemed to be permanently and totally disabled for pension purposes while hospitalized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 502 (a), title 38, United States Code, is amended by striking the period and inserting a semicolon and "or" in lieu thereof, and by adding a new paragraph (3) to read as follows:

"(3) active pulmonary tuberculosis, but only during periods of hospitalization therefor."

A bill to increase the annual income limitations governing the payment of pension to veterans of World War I, World War II, or the Korean conflict, and their dependents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 522(a), title 38, United States Code, is amended by deleting "\$1,400" and "\$2,700" and inserting in lieu thereof "\$1,800" and "\$3,000", respectively.

Sec. 2. Section 545(a), title 38, United States Code, is amended by deleting "\$1,400"

and "\$2,700" and inserting in lieu thereof "\$1,800" and "\$3,000", respectively.

Sec. 3. This Act shall take effect on the first day of the second calendar month after its enactment. Pension shall not be paid for any period prior to the effective date of this Act to any person whose eligibility for pension is established solely by virtue of this Act.

A bill to provide pension for widows and children of deceased World War II and Korean conflict veterans on the same basis as is provided for widows and children of deceased World War I veterans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 543(a)(1), title 38, United States Code, is amended by deleting (a) the comma following the word "title" and (b) the words "and at the time of his death had a service-connected disability for which compensation would have been payable if 10 per centum or more in degree disabling".

A Discriminatory Excise Tax

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. PELLY. Mr. Speaker, I have long subscribed to the merits of the "try, try again" principle as applied to meritorious causes. Therefore, in introducing H.R. 2418, I am urging for a third time the repeal of the so-called, but misnamed, cabaret tax—the most discriminatory, ancient, and unrewarding of all the wartime emergency excises. I believe I was the first Member of Congress to initiate legislation to eliminate this discriminatory tax. This was in the 84th Congress, when on January 5, 1956, I introduced H.R. 8153, and I believe my renewed proposal to the 85th Congress was the first of some 17 such repeal bills presented at the last session.

Recent legislative history records, Mr. Speaker, that the House of Representatives, as a whole, conforms to my "try, try again" principle with respect to this sorely needed legislation. Three times has this distinguished body voted relief from this onerous excise and sent its recommendations to the Senate. Unhappily, that body has not seen fit as yet to concur. I trust that in this 86th Congress perseverance will have its reward.

I suspect, Mr. Speaker, that this so-called cabaret tax would have long since been repealed had it not suffered from an unfortunate christening some two-score years ago, at the time of World War I. That, Mr. Speaker, is the hoary vintage of this unjust and still uncorrected Federal taxing policy. Realistically, the cabaret has passed from the public scene; only our seniors in this body will remember it, and not too nostalgically; only a smattering of our more youthful colleagues would now know how to search out a lingering vestige of this unmourned symbol of the gay nineties or the roaring twenties. Yet the prohibitive 20-percent excise that was writ-

ten for and named for the cabaret applies to the hotel dining room and the well-lighted, carefully operated supper club where dine-and-dance entertainment still survives this 20-percent impost. If, perchance, some of my distinguished colleagues are contemplating a social night out to celebrate the wife's birthday, they would have but meager choice in this Capital City of an appropriate venue affording opportunity to dine and dance. And if they are lucky enough to find a surviving establishment where they might enjoy an anniversary waltz with their ladies fair, they must face up to a 20-percent charge on top of the dinner check.

But the problem of this discriminatory tax is not to be considered lightly, because, in principal effect, it is a tax on employment. Over the last decade it has been an excise of declining return for the Treasury; it has become, in fact, a tax of no return. The paltry \$40-odd million per annum this tax now returns to the Treasury likely does not pay for its policing and certainly does not compensate for the personal and business income-tax revenues lost because of the almost complete blackout this uneconomic tax imposes upon what once was and again would become a substantial segment of the entertainment business. I am impressed by the comprehensiveness and conservativeness of an independent economic survey made by a reputable national factfinding organization at the instance of the American Federation of Musicians.

The Research Co. of America reported that of the 83,000 playing musicians who earned their principal livelihood from music in 1954, 40,912 were employed in places subjected to the 20-percent tax and an additional 13,429 had part-time employment in this area—the dine-dance business representing more than half of the gainful employment for all instrumentalists. The average earnings for musicians thus employed was \$3,042, making the musician one of the most economically distressed of all American workingmen.

The survey revealed that repeal of the 20 percent tax, which I seek in H.R. 2418, would immediately result in a gain of 63 percent in employed hours for 41,000 musicians working in dine-and-dance establishments and thus increase their annual earnings by some \$2,000 each. Up to 35 percent more musicians would be employed—a total employment gain of more than 100 percent for this sorely distressed category. Surely, in point of employment alone, this tax must be repealed without further damage to our national job potential.

In the event of repeal, the survey found, establishments now struggling under the 20 percent impost declared their intent to expand their business and employ more musicians to the extent that \$36 million more in Federal income taxes would flow to the National Treasury. This factor, together with the resultant gain of 65 percent in the working hours of musicians already employed in 20 percent establishments thus adding some \$16 million in income tax revenues, more than compensates the

Treasury for the \$40 million per annum now derived from an excise that stifles business and denies employment.

These economic findings, Mr. Speaker, do not take into account other substantial gains to the Treasury that would flow from the repeal of the 20 percent cabaret tax. The survey from which I quote found that for every additional musician thus returned to work by reason of the repeal of this tax, there would be employed between five and six additional people such as other entertainers, waiters, cooks and other service help.

It happens that my personal interest and sympathy lies in great measure with the American musician upon whom we must depend for the propagation, even the survival, of a fundamental living art. In my home city of Seattle I served as a trustee and as president of our Symphony Orchestra Association. Thus I know intimately how severely the music art is beset by a chilling climate compounded of technological displacement and an indefensible Federal taxing policy.

I yield to no Member of this Congress, Mr. Speaker, in my desire for a balanced national budget. I trust that my colleagues in the House will join me in the unique privilege and opportunity of disposing of at least one of our many excises while at the same time making possible the flow of more sorely needed tax revenues to our National Treasury through the creation of employment and the stimulation of legitimate business.

H.R. 1232: A Bill To Create a U.S. Foreign Service Academy

EXTENSION OF REMARKS OF

HON. ALBERT H. BOSCH
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES
Thursday, January 15, 1959

Mr. BOSCH. Mr. Speaker, on January 7, 1959, I introduced H.R. 1232 to create a U.S. Foreign Service Academy which was referred to the Committee on Foreign Affairs.

This measure is, you might say, a "pet subject" of mine. Bills identical to H.R. 1232 were introduced by me in the 83d, 84th, and 85th Congresses, but no action was taken on them. It is my fervent hope that the 86th Congress will see fit to enact this legislation into law.

We have academies for every branch of our armed services so that we may have officers with the best military training available. No one will argue that this is not as it should be. However, I think we will all agree that the cold war of today is no less important to our security than the military. Upon the shoulders of our diplomatic corps rests the job of preventing a hot war. Does it not logically follow that those charged with the duty of carrying on our relations with foreign countries should be given the very best training in this field that we can provide?

In 1958 I sent a questionnaire to my constituents which included this question: "Do you favor the establishment of a Foreign Service Academy to train our Ambassadors, consular and diplomatic representatives for foreign service?" The response was 86 percent in the affirmative. In addition, many newspapers throughout the country have indicated, through editorials, their support for this legislation. The Long Island Daily Press, the leading newspaper in my area of New York, has on several occasions come out in strong support for this idea.

It is my honest belief that a Foreign Service Academy is a "must," and I am confident that the people of the United States agree. I take this opportunity to call upon the Committee on Foreign Affairs to act on this legislation and to give the members of this body an opportunity to vote on same.

Small Business Tax Adjustment—H.R. 2

EXTENSION OF REMARKS OF

HON. FRANK IKARD
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. IKARD. Mr. Speaker, a few days ago, the President revealed to congressional leaders an administration budget of over \$77 billion—the greatest peacetime budget of this or any nation. I do not wish to speak on that budget, but on the source of Federal taxes which must support that budget—our free economy.

Ours is a growing Nation. During the past year, our population increased 3 million and our Nation's work force increased about a half million. To sustain a growing population and provide jobs, a growing economy is necessary if we are to maintain our high standards of living and support increased Federal expenditures.

We have had a growing economy. The gross national product of 1957 was the highest in history, and indications are that 1958 exceeded that mark. But one segment continues to lag—that commonly referred to as small- and medium-sized business.

In our analysis of small business conditions, we are fortunate indeed to have the reports of the Small Business Administration. May I call to your attention that in the 10th semiannual report for the 6-month period ending June 30, 1958, the Administrator reported that business failures through June 30, 1958, had been reported as 8,071 compared to 7,089 in the similar period for 1957.

Mr. Speaker, this is an increase of 14 percent—an alarming rate for a growing nation. May I point out that many Members of this House were alarmed last year when reports indicated that business failures in 1957 were 8 percent higher than in 1956. Why, in a period of national growth, are business failures continuing at such a high level?

