SENATE

MONDAY, AUGUST 17, 1959

The Senate met at 10 o'clock a.m.

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

Most merciful God, our Father, Thou knowest our frame, Thou rememberest that we are dust; yet Thou has decreed that our dust is linked to destiny.

Even in our physical, perishing house of clay, we carry stamped upon our being Thy image. We think Thy thoughts after Thee.

Standing in fields of lowly toil, we bow our heads, to listen in reverence to distant bells which speak of our kinship with the Eternal, making us conscious, even in drab surroundings of time and sense, of a divine reality which breaks through the scene in bright shoots of everlastingness.

In the dauntless faith, lighting the future's broadening way, that Thou art in the shadows and behind the shadows, invest, we pray, the daily labor of Thy servants in this Chamber of national deliberation with a radiance which in all our working days shall make our spirits like lighted torches from which others can rekindle their dying flame of courage.

We ask it in the name of the One whose life is the light of men. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 13, 1959, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 13, 1959, the following reports of a committee were submitted:

On August 14, 1959:

By Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, without amendment:

S. 2323. A bill to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions (Rept. No. 723).

On August 14, 1959:

By Mr. MUNDT:

S. 2504. A bill to authorize the sale at market prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for livestock in areas determined to be emergency areas, and for other purposes (Rept. No. 724).

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of August 13, 1959,

The President pro tempore, on August 14, 1959, signed the enrolled bill (S. 746) to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on August 14, 1959, he presented to the President of the United States the enrolled bill (S. 1719) for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on August 14, 1959, the President had approved and signed the following acts:

S. 577. An act to amend title 10, United States Code, section 2481, to authorize the U.S. Coast Guard to sell certain utilities in the immediate vicinity of a Coast Guard activity not available from local sources;

S. 1367. An act to amend title 14, United States Code, entitled "Coast Guard," to authorize the Coast Guard to sell supplies and furnish services not available from local sources to vessels and other watercraft to meet the necessities of such vessels and watercraft; and

S. 2471. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 59) amending Senate Concurrent Resolution 2, continuing the existence of the Joint Committee on Washington Metropolitan Problems.

The message also announced that the House had passed the bill (S. 1555) 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 with an amendment; that the House insisted on its amendment; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARDEN, Mr. PERKINS, Mr. LANDRUM, Mr. THOMPSON of New Jersey, Mr. KEARNS, Mr. AYRES, and Mr. GRIFFIN were appointed managers on the part of the House at the conference.

The message further announced that the House had further insisted upon its disagreement to the amendment of the Senate numbered 1 to the bill (H.R. 7040) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1960, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 2, 5, 10, and 13 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 15 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 to the bill (H.R. 7650) to modify the pension programs for veterans of World War I, World War II, and the Korean conflict, and their widows and children, and that the House had disagreed to the amendment of the Senate numbered 11 to the bill.

The message informed the Senate that Mr. MAILLIARD had been appointed a manager on the part of the House at the conference of the two Houses on the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans, vice Mr. VAN PELT, excused.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Public Works;

The Permanent Subcommittee on Investigations of the Committee on Government Operations;

The Committee on Agriculture and Forestry.

LIMITATION OF DEBATE DURING MORNING HOUR

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

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

JEWISH WAR VETERANS NATIONAL CONVENTION ENDORSES COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, the cold war GI bill, which passed the Senate on July 21, of this year, has met with overwhelming support from various veterans' organizations, as well as from many other persons and organizations who believe in a just, educated, progressive America.

These people realize the very great power for improving our country and our way of life which lies in having more trained personnel to fill our growing shortage of teachers, doctors, scientists, mathematicians, and other vital professional persons.

Therefore, Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution adopted by the Jewish War Veterans of the United States, which is one of the oldest veterans' organizations in the country. The resolution was adopted at its 64th annual national convention, at New York City, on August 5 to 9, 1959. The resolution favors a GI bill as long as there is a draft.

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

EXTEND EDUCATION BENEFITS DURING PERIOD OF SELECTIVE SERVICE ACT

Whereas the 82d Congress passed the Veterans' Readjustment Assistance Act of 1952, Public Law 550, which among other benefits provided that persons serving in the Armed Forces of the United States were eligible for the educational benefits theretofore provided under the GI bill; and

Whereas the President of the United States, by proclamation, did terminate the benefits of the aforesaid Public Law 550, said termination date being January 31, 1955, and thereby the educational benefits to the men of our Armed Forces have been terminated; and

Whereas the Jewish War Veterans of the United States of America believe that the educational benefits provisions of Public Law 550, while in the nature of reward to the members of the Armed Forces for their services, were of value to this country in the following particulars:

1. By providing assistance to the members of the Armed Forces in procuring an education which would equip them to make a living, provide homes for their families and, in general, raise the living standards of this great Nation.