The same reports show that in 1956 larger manufacturing corporations returned 12.4 percent on stockholders' equity; in 1957, 11.2 percent; and in the first quarter of 1958, 7.3 percent. The smaller manufacturing corporations, however, showed a return of 10.4 percent in 1956; 7.6 percent in 1957; and dropped to four-tenths of 1 percent in the first quarter of 1958. This is a tremendous difference.

The Small Business Administration also points up a long-term trend which is of interest to every Member of this House. The Administration reports that from 1947 to 1957 the stockholders' equity in smaller manufacturing corporations increased from \$5.9 billion to \$9.5 billion—an increase of 62 percent. The equity in larger corporations increased from \$59 billion to \$132 billion—an increase of 122 percent for the same period.

Mr. Speaker, this is only one facet of the problem. The great bulk of small business is unincorporated, and the most substantial part of it is in the distribution and service trades. While there are no accurate figures on these unincorporated concerns, all the available evidence shows similar conditions exist.

Mr. Speaker, our economy has grown during the 10-year period covered by those figures, but it is evident that the rate of growth of smaller concerns has been less than half the rate of growth of the larger ones. Certainly with a growing nation it is necessary that the economic climate be sustained which will be favorable to the growth of all business enterprises. In the construction of tax laws, the Congress must not only look for revenue but seek that revenue by methods which will continue to foster and encourage further economic growth.

A review of the economic indications leads one to the firm conclusion that the tax laws, as now construed, do not grant small business concerns the same opportunity for growth as is enjoyed by their larger competitors.

Last year, your Committee on Ways and Means held extensive hearings on the general economic conditions and the influence of taxation on the health of our economy. These hearings demonstrated one fact above all concerning the sector of our economy known as small- and medium-sized business today. It demonstrated clearly that the greatest problem faced by the smaller concerns is their inability to retain sufficient after-tax funds to finance their growth. Most small- and medium-sized concerns are unable to obtain capital required for expansion in the open market as the larger concerns can do.

Over 85 percent of the Nation's business enterprises are unincorporated and hence are not in a position to raise capital by the issuance of stock. Further, experience indicates that the smaller concerns which are incorporated and do issue additional stock are unable to compete in the capital market with their larger competitors.

During the last session, the Congress authorized the Small Business Administration to license small business investment companies chiefly for the purpose

of making long-term loans to smaller concerns. These loans constitute additional liability for business enterprises. There is a limit to the amounts of money which a small business should borrow. Indeed, many firms have already borrowed all they can or should from banks and other commercial lending institutions. Right now, the greatest need of the smaller concerns is increased equity capital, the chief source of which is retained earnings.

After extensive hearings last year, the Ways and Means Committee, in Report No. 2198, dated July 16, 1958, reported to the House:

Your committee is convinced that one of the greatest problems confronting small and medium sized business is the acquisition of sufficient capital to modernize and maintain a rate of expansion experienced by their larger competitors. In this regard your committee is aware of the fact that small and medium sized businesses must rely to a very large extent upon retained earnings for modernization and expansion. Thus, there is a need to allow such businesses to retain more earnings after taxes to provide the funds necessary for growth. To aid in achieving this end your committee has investigated thoroughly various proposals to postpone, or to reduce, taxes based upon reinvestment in inventory and depreciable property, and would have liked to have included a provision along these lines in this bill. However, it has been forced to the conclusion that the budgetary limitations under which all tax relief must now be considered are such that any tax reduction which now could be granted under a reinvestment formula is so small as not to represent any meaningful tax relief to small business.

Mr. Speaker, the small business tax adjustment bill, H.R. 2, which I have introduced, is designed to assist small- and medium-sized businesses to maintain a rate of expansion experienced by their larger competitors by allowing such businesses to retain more earnings after taxes. The bill provides that a person engaged in a trade or business shall be allowed as a deduction for the taxable year an amount equal to the additional investment in the trade or business during that year. This deduction shall not exceed \$30,000 or 20 percent of the net income of the trade or business, whichever is the lesser. Additional investment is measured in the bill by the aggregate of the increase in depreciable property used in the trade or business, inventory, and accounts receivable attributable to sales to customers in the ordinary course of the trade or business.

This adjustment will make immediately available to all businesses an opportunity to obtain capital for business expansion, thus widening employment opportunities, stimulating competition, and broadening the sources of revenue needed to sustain an increased budget for a growing nation.

It is my sincere hope that every Member of the House will give earnest and sincere study to conditions now confronting small- and medium-sized business. The principle of a tax adjustment based on the reinvestment of earnings is the most meaningful step which the Government can take to help solve this national problem. America has long been

recognized as a land in which the door of free enterprise is always open. Passage of this act would reaffirm the determination of the Congress that a free government through the proper construction of tax laws can create an economic climate in which these smaller concerns can grow and prosper.

Small Business Tax Adjustment Act

EXTENSION OF REMARKS OF

HON. THOMAS B. CURTIS OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. CURTIS of Missouri. Mr. Speaker, I have introduced H.R. 13, the Small Business Tax Adjustment Act, which is an identical bill to H.R. 2, introduced by my esteemed colleague, Congressman FRANK IKARD. These bills are similar to the bills that Congressman IKARD and I sponsored in the last Congress.

The passage of this legislation is urgent if we are to maintain the proper balance in our economy between small and large business. It is urgent if we are to have the growth we need to maintain a healthy and progressive economy.

The bills which Congressman IKARD and I introduced in the last Congress were the subject of extensive hearings by the Ways and Means Committee. The committee in its report accompanying a bill which sought to alleviate some of the lesser problems of small business recognized the soundness of the philosophy behind our bills, which hit at the basic problem.

Now is the time to implement the Ikard-Curtis philosophy by legislation.

What is the philosophy? That traditionally in the private enterprise system economic growth comes essentially from the small and new businesses. That the small and new businesses finance their growth essentially from retained earnings, not from bank borrowings, new equity capital or other sources which are generally not available to it.

This is the seed corn philosophy upon which America has grown great. We plant 1 acre of corn, but we retain enough seed from the harvest to plant 2 acres next year. Yet under our Federal tax structure we have been taxing the seed corn so that we are stunting the healthy economic growth we need.

There are those who are so blind to basic economics that they look upon relief from the seed corn tax as threatening the revenues of the Federal Government. It is quite the other way around. If we do not stop taxing the seed corn we will not have the economic growth from which we have been deriving our increased Federal revenues.

During the last recession we over-anticipated our Federal tax revenues by about \$8 billion. Why? Because we were counting upon an increased gross national product for a larger tax base. Instead of the increased GNP we had a decrease. Essentially this decrease came

from the new and small businesses not going ahead with their planned expansions, because they did not have the financing necessary to do so.

Congressman IKARD's and my theory of removing some of the tax on the seed corn is bound to produce more, not less, Federal revenues. The only basis upon which a business gets the tax credit in our bills is when it puts retained earnings into growth of the business. What is growth in a business other than increased payrolls, increased expenditures for capital outlays which mean increased payrolls in other businesses? The amount of tax the Federal Government obtains from this kind of expenditure is multiplied several times over.

Furthermore, there is no question but the Federal Government loses revenue when the healthy small businesses are made part of larger concerns through merger and acquisition, particularly when in many instances the purchase price of the small concern is partly paid out of tax-avoidance savings.

Many present-day mergers and acquisitions are not real economic growth. Indeed, many actually are stifling growth. There are, of course, mergers and acquisitions resulting from good economics, but the rate of mergers and acquisitions in the past few years clearly indicate reasons other than good economics lie behind this process. One does not have to look far to find the answer. The answer lies in our Federal tax laws, which discourage economic growth and place a premium on economic cannibalism of larger companies swallowing smaller ones.

The point is not whether the Treasury can stand the enactment of the Ikard-Curtis bill. The question is rather how long can the Federal Treasury stand not to have it enacted.

The bill (H.R. 13) follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Deduction for additional investment in depreciable assets, inventory, and accounts receivable.

(a) **ALLOWANCE.**—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"**SEC. 178.** Additional investment in depreciable assets, inventory, and accounts receivable.

"(a) **GENERAL RULE.**—In the case of any person engaged in a trade or business, there shall be allowed as a deduction for the taxable year an amount measured by the additional investment in such trade or business for the taxable year.

"(b) **LIMITATIONS.**—The deduction under this section for any taxable year shall not exceed whichever of the following is the lesser:

"(1) \$30,000, or

"(2) an amount equal to 20 percent of the net income of such trade or business for the taxable year (computed without regard to this section).

"(c) **ADDITIONAL INVESTMENT DEFINED.**—For purpose of this section, the additional investment in a trade or business for a taxable year means the amount (if any) by which—

"(1) the aggregate, computed as of the close of the taxable year, of the adjusted bases of—

"(A) all property used in the trade or business of a character which is subject to the allowance for depreciation provided in section 167,

"(B) all stock in trade and property held primarily for sale to customers in the ordinary course of the trade or business.

"(C) all accounts receivable attributable to sales to customers in the ordinary course of the trade or business, exceeds

"(2) a similar aggregate, computed as of the beginning of such taxable year.

"(c) **SPECIAL RULES.—Limitation on Affiliated Group.**—For the purposes of this section:

"(1) All members of an affiliated group shall be treated as one taxpayer; and

"(2) The Secretary or his delegate shall apportion the limitation contained in subsection (b) of this section among the members of such affiliated group in such manner as he shall by regulations provide.

"(3) **AFFILIATED GROUP DEFINED.**—For the purposes of this section, the term 'affiliated group' has the meaning assigned to it by section 1504, except that, for such purposes, the phrase 'more than 50 percent' shall be substituted for the phrase 'at least 80 percent' each place it occurs in section 1504(a)."

(b) **TECHNICAL AMENDMENTS.**—The table of sections for such part VI is amended by adding at the end thereof the following:

"**Sec. 178.** Additional investment in depreciable assets, inventory, and accounts receivable."

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after December 31, 1958.

VHF Translator Facilities

EXTENSION OF REMARKS

OF

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. BERRY. Mr. Speaker, I am reintroducing with minor amendments a bill, designated as H.R. 1913 in the 85th Congress, which directs and requires the Federal Communications Commission to authorize VHF translator facilities under proper rules and regulations to be established by the Commission. The amendments in the bill I am introducing, which differs from H.R. 1913, are that I have incorporated the language of the Senate report providing that, in denying a VHF translator application, interference with other facilities is not to be assumed but must be proven and must be shown to be so significant that it cannot be permitted a license or cannot be permitted to continue.

Action was not taken on H.R. 1913 in the last session because of the fact that the FCC was in the process of holding hearings on the entire problem of translators, boosters, repeater stations, etc. About 3 weeks ago the FCC handed down their decision, a decision which is devastating to the western half of the United States. It declares VHF television boosters and translators to be illegal and gives communities 90 days from the time of the order in which to make application for a license under UHF.

In other words, Mr. Speaker, it makes illegal receiving television programs in 50 percent of the congressional district which I represent. It makes law violators out of peaceful people because, since the distance is so great and the population so sparse, it is not possible for a large percentage of the peoples in towns and communities on the prairies of western South Dakota to receive television reception except by some kind of booster facilities. The FCC has failed to take jurisdiction of VHF boosters and at the same time, through lack of enforcement, have permitted, although not authorized, almost every community on the prairies of the West to spend several thousand dollars in installing VHF boosters. Under the new order these facilities would be completely voided and these communities would be required to spend three or four times the amount they have invested in VHF boosters in a UHF booster.

Another problem that apparently is of no concern to the FCC is the fact that UHF is a line-of-sight reception. A large portion of the West, including the Black Hills area of western South Dakota, is mountainous. The primary reason those communities need boosters is because of the fact that most of the population live in the valleys where line-of-sight television is not possible. They must have translators or boosters on a frequency which will permit reception on other than line of sight.

I should point out, Mr. Speaker, that the UHF boosters are, by far, the least expensive means of bringing television reception to these remote areas. They ordinarily consist of an antenna located on a windmill tower or sometimes on a grain elevator through which a normally weak signal from a distant station is picked up. It is then amplified and rebroadcast at low power on the same or another channel from an antenna many times located on the city water tower. In most towns and communities where such facilities have been installed, contributions are solicited in the community or memberships are sold in a television club in order to finance maintenance and operation of this simple system. Because it is cheap and yet because it brings television to that community in this simple manner, thousands and thousands of communities throughout the West have availed themselves of television through this system. The signal goes out only a very few miles, but farmers living near the town get the benefit of television thereby.

Two or 3 years ago the Commission wrote to many individuals and mayors of small cities and towns, advising them that this type of booster was unauthorized and must cease. Although their action was proper under their authority, their inaction to authorize some other service or to authorize any VHF facilities, whether they interfere with any other facility or not, was unrealistic and stopped nothing. In other words, Mr. Speaker, the fact that the Commission failed and refused to step in and provide a sound scheme of regulation whereby communities so situated that VHF might interfere would be required to install

UHF, and authorizing communities where there was no possible chance to interfere with anything, that those communities be authorized under VHF. In other words, they sought simply to stamp out the whole operation without providing any means for people of the West to have television service. Law-abiding residents felt that the good resulting from the booster systems was so evident and the alleged dangers so theoretical that they continued their operation.

It should be pointed out that the Commission is not unanimous in its thinking. After a thorough investigation of the problem in the West, Commissioner T. A. M. Craven dissented from the majority opinion, calling it unduly rigorous and unrealistic and based upon a narrow interpretation of the Communications Act. His statement is in part as follows:

Because the Commission failed to recognize promptly the overwhelming public interest factor involved in providing practicable procedures for establishing television service to small communities in the mountainous areas of the West, it is my opinion that this agency has failed thus far to discharge its statutory obligation to make available, insofar as possible, to all the people in the United States, a rapid, efficient, nationwide radio system. Apparently, the Commission did not recognize soon enough that these low-powered boosters are the only practicable way in which the people residing in those isolated areas can secure any television service whatsoever. We have been shortsighted in this connection, as remedial steps could have been and should have been taken long ago. If necessary, changes in legislation should be requested.

No hearings were held in the House Committee on Interstate and Foreign Commerce on this subject because of the heavy schedule of this committee, but the Senate committee did hold hearings making four very specific recommendations:

First. The Commission has a statutory duty to provide television service for as many of the people in this country as it possibly can.

Second. If VHF boosters are technically feasible, as seems demonstrated by their operations to date, the Commission should accept them as one available tool for achieving this end—which means authorizing such facilities under proper rules.

Third. The enunciating rules to regulate boosters, the Commission should go as far as is practicable in modifying its general rules to permit unattended installations incorporating the simplest possible equipment so that the service can continue to be an extremely inexpensive one within the reach of even very small communities.

Fourth. The Commission is not only entitled to insist that boosters not create objectionable interference, but is charged by statute to do so. However, it should operate on the principle that interference is not to be assumed, but must be proved—and must be shown to be so significant that it cannot be permitted to continue.

To me the decision of the FCC is unauthorized and unwarranted. The law makes it the duty of the FCC to authorize services which will provide television reception to the people of America. In

many instances the only means of providing that service is through VHF translators. In many more instances the only practical means of providing service to thousands of communities is through VHF translators. Where VHF translators provide the service and cannot cause any disruption in other television or radio or commercial or radar or defense services, it seems to me to be not only a neglect of duty and of the law for the Commission to refuse to recognize and legalize through licensing these VHF facilities.

The bill I am introducing does direct and does require the FCC to authorize these small community translator facilities where they do not interfere, and provides further that the burden of proof shall be upon the FCC to show interference where application for such facilities is under consideration.

Work of the Red Cross in Pennsylvania Flood Areas

EXTENSION OF REMARKS OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. FULTON. Mr. Speaker, the American National Red Cross is doing an excellent job in Pennsylvania flood areas. The Red Cross, under the fine leadership of Gen. Alfred M. Gruenthal, deserves the high commendation and sincere thanks from the representatives and people of the flood areas of the Nation.

The Red Cross is the quick and friendly hand that gives our people, caught in the current January 1959 flood disaster, the courage and will to rise and, through our own efforts, to clean up the damage, rebuild, and face the future with growing confidence.

WHAT THE RED CROSS DOES TO DISASTER SUFFERERS—WHAT THE RED CROSS WILL DO FOR YOU

The Red Cross is the official volunteer disaster relief agency of the Federal Government and the American people. It is the way in which people all over the country—your neighbors—are helping you to help yourselves.

Red Cross assistance is of two kinds:

First. Emergency assistance: The Red Cross will provide immediate temporary relief. If you need food, shelter, clothing, or medical attention now, report to the nearest Red Cross disaster office or emergency shelter. The Red Cross will give you a change of address order provided by the Post Office Department to speed up the delivery of your mail. On major disasters the Red Cross will provide you with safety notification cards so that you may notify your relatives and friends of your safety and whereabouts.

Second. Assistance after the emergency: The biggest job to be done is the reestablishment of homes. Those of you who need more than temporary aid to return

to normal living may apply for Red Cross help at the Red Cross disaster office.

This help is an outright gift of the American people through the Red Cross. It may include:

First. Food, clothing, and maintenance.

Second. The repair or rebuilding of owner-occupied homes.

Third. Furniture and other household necessities.

Fourth. Medical and nursing care and hospitalization.

Fifth. Occupational supplies, fixtures, inventories, and equipment.

The Red Cross does not replace losses. It is not an insurance agency. Red Cross meets those needs that you cannot meet yourself without undue hardship. Your situation will receive individual consideration by a Red Cross worker. Enough time will be taken to plan wisely with you and to verify certain information, such as home ownership, income, and liabilities. The final plan will be reviewed in confidence with an advisory committee of responsible local citizens. Each case will be handled as quickly as possible with due consideration given such things as health or age, which might create unusual conditions.