2. By providing equal educational opportunities for the members of the Armed Services with those who, for one reason or another, were not inducted into the services.

Whereas failure to provide educational benefits to those who entered service after January 31, 1955:

1. Discriminates amongst servicemen based strictly on the date of entry into service and not different duty requirements.

2. Abandons concept of providing an opportunity for higher education and for training which has been allowed since the GI bill on the premise of assistance to those whose lives were interrupted by service based on draft: Now, therefore, be it

Resolved, That the Jewish War Veterans of the United States of America in 64th annual national convention assembled in New York City, August 5 to 9, 1959, favor the extension of the educational benefits of the Veterans' Readjustment Assistance Act of 1952, Public Law 550, during the period of time that selective service is effective, and that the eligibility to these benefits be made retroactive so as to cover those members of the Armed Services whose service was started or terminated subsequent to January 31, 1955.

BERNARD ABRAMS,
National Commander.
HYMIE GREENSPAN,
National Vice Commander.

RESOLUTIONS OF NORTH DAKOTA ASSOCIATION OF RURAL ELECTRIC COOPERATIVES

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a series of resolutions adopted by the North Dakota Association of Rural Electric Cooperatives.

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

RESOLUTIONS ADOPTED BY THE NORTH DAKOTA ASSOCIATION OF RURAL ELECTRIC COOPERATIVES, JULY 10, 1959

RESOULUTION 1.—RESOLUTION OF MEMORIAM

During this past year we were all saddened at the death of one of the pioneer directors of our association, Gerald C. Olson, of the RSR Electric Cooperative.

Mr. Olson had long served as a good and faithful director of his local cooperative and of this association, and had spent many hours working in the rural electric field on behalf of his friends and neighbors; and

Therefore, we extend to the family of Gerald C. Olson our sincere sympathy from the members of this association here assembled.

Adopted July 10, 1959, at Minot, N. Dak., by the North Dakota Association of Rural Electric Cooperatives.

RESOLUTION 2.—RESOLUTION OF MEMORIAM

Inasmuch as we were all greatly grieved and saddened at the sudden death of our friend and fellow director, Oscar Tweed, while in attendance at this meeting; and

Inasmuch as Mr. Tweed was known among us as a devoted and stalwart worker in the rural electric field:

We therefore want to extend our most sincere and heartfelt sympathy to the family of Oscar Tweed, from the members of this association here assembled.

Adopted July 10, 1959, at Minot, N. Dak., by the North Dakota Association of Rural Electric Cooperatives.

RESOLUTION 3.—INTEREST RATES

Whereas the 2-percent REA interest rates are under attack as being a subsidized rate, and

Whereas there is no basis in fact or theory that this 2-percent rate is a subsidized rate. For over the years the REA has accrued a net income to the U.S. Treasury from lending operations of $48 million; and

Whereas the Congress entered into contract with the Rural Electric Cooperatives in 1944 to lend them money at a fixed charge if the REA's would provide complete area coverage; and

Whereas some REA Cooperatives are showing a loss of customers due to a continuing farm recession; and

Whereas any increase in REA interest rate would for all practical purposes destroy the REA program: Be it therefore

Resolved, That the North Dakota Association of Rural Electric Cooperatives oppose any increase in interest rates.

RESOLUTION 4.—HELLS CANYON

We commend the work of the proponents of the building of the high dam in Hells Canyon and petition said proponents to continue the fight for complete river utilization on the Snake River.

RESOLUTION 5.—ADEQUATE FUNDS G. & T.'S

Whereas anticipated power demands of the great Middle West greatly exceed present existing generation and transmission facilities available to the REA cooperatives located here; and

Whereas we readily recognize that more power generation and transmission will be urgently needed in the very near future: Be it therefore

Resolved, That the Congress of the United States make available to the Rural Electrification Administration sufficient and adequate funds for the construction of such adequate and sufficient power generation and transmission facilities.

RESOLUTON 6.—PREFERENCE

Whereas water power resources belong inevitably to the people of the United States and not to private individuals or corporations; and

Whereas it is of the utmost importance to the general public that the historic attitude of Congress of the United States with reference to power preference be maintained: Be it therefore

Resolved, That we do hereby commend the Congress of the United States for its preservation of the preference concept, and do further urge the Congress of the United States to continue to support and maintain preference for rural electric cooperatives and other consumer-owned electric systems and we also feel that the preference concept should be extended to cover transmission of preference power over federally owned Bureau of Reclamation lines.

RESOLULTION 7—KERR-TRIMBLE BILL

Whereas we are of the opinion that the cost of construction and operation of multiple-purpose dams should be borne in direct relation to benefits received by individual purposes