WATCH OUT FOR MISLEADING RUMORS

The Red Cross never sells food or disaster supplies—no payment is ever expected for any assistance given. Any statements to the contrary are completely false and you can help by reporting them, with the name of the person you heard tell them, to the nearest Red Cross office.

THE AMERICAN NATIONAL RED CROSS,

Washington, D.C., January 26, 1959.

The Honorable JAMES G. FULTON,
The House of Representatives,
Washington, D.C.

DEAR MR. FULTON: Knowing of your great interest in the well-being of the people in Pennsylvania, I want to give you a report of Red Cross activity in connection with the flooding that began in Pennsylvania on January 21.

Incomplete surveys from Red Cross workers indicate that nearly 22,000 families have been affected by floodwaters in 63 counties in the 5-State flood area. At the peak of the flood emergency approximately 6,000 persons were housed and fed in 82 Red Cross shelters.

Chapter volunteers and national disaster workers of the Red Cross are on the job along with Federal, State, and community agencies to bring all possible relief to flood sufferers in your State and the four others affected. The full resources of our organization have been mobilized to aid these stricken families. The Red Cross will continue its emergency and rehabilitation work until the disaster-caused needs of all these families, lacking the necessary funds, have been met.

As perhaps you know, Red Cross help is based on the principle not of replacing all losses, but of assisting disaster victims in need who lack sufficient resources of their own, including insurance, to start back on the road to recovery.

All assistance from the Red Cross is an outright gift, coming chiefly from funds contributed annually by the American people. Unfortunately, our disaster reserve has been drastically reduced because of the extraordinarily heavy disaster losses in the past 4 years. For that reason special appeals for funds have been inaugurated by the Red Cross in the affected areas. I am confident

that the American people, as always, will contribute generously.

You may be assured that the Red Cross will remain on the job until all who need our assistance have been helped.

Sincerely,

ALFRED M. GRUENTHER.

JIM, this has really been a rugged flood in many of your areas.

AL.

Thank you, General Gruenthaler; we in the flood areas do indeed appreciate your warmhearted cooperation.

The Administration's Development Loan Fund Request: Shirk Our International Responsibilities

**EXTENSION OF REMARKS
OF**

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. REUSS. Mr. Speaker, the aspiring peoples of Asia, Africa, the Middle East and Latin America—those with the greatest need for help along the road toward economic development—may be our best friends in the future. Congress set up the Development Loan Fund 2 years ago in order to assist underdeveloped peoples by loans—not by grants—to help themselves.

The Congress felt that the "revolution of rising expectations" of people emerging from backwardness should be assisted by us for its own sake. But we well know that the Communists are also exploiting this revolutionary surge in the underdeveloped countries for their own purposes. In less than 3 years, Communist Russia has extended \$1.7 billion in long-term low-interest loans for economic development. Communist trade agreements with underdeveloped countries increased from 49 in 1953 to 147 in 1957. Trade between the Soviet bloc and the underdeveloped areas is 50 percent greater than it was 2 years ago. Today, more than 2,000 students from these areas are studying in Moscow and other Soviet centers. Some 2,300 Soviet technicians are now at work in the underdeveloped areas.

The Development Loan Fund was off to a good start. Two years ago Congress gave it a needed 2-year authorization, to insure some continuity of administration. The congressional authorization for the Development Loan Fund for the current fiscal year, that ending June 30, 1959, is \$625 million.

Since the Development Loan Fund began operations just a year ago in January 1958, it has had a profoundly constructive, although limited, effect on the health of the underdeveloped world. Of the \$3 billion of applications made in the last year, to the end of January 1959, \$700 million have been committed in loans, \$500 million have been rejected as not sufficiently worthy, and \$1.8 billion of applications which are deemed worthy but for which no funds are available, are on file. Applications for

further developmental loan capital are still pouring in. It is anticipated that valid applications on the order of \$3 billion will be on hand before the Development Loan Fund in a matter of weeks.

The Development Loan Fund is financing basic economic facilities, such as roads, ports, power, communications, and irrigation, and is loaning to private industry. The Development Loan Fund will also be a source of United States contributions and support to regional development institutions as they come into being.

Here are some illustrations of the type of loans being made by the Development Loan Fund:

In Taiwan a loan of \$21.5 million to assist in financing the cost of the Shihman Dam project in the northwest to produce power needed for further industrialization, flood control, and water supply. Shihman will increase the total power available to Taiwan by 15 percent and provide a water supply for 340,000 persons and irrigation of 140,000 acres.

In Pakistan a loan of \$4.2 million to assist the privately owned Pakistan Industrial Credit and Investment Corporation in extending loans to private borrowers for the purchase abroad of machinery, equipment, materials, and services for economic development purposes.

In Liberia a loan to a joint American-Liberian private company of \$190,000 to assist in financing the costs of expanding existing sawmill operations.

In Honduras a loan of \$5 million to a large-scale road program being undertaken by the Government of Honduras. Proceeds of the loan are being used to help construct a new 45-mile paved highway serving one of the most populated regions of Honduras and to improve a highway linking the capital with the Pan-American Highway and Pacific ports. The DLF financing supplemented a \$4,500,000 loan by the World Bank for the import of equipment, materials, and services required in this project.

In Ceylon a loan of \$1.6 million toward the purchase abroad of equipment and materials required to continue Ceylon's irrigation and land development program and to assist in rehabilitating 29 major reservoirs and 1,200 village reservoirs breached in the winter floods of 1957-58.

In Paraguay a loan to a private U.S. firm, the International Products Corp., of \$2.6 million to assist in modernizing and expanding its operations of ranching, meatpacking, and production of quebracho extract.

In Turkey a loan of \$10 million to assist privately owned Industrial Bank of Turkey to make small- and medium-sized loans for the expansion of industry.

For many months now, the administration has been telling the people of this country, and of the world, that America's international responsibilities require, for the 1960 fiscal year, a considerably expanded use of the Development Loan Fund. It must be set up on more than a 2-year basis, the administration has rightly proclaimed, and it

must have loanable funds at its disposal at a rate of \$1 billion a year.

Thus Under Secretary of State for Economic Affairs C. Douglas Dillon, testifying before the House Committee on Foreign Affairs on March 11, 1958, said:

You may ask why, if the executive branch believed last year that long-term financing was needed for the Fund, we have not renewed the request this year.

We have not done so through any belief that the need has diminished. In fact, international developments during the last year have convinced us even more firmly, if possible, that long-term assurances of funds is necessary to obtain the maximum results and so is essential to the future peace and security of our country and the free world. However, we recognize that the House of Representatives determined last year that the Fund should be established with capital sufficient for only 2 years as a trial and that consideration of longer term financing should be postponed until the Congress can have for it the record of requirements and performance for this initial period.

We are abiding by that decision, and we are deferring until next year proposals for the longer term financing which I had said we are more than ever convinced is essential. In the meantime, our experience, thus far, has demonstrated overwhelmingly that the appropriation of the full \$625 million now authorized, is needed for the coming fiscal year.

Under Secretary Dillon, in an address to the Foreign Policy Association at the Waldorf-Astoria Hotel in New York City on May 21, 1958, said:

The less-developed countries are fully prepared to bear the major burden of their own economic development. But to acquire the industrial techniques and the machinery and equipment which they cannot yet make for themselves they need help from the industrialized countries. As the greatest industrialized country of the world we must accept the responsibility for leadership in this field.

This means that we must lift our sights. In the fields of international development assistance, international finance, world trade and private investment we must find ways of doing more than we are doing now. For unless we meet the challenge of the times, our own safety, let alone our economic well-being, will surely be placed in the gravest danger. * *

For the future, I believe that we should contemplate a higher level of lending from the Development Loan Fund, something on the order of \$1 billion a year. I believe that such an amount could be spent wisely in stimulating development abroad and would be warranted by considerations of our national security.

Secretary of State John Foster Dulles spoke movingly to the United Nations General Assembly at New York City on September 18, 1958:

Economic development is, of course, an aspiration shared by all peoples. In the newly independent nations, and indeed in many long independent, there is a burning desire for economic and social progress, for higher levels of living, for freedom from the slavery of poverty.

Much has been accomplished already. The American people admire the vigorous efforts of the leaders and the peoples of less developed countries to help themselves. Yet much remains to be done.

The United States believes the time has come for the nations of the world to take stock of accomplishments to date and to

chart anew long-term courses of cooperative action.

We propose that the nations dedicate the year 1959 to these purposes.

Let me mention some of the major steps that the United States would be prepared, subject to action by Congress as appropriate, to take or support in the coming year:

1. The United States will carry forward its existing development financing programs on a vigorous and effective basis. * * * The great challenge of poverty and disease can only be met by vigorous realistic action. The United States stands ready to play its full part in this great peaceful crusade.

Again, on November 7, 1958, Under Secretary Dillon, addressing the World Affairs Council of Northern California at San Francisco, said:

In my view a most serious threat of all is the Soviet economic offensive. * * * I believe that we must place our chief reliance in meeting the Soviet challenge on the mobilization of our economic and technical resources, both public and private, to help raise the living standards of the less privileged nations of the world. * * *

During the past 12 months, our country's responses to their needs has taken many forms. Perhaps the most striking is the Development Loan Fund, which has added a whole new dimension to foreign loan program. The Fund, which began operation early this year, represents a new hope for the underdeveloped countries. * * *

At the present rate of operations the Fund will have committed all of its available resources within a few months which means an annual rate of operations of about \$700 million. I believe that we should contemplate a still higher level of lending from the Development Loan Fund, something on the order of \$1 billion a year.

Three days later, in his address to the Colombo plan meeting at Seattle, Wash., on November 10, 1958, President Eisenhower joined the crusade:

Our task is a great one. It will take many years to fulfill. Yet if we undertake it boldly, with wisdom and determination, we can and will succeed.

What are the steps that we should take?

First, we must keep in mind our goal. That goal is to enable free nations to achieve a momentum of economic progress which will make it possible for them to go forward in self-reliant growth.

Next, we must determine the means by which we are to achieve that goal. To this end, Secretary of State Dulles suggested at the meeting of the United Nations General Assembly on September 18 that all countries of good will should chart anew their long-term courses of action to promote the growth of less developed areas.

If both the less developed and the more developed countries move vigorously to carry out this proposal, their action could pave the way for the 1960's to become a decade of unprecedented progress toward our common goal.

The United States stands ready to play its full part in this great peaceful crusade to achieve continuing growth in freedom.

And on November 13, 1958, Acting Secretary of State Christian A. Herter told the International Cooperation Workshop in Washington, D.C.:

Among the five specific measures proposed by the President at Seattle, I should like to place some special emphasis on the Development Loan Fund.

This Fund is a major instrument in our effort to assist the less developed nations to carry forward their own plans for progress. It is important to realize that the Development Loan Fund will be substantially out of funds available for new commitments by

January 1, 1959. Yet it will have a backlog of over \$1.5 billion of applications for loans to help on important projects in many countries. If the Development Loan Fund is to be an effective instrument for peaceful development, it must have resources for substantial increased activity on the order of \$1 billion a year. It must also have continuity over a period of years.

Only under such circumstances can the wastefulness of inadequate planning be avoided.

But in the last 2 months, something has happened. The administration has been seized by the magnificent obsession for balancing the budget at a low level, by whatever arithmetic tricks it can get away with, and with a fine unconcern for the future of the free world. Nowhere does this show up more shamelessly than in the Development Loan Fund budget request.

As Secretary Herter said, "If the Development Loan Fund is to be an effective instrument for peaceful development, it must have resources for substantial increased activity on the order of \$1 billion a year." The 1960 budget request is for a mere fraction of this, \$700 million a year. As Secretary Herter said, only if the Development Loan Fund has "continuity over a period of years, can the wastefulness of inadequate planning be avoided." Yet the budget request is for only a 1-year authorization, not even for the 2-year authorization which the administration had the courage to request, and Congress granted, back in 1957.

If there is one clear lesson in the politics of foreign-aid requests, it is that in order to get at least part of what is adequate, the administration must ask what is adequate. How easy it would have been to have requested a 2-year authorization, now that the Development Loan Fund has proved its worth, as was successfully done in 1957, when the Fund was a fledgling. How easy it would have been to have asked for a \$1 billion authorization for fiscal 1960, as the administration has been saying for many months was vitally necessary. While the additional \$300 million request would have thrown the administration's paper budget out of balance by \$200 million, 10 times this \$200 million could readily be recouped, and a substantial surplus shown, if the administration were willing to plug some of the more outrageous loopholes in the tax laws.

And what nonsense it is to say that the country's economy could not stand the administration's sticking to its guns on the need for \$1 billion for the Development Loan Fund. More than 4,100,000 Americans are unemployed, some 6.1 percent of the working force; less than 75 percent of our manufacturing capacity is being used. Why shirk our international responsibilities just to keep our unemployed unemployed, and our unused industrial capacity still unused?

Mr. Speaker, the President movingly pointed to the need for "the 1960's to become a decade of unprecedented progress." His administration can practice what it has so eloquently preached by amending its budget request for the Development Loan Fund for 1960 to include authorization for more than 1 year, and for more than the \$700 million requested.

Hawaii Statehood—50 in '59

EXTENSION OF REMARKS

OF

HON. JOHN A. BURNS

DELEGATE FROM HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. BURNS of Hawaii. Mr. Speaker, recently Hawaii was highly privileged to welcome five very able and distinguished Members of the 85th Congress who came in their capacities as Members of the Interior and Insular Affairs Committees of the Senate and the House of Representatives pursuant to the request of the Delegate from Hawaii made of the chairmen of the respective committees.

The purpose of the visit was to scrutinize at first hand existing conditions in Hawaii and Hawaii's readiness for statehood. No one could have worked more diligently or more thoroughly than did these capable and outstanding Senators and Representatives. In accomplishment of their mission they pursued every avenue of pertinent inquiry; talked to as many people as possible; and, under the least constrained circumstances, left, in a word, no relevant stone unturned to obtain every fact.

In a New Year's message to Hawaii's people the junior Senator from Idaho, the Honorable FRANK CHURCH, has stated brilliantly and concisely the conclusions he drew from his searching inquiry. With his usual graciousness, the distinguished Senator has consented to my insertion of this message into the CONGRESSIONAL RECORD.

Mr. Speaker, the 86th Congress faces tremendous challenges. Legislation that will be considered is of grave importance to the lives and welfare of our people. It is my considered opinion, objectively, that no legislation is of greater import than Hawaii statehood. There could scarcely be a more convincing statement in support of this fact than the message of the Honorable FRANK CHURCH. I am most highly honored, therefore, to present for the consideration of the Members of the House the thoughtful, closely reasoned, and brilliantly stated report of the Honorable FRANK CHURCH on his inquiry in Hawaii:

TIME FOR STATEHOOD IS RIGHT NOW

(By Senator FRANK CHURCH, of Idaho)

We are fast approaching the time of decision on whether Hawaii is to become our 50th State. In all likelihood, the decision will rest with the coming Congress.

If its answer is "Yes," then we will have welcomed in, as an integral part of our country, the last of our incorporated Territories.

Statehood will confer upon the people of the islands, long since citizens of the United States, fundamental rights of self-government equal to our own.

They will then elect their governor, as we do ours; they will then be entitled to two U.S. Senators and a voting Representative in the Congress; and they will participate with us, every fourth year, in the election of the President.

But if the answer should be "No," let no one be deceived that Hawaii will remain indefinitely an American Territory.

To be neither in nor out, but to stay a colony, is no more acceptable to our fellow Americans in Hawaii, than it was to our own forefathers.

They were subjects of the English King; they bore arms in his defense, and paid the taxes he levied upon them.

Again and again, they petitioned him, through his appointed governors, for redress of their grievances, but he refused to grant them more than limited rights of self-government.

So, their call to reason, "no taxation without representation," became, at last, a call to arms.

Yet, despite this national birthright, we are today denying our fellow citizens in Hawaii many of the same prerogatives refused our forefathers by George III.

TAX PAYMENTS

In 1957 the Hawaiians paid over \$150 million in Federal taxes, a larger total than several of the existing States, but Hawaii had no representation in Congress to vote either on how much tax should be collected or upon how the money should be spent.

In time of war, Hawaiians shoulder arms with the rest of us, yet they cannot vote for the President who shapes their foreign policy, or for representatives in Congress who together hold the purse strings over their defense.

To remedy these inequities, the people of Hawaii want statehood. They are tired of standing, hat in hand, at the door of our Union.

But what we must understand is this: if we refuse to let them further in, they will, in due course, demand to be let further out.

That we actually face a choice between these alternatives, my recent visit in Hawaii has convinced me.

There, I was privileged, as one of five members of Congress from the Interior Committees of both Houses, to conduct a joint investigation of the statehood question.

I talked with hundreds of Hawaiians from all walks of life. I listened to every argument, pro and con.

The consensus of this opinion, together with the most current information we could gather about social, economic, and political conditions in Hawaii, left me strongly persuaded the islands are ready for statehood, and we'd best admit them now.

FOR STATEHOOD

There is no doubt but what the vast majority of Hawaiians favor statehood. Even before Pearl Harbor, a plebiscite showed the population endorsing statehood by a margin of two to one.

Since then, support for statehood has steadily grown stronger. In 1950, a proposed Hawaii State constitution was approved by the people of the Territory by a vote of more than 3 to 1.

Today, I would judge that the Hawaiians want statehood fully as much as did the Alaskans, who a short 4 months ago, proved their sentiments when five out of six voted to ratify the bill admitting Alaska as the 49th State.

DESERVING CASE

The proponents of Hawaiian statehood believe their case just as deserving as was that of Alaska. Indeed, the islands' economy is far more developed.

Sugar and pineapple are produced in abundance by the best paid fieldworkers in the world. The export of Kona coffee is increasing.

On the big island of Hawaii itself, the 300,000-acre Parker Ranch is next to the world's largest for Herefords, while to every island the tourists come in burgeoning numbers, beckoned by the gentle trade winds, in quest of the dazzling beaches and inviting waters.

Hawaii, for all its tropical beauty, is bustling and prosperous. No one can charge it with being a poor relation.

MELTING POT

It is true that Hawaii is the melting pot of the Pacific. The people are a polyglot

mixture of native Hawaiian, Caucasian, Japanese, Filipinos, and Chinese, and the crosses between.

But it is also true that Hawaiian life and culture, though it clings naturally to many happy phrases, songs, and customs out of its colorful past, is nevertheless essentially American.

The cities, the stores, the homes, streets, and schools, all bear the unmistakable stamp of the United States.

In fact, anyone from southeastern Idaho, accustomed to a tabernacle in his neighborhood, would not feel a bit estranged in Hawaii.

One of the most striking tabernacles I have ever seen is in the center of Honolulu, and on the windward side of Oahu there is located a Latter-day Saints temple fully as impressive as that in Idaho Falls.

Nearby, 20 newly completed buildings on a 100-acre tract mark the site of the \$3 1/2 million Latter-day Saints College of Hawaii.

MANY TALKS

These are but a few glimpses gleaned from many I gathered during the inquiry we made in Hawaii.

We met with public officials and private citizens alike, with teachers and students, with judges and housewives.

We talked with businessmen and labor leaders. I had a morning's conference, in private, with the presidents of the Big Five, interests that were once opposed to statehood but now favored.

When we were through I came away determined to work hard for Hawaiian statehood in this coming session of Congress. Already a Commonwealth Party has been activated in Hawaii.

COMMONWEALTHERS

I talked with several of its leaders, who would like to see Hawaii set loose from the United States, absolved of all Federal taxes, and granted full rights of self-government, while the people retained for themselves American citizenship and the continued protection of the American flag.

Patterned after the British system, the commonwealth idea is alien to our American tradition of building one nation, rather than a loose-knit empire.

Today, this Commonwealth Party is small, but if statehood is refused to Hawaii, it will grow rapidly.

I shall not forget the parting shot of one prominent commonwealth proponent.

"Senator," he said to me, "right now, the people of these islands want statehood.

"If you refuse it, they will turn to our solution, and the time will come when you will have to recognize the independent Commonwealth of Hawaii."

To us on the mainland, facing westward toward an Asia awakening from its slumbers, Hawaii is much too important, not to be made an inseparable part of the United States.

Truth Must Prevail for Krebiozen

EXTENSION OF REMARKS

OF

HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. LIBONATI. Mr. Speaker, I have had hundreds of requests for copies of the CONGRESSIONAL RECORD, volume 104, part 15, pages 19745-19746, on the subject "Truth Must Prevail for Krebiozen." There have also been hundreds of requests for the material inserted, by me, in the CONGRESSIONAL RECORD, on the

dates hereinafter listed in the aforesaid article.

In view of the great importance of the public interest in this issue and the fact that nothing has been done, to date, although conferences are presently being perfected between the U.S. Public Health Service and Dr. J. R. Heller, Director of the National Cancer Institute, and the Krebiozen Research Foundation, and Dr. Andrew C. Ivy, the research adviser of the Foundation, on the proposal of Senator PAUL DOUGLAS, of Illinois, giving Krebiozen a fair test, as set out on the floor of the U.S. Senate in August 1958, I hereby acquiesce to this request of hundreds of Americans who are acquainted with the same, by republishing the remarks made on August 25, 1958, touching upon this important subject.

TRUTH MUST PREVAIL FOR KREBIOZEN

(Extension of remarks of Hon. ROLAND V. LIBONATI, of Illinois, in the House of Representatives, Saturday, August 23, 1958)

Mr. LIBONATI. Mr. Speaker, the story of Krebiozen is a sad one, and by their unfounded opposition, several past officials of the American Medical Association have been guilty of heinous actions against a great scientist in the medical profession, Dr. Andrew C. Ivy, who presently holds the high position of distinguished professor of physiology and head of the Department of Clinical Science of the University of Illinois College of Medicine. Because of the actions of these men, Dr. Ivy lost his position as vice president of the University of Illinois, as well as his membership in the Chicago Medical Society.

A true scientist is a man who seeks the truth, and Dr. Andrew C. Ivy exemplifies that type of man. In his experiments with 250 other physicians, all members of the AMA, he has proved that there is biological activity in the use of this drug.

Dr. Stevan Durovic and his brother, Marko Durovic, have spent large sums of their own and their friends' money in Argentina in the development of the discovery of Krebiozen as well as thousands of dollars to the Krebiozen Foundation, to place the drug at the disposal of cancer victims, terminal cases, who were doomed to die.

Personally, I am well acquainted with the whole story in view of the fact that I acted as vice chairman of the committee and the commission, duly appointed by the Illinois Legislature, to conduct an inquiry to determine whether or not there was a conspiracy to prevent freedom of research at the University of Illinois, a tax-supported institution. A great deal of testimony given by many expert witnesses at those hearings proved beyond a doubt that false reports were released to the public by medical stooges of the AMA to destroy public confidence in the scientific findings conducted by Dr. Ivy and his fellow medics. This subject was in controversy for a period of 5 years, and still continues today in spite of the reports that have been released showing favorable results in certain phases of cancer study mentioned in the reports made by those individual doctors on their own cases.

The subject matter and testimony, together with conclusions thereon, were masterfully presented in the two books written by Mr. Herbert Bailey, "K-Krebiozen, Key to Cancer?" published in 1955, and "A Matter of Life or Death" recently published by G. P. Putnam's Sons, a concern that is very selective on printing any books, and especially those touching on scientific subjects, as to their value and veracity.

I am very pleased to note that the very distinguished Senator, PAUL H. DOUGLAS, of Illinois, being a person of substantial reliability in dealing with matters of public import, has advanced proposals for controlled

tests for Krebiozen. He has every reason to be concerned in view of the fact that he has studied this question thoroughly. It is to his credit that he deals with the subject with a highly constructive sense of justice. He avers that mistakes were made by both the AMA and the scientists interested in the Krebiozen study, and yet he does not lose the mental grasp that there is a high sense of public obligation to be considered and, therefore, feels that in view of the favorable reports of the doctors working with Krebiozen, the merits of the drug should be inquired into officially on a purely scientific basis, to determine its medicinal value for public approval.

Senator PAUL H. DOUGLAS is a man of important stature in America. His background is one of high intellectual training as a professor in our colleges and universities. He shows no disposition to dillydally with words, but gets at the meat of the problem and presents a complete picture of the controversy and its shortcomings.

His stand should be considered by the AMA as a warning that if they persist in their present attitude to belittle and devalue the results and published findings in the experiments presently being conducted, that there is no question that the public health services and the National Institutes of Health will be drawn into the picture through congressional enactment in the nature of a thorough investigation of this subject.

I stand firmly behind Senator PAUL H. DOUGLAS in his position in this matter and, unless something is done to remedy the present unfortunate standoff situation preventing an authentic test of Krebiozen, I will proceed in the 86th Congress, God granting my presence, to introduce a resolution to investigate those elements that are preventing the carrying out of such a test, on the ground that the public interest demand such action. It is fundamental that a conspiracy to prevent scientific research is in itself within the congressional prerogative to protect the welfare of the people of the United States.

No organization can defy or deny the right of justice to be meted out to honest men and their works, especially in this case, directly affecting thousands of unfortunates, who die every year with great suffering and at great cost to their families, or the charitable institutions which are established throughout the land for this cause.

I am warning the American Medical Association at this time, as I did before in the Illinois State Assembly, to pay heed to Dr. Ivy's appeal for fair play and give Dr. Andrew C. Ivy a fair chance to prove what he contends is of benefit to mankind.

The Chicago Daily Tribune article touching on the Krebiozen proposal, by Senator DOUGLAS, appearing in that paper's issue of August 23, 1958, follows:

"SENATOR DOUGLAS PROPOSES TEST FOR KREBIOZEN"

WASHINGTON, August 22.—A secret scientific test of the merits of Krebiozen as a cure for cancer was proposed in the Senate Friday by Senator PAUL DOUGLAS, Democrat, of Illinois.

"DOUGLAS said in a Senate speech that the public is bewildered by the conflicting statements regarding the preparation. Dr. Andrew C. Ivy has reported Krebiozen to be helpful, DOUGLAS said, while the American Medical Association has denounced it and the National Research Council has found on the basis of the AMA report that there is no evidence of curative or palliative effects from use of the drug.

"DOUGLAS called for tests to be conducted by the United States Public Health Service and the National Institutes of Health. Under DOUGLAS' plan the Institutes would conduct a sample test upon 200 more or less terminal cancer cases of patients who had applied to the Institutes for help.

"ONE HUNDRED WOULD GET KREBIOZEN"

"Of these, 100 cases would be treated with Krebiozen while the other 100 would be given mineral oil instead.

"The Institutes and Ivy would choose an outstanding biostatistician who would help design the tests and would be the only person knowing which patients had received Krebiozen treatment.

"The lists of those who had and had not received the treatment would be placed in a sealed envelope in a safe, to be opened later by the biostatistician and two advisers, Dr. Ivy and a representative of the medical profession chosen by the Public Health Service. The advisers would not know the identity of the patients.

"WOULD REVIEW HISTORIES"

"At the conclusion of the test-treatment period, the case histories of all 200 in the test would be submitted to Ivy, and he would be asked to identify the 100 cases in which Krebiozen had been administered. DOUGLAS said Ivy would naturally select those showing the most improvement or pain alleviation.

"The sealed envelope would then be taken from the safe and the lists would be compared with Ivy's list. A comparative study would be made of the cases of the patients who did and did not receive Krebiozen.

"The degree of agreement or disagreement between Ivy's list and the other lists would then be announced.

"WOULD PUBLISH FINDINGS"

"Finally, if Ivy requested it, the Public Health Service would examine records compiled by Ivy of other cases treated with Krebiozen, appraise the results, and publish the findings.

"DOUGLAS said the organized medical profession disparaged the discoveries of Pasteur, Lister, and others, and sought to defame the discoverers."

Address by Secretary of Defense Neil H. McElroy Before the Women's Forum on National Security

EXTENSION OF REMARKS

OF

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 15, 1959

Mr. SIKES. Mr. Speaker, under permission granted me to extend my remarks and include extraneous material, I request that the attached address by Secretary of Defense Neil H. McElroy be reprinted in the CONGRESSIONAL RECORD:

CHANGING DIMENSIONS IN NATIONAL SECURITY

"Changing Dimensions in National Security"—I wonder if you realize how very apt such a theme is for your forum discussion. In these days of exploding technology, change is the one constant dimension in national security.

Sometimes your Secretary of Defense feels that the component elements of our national security have all the stability of ladies' fashions—a subject with which each of you is concerned and quite obviously well informed. You know, for instance, better than I, that strange things happen from season to season to such items as necklines, waistlines, and hemlines. Once in a very great while you ladies can rise up and exercise some control over the changing dimensions of fashion—as witness your boycott and the

consequent sack of the sack and the demise of the trapeze.

Changes in weapons come upon us even more unexpectedly than changes in fashions. They are also apt to be more radical and fantastically expensive. In fact new elements in defense frequently arrive on the scene just after we've made a huge investment in yesterday's weapons' style. This upsets the defense budget keepers just as a sudden change in fashion raises havoc with your clothes budget. But you have options. If you don't like a new fashion you can rise up in masse and reject it collectively. In my experience as a husband and the father of two girls who are now young women, this seldom happens but it is theoretically possible. Or, you can choose to ignore the new fashion for economic reasons and wear last year's model. This also seldom happens. Again—I'm speaking as a husband.

In the serious business of defense, unlike the world of fashion, we do not have the option of freezing styles in weapons nor can we reject new weapons for either esthetic or economic reasons. In fact, we must carry on unceasing research deliberately to outmode what was invented and built just yesterday—however uneconomic such a practice may be. We must, in short, seek to change dimensions and catapult into new and untried areas. In the business of defense the cow has already jumped over the moon. Almost anything can happen in the future. Ask Dr. Werner von Braun when he speaks to you tomorrow.

He can testify also to the impact of a vast dimensional change on a brand new, freshly caught Secretary of Defense to be. On the night of October 4, 1957, I was attending a dinner at the Army's Redstone Arsenal at Huntsville, Ala. It was one of the last stops on a month-long orientation trip I had made to military installations across the country. A group of us were discussing the changing dimensions in warfare. While we were talking about changes which would be brought about by guided missiles Doctor von Braun was called to the telephone. He returned, visibly excited, to inform us that the Russians had just announced the successful launching of an earth satellite. To the three standard dimensions of warfare—land, sea, and air—a fourth had been added, space. And this, just 5 days before I was to assume office as Secretary of Defense.

Yes, in the 16 months I have been in office there has been a steady and rapid evolution in our defense posture. But, while the dimensions of national security have changed, the overall superiority of U.S. military power in relation to any potential aggressor has not and must not change. While we cannot always be first with every link that makes the chain of our defense—we must always be first in the sum total strength of all the links. That is where we are tonight and that is where the Department of Defense is determined to remain.

Last September I expressed to the American Legion Convention in Chicago:

"Fullest confidence that the United States is ahead of the Soviet Union in overall strength in being *** now."

I wish to bring that statement up to date by repeating it to you tonight. And, I wish to add that the Department of Defense, fully supported by the President, has no intention of allowing this condition to change. We believe that our planned military programs are adequate to achieve this result for the foreseeable future. You and the country may be assured that our programs will keep pace with what our official intelligence warns us any enemy of the United States may have in the future. Our budgets support military programs tailored to produce what that intelligence tells us we must have.

Americans have always shown themselves capable of both great effort and great sacrifice in times of national danger. Our whole history as a Nation testifies that our people need only to be informed and aroused to take any action necessary for national survival. I am told by Mrs. Gunn that the very purpose of this forum is to inform and arouse this representative group about the threat to our security. I'm glad that Mrs. Gunn used the word "aroused" and not *I*. As the loving husband of Mrs. McElroy and speaking as a veteran of 30 years of marriage I hold with Charles Dickens that—

"There is something about a roused woman *** which few men like to provoke."

I agree, however, that the total resources of America can never begin to be marshaled unless the women of this country are kept informed of the problems facing us as a Nation. You need only be convinced that everything you hold dear—your home, your security, your children—calls to you for help. Victory in war, hot or cold is not possible without your support, it's as simple as that.

Now let me tell you something about the changing dimensions of the world I live in these days—the Department of Defense. I entered the Pentagon with the Space Age. For those engaged in the business of defense, entering space is vastly different from the use of new and unproved weapons in the known elements of land, sea, and air. True, such weapons as the airplane and the submarine changed the dimensions of warfare over the years but the changes came about by a process of evolution. Weapons of the space age—and I refer specifically to long range missiles—have caused and will continue to cause a revolution in the art of warfare, with all its violent side effects.

We must devise whole new categories of weapons both offensive and defensive. Thus, you can see not only have the dimensions of new weapons changed but the very benchmarks—the very points of reference from which measurements may be made—have shifted.

Let me, at this point, give you just one example to illustrate what I mean. Up until a very few decades ago it took weeks for a weapon to be launched against America because it had to come by sea—then with the advent of the long range airplane the time for possible warning was reduced to hours. Then, suddenly, as the guided missile burst upon us we found ourselves up against one of the most fantastic defensive requirements ever placed upon military technology.

Instead of weeks or hours the missile will allow us something on the order of 30 minutes for defensive action. The actual number of minutes will depend on the effectiveness of our warning systems—systems which must be redesigned to meet the threat of a missile traveling 25 times as fast as the speed of sound. To devise a weapons system which will in the time required, detect, track, fire at, and destroy, such a small fast moving target, is a challenge military technology must meet.

Our scientists and engineers have dedicated themselves to this task. They are spurred on by the knowledge that technology has given to the offensive missile a striking and destructive power of well over one hundred thousand times the bomb which we knew in World War II as the "blockbuster." You can now understand why I say the benchmarks from which dimensions are measured have shifted.

In any commercial enterprise there are six basic elements known in management studies as the Classic M's. They are machines, men, materials, methods, money, and markets. Markets we don't have to worry about in the defense business. But the other five we must deal with to accomplish our objectives and their dimensions are con-

stantly changing. Let's look at machines first.

Last year we were told by General Betts from the Office of the Director of Guided Missiles that technology in this day and age does not stand still—and that was the understatement of 1958. Later in this year's forum you will see and hear a dramatic story by Mr. Joe Powell of the Department of Defense on the "Collapse of Time" and the effect of the stampede of technology on our machines of war.

I've already told you about our defensive problems with missiles. They stagger the imagination of even a scientist. Let me just mention some of our more serious management problems with other weapons, submarines, for example. This is a weapons delivery system where we now enjoy a qualitative and technological superiority. We know that in less than 2 years our atomic submarines will be able to hurl powerful ballistic missiles many hundreds of miles. They will create grave problems in detection and defense for any potential enemy of the United States. But Russian submarines likewise pose serious defensive problems for us. While we believe they do not now have atomic submarines we must assume that whatever we have the enemy is capable of producing—sometimes much faster than we thought possible.

So, the increasing complexity and destructiveness of modern machines of war create new and grave management problems. You have to know just when and how long to go along with an old weapons system and just when to put your money and faith in a successor system. And, of course, they must overlap for a while. This is not unlike buying the newest style before you know whether it will take. However, in the case of weapons, you bet your very life. The security of the country may hang in the balance on right decisions. Machines are indeed a changing dimension of national security.

The second M—materials—are likewise a defense management headache. No longer can we depend alone on the common materials of other wars. Excursions into outer space and deep under the sea call for exotic metals and plastics, for new and better fuels and for more powerful explosives in smaller packages. One of the major projects of the Advanced Research Projects Agency of the Department of Defense, for instance, is the development of a more powerful solid fuel needed for our third generation intercontinental ballistic missiles. Defense management is solving this problem and adding another new dimension to national security. In doing so we have devised new methods—the third classic M of management.

ARPA, the Advanced Research Projects Agency I mentioned a moment ago, is in itself a new organizational method established by management for the purpose of advancing our knowledge in—to name just a few of its projects—the field of missiles, anti-missile missiles and military space vehicles. Set up to handle advanced research and development programs, ARPA utilizes the best brains of the university and industry. It focuses particular skills on special problems whose solution is vital to America. Old methods of research are too slow to cope with the pace of technology. Your defense management must and is finding new ones.

The fourth M is manpower. The research and development, production and operation of new weapons systems puts space age strains on our manpower resources. We must utilize the best scientific and engineering brains the country now possesses in research, development and production. At the same time we must take steps as a Nation to educate and train the scientists, the engineers, and the skilled workers of

the future. Democracy's future demands and depends on an unending supply of well-educated citizens—educated, that is, to cope with all changing dimensions of the space age.

Mere numbers of men used to be a measurement of this Management M. Today skillpower and brainpower have had to make radical improvement in efficient use of manpower. A guided-missile ship, for instance, with a crew of 1,000 men but no skilled electronic technicians, wouldn't have any fighting power. The same is true for other modern weapons systems of our Army, Navy, Air Force, and Marines.

Therefore defense management needs better educated and better trained soldiers, sailors and airmen to operate the complex machines of war devised by our scientists and engineers. Technology has multiplied the penalty for stupid or careless error 10,000 fold. The error of yesterday's gunsmith could cost us only a musket or two. The error of today's technician could cost us a bomber worth, literally, its weight in gold.

Improving our educational system to cope with the new demands of technology is an all-hands, all-American task. The average citizen can't invent fuels, build missiles or fly an airplane but he can and should find out what's needed in the field of education and take steps to insure that his community fills the needs.

Now, we come to the fifth and last great M of management, money, a problem that affects all of us. I imagine if I were able to listen to the conversation of any one of you ladies for a few days I would be bound to hear you say, "Everything costs more these days." That's true of clothes, food, automobiles, houses and luxuries. It's also true of the materials and machines of defense. We buy everything you buy, we feed, clothe and house millions of people. Our costs have gone up, too. That's tough enough on our budget. But the cost of military hardware, unlike the ordinary commodities we buy, didn't go up just a little—it blasted off into space.

If an automobile cost 50 times as much today as it did in 1945 you'd be shocked and probably decide to keep your old one. Yet as the President pointed out in his state of the Union message today's fighter aircraft are 50 times more expensive than the fighters of World War II and we can't use the old ones. Our Polaris firing submarines will cost 15 to 20 times more than the conventional subs of the last war.

Of course, the weapons we buy at these increased prices are much more powerful. Indeed, their effectiveness oftentimes goes up in much greater ratio than their cost. We must have these weapons, regardless of cost. But in buying them defense management strives to spend your money in the most efficient manner possible.

Let me emphasize that money is important to defense but it's no panacea. You can't purchase prepackaged defense. It's the job of defense management to translate the amount of money needed into a winning combination of men, methods, materials, and machines. I think we have that combination.

In addition to the changing dimensions in national security brought about by the five great M's of management, we are always conscious of another M looking over our shoulder. This M stands for moments—we know you can't spend deficit time and you can't borrow minutes. Our potential enemies have exactly the same amount of time we have. He who uses his moments most wisely will be the winner in the cold or hot war of the future.

The framework I have set for your forum discussions bears principally on the problems of military defense. I would not want you

for one moment to think that changing military dimensions are the only ones that are important to national security. The last few years have seen tremendous changes in the dimensions of the economic competition between the nations of the free world and the Communist bloc. These years have not lessened either, the changing political and psychological pressures. To these changes we must be responsive. We must, in fact, continue to develop political, psychological, and economic programs of our own—pro-

grams which are as appealing as our military might is unassailable.

America's military might is for defense not aggression. The dimensions of your Military Establishment keep changing only to make it clear to any aggressor than an attack on us would be foolhardy.

America's defense will remain geared to reality—we will keep pace with technology. We will keep America's military strength superior to that of any nation which threatens us.

We will—that is, if we—and I mean all of us—take care to insure that the dimensions of our minds keep pace with the dimensions of our problems. Our mental dimensions represent our ability to understand the problems ahead and our determination, with God's grace, to conquer those problems.

Ladies, your forum represents citizenship at its best—Informed citizens are the priceless ingredients of a democracy—our democracy in particular. I salute you and join you in your efforts to keep America strong.

SENATE

SATURDAY, JANUARY 17, 1959

Rev. Thomas W. Sumners, rector, St. John the Divine Episcopal Church, Houston, Tex., offered the following prayer:

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 arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be justice and peace 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 thankfulness; and in the day of trouble, suffer not our trust in Thee to fail.

Guide and direct him who presides over the Senate, that he may rule with fairness and diligence. Inspire with Thy love and gratitude the leader of the majority party and him of the minority, that they, through gratitude to Thee for the revelation of Thy love, may lead Thy people in accordance with Thy holy will, through Jesus Christ, our Lord. Amen.

Mr. JOHNSON of Texas. Mr. President, I am proud and delighted to be present today. It was a pleasure to receive the inspiration and spiritual warmth which came from the devout prayer delivered by a great and good man of God, a devoted Texan, and a fine American. Dr. Sumners is a man dedicated in mind, in body, and in spirit to his church, to his State, and to his Nation; and I know of no finer thing that could be said of any man.

Mr. YARBOROUGH. Mr. President, all Members of the Senate were moved by the deeply spiritual invocation and opening prayer given by the Reverend Thomas W. Sumners, of Houston, Tex. His brother, the Reverend Charles Sumners, serves the Episcopal Church in my home city of Austin, Tex.; it is the oldest church in that city.

These two brothers have great influence on the spiritual life, and thereby, on the broader aspects of living, including the educational life, of the State of Texas, and likewise on the modes of liv-

ing and the lives of many persons who occupy commanding positions in the life of the State. It has been a great privilege to me to be in the Chamber to hear the prayer of Dr. Sumners today.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 14, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

REPORT ON OPERATIONS UNDER INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR PARTICIPATION ACT—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

In accordance with the provisions of section 9 of Public Law 860 of the 84th Congress, I transmit herewith for the information of the Congress the fourth semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, January 15, 1959.

REPORT OF NATIONAL SCIENCE FOUNDATION—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

Pursuant to the provisions of Public Law 507, 81st Congress, I transmit herewith the Eighth Annual Report of the National Science Foundation for the fiscal year ended June 30, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, January 17, 1959.

EXPRESSION OF SENSE OF THE SENATE CONCERNING THE MAKING OF LOANS BY RURAL ELECTRIFICATION ADMINISTRATION—RESOLUTION

Through inadvertence, the following resolution (S. Res. 21) expressing the sense of the Senate concerning the making of loans by the Rural Electrification Administration, submitted by Mr. AIKEN (for himself and other Senators) was omitted from the RECORD of January 14, 1959:

Whereas the Comptroller General of the United States in decisions (B-134138) dated July 21, 1958, and October 15, 1958, in questioning the validity of a portion of a loan made by the Rural Electrification Administration to the Central Iowa Power Cooperative, Cedar Rapids, Iowa, interpreted the Rural Electrification Act, in the first decision, as not authorizing loans for service to persons who are actually without central-station service if they are located in an area generally served by a power supplier; and, in the second decision, as not authorizing loans to serve persons, in fact without service, if they are located "on", "along side of", or "within a reasonable distance" of a line of a power supplier; and

Whereas the Acting Secretary of Agriculture, in a letter dated August 7, 1958, to the Comptroller General, requested reconsideration of the first decision because it was inconsistent with the express provisions of the Rural Electrification Act, its legislative history, congressional understanding, uniform administrative practice, and legal interpretations and opinions during the 22 years following enactment of the Rural Electrification Act and, by letter dated October 29, 1958, informed the Comptroller General that these objections were equally applicable to the interpretation of the Rural Electrification Act expressed in the second decision and could therefore not be agreed to; and

Whereas the interpretation of the Rural Electrification Act proposed by the Comptroller General in either of his decisions, if it had been applied to the rural electrification program from its inception, would have prevented that program's great contributions to agriculture and the rural areas of the Nation and to the national economy generally and, if now applied, would drastically curtail the future great potential of the rural electrification program: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Rural Electrification Act of 1936, as amended, continue to be interpreted to authorize the making of loans for the construction of facilities to bring electric service to persons who are in fact not receiving central-station service, and to continue to serve those who are presently being served, in accordance with the Acting Secretary of Agriculture's letters of August 7, 1958, and October 29, 1958, to the Comptroller General, and that the proposed limitation on the authority of the Rural Electrification Ad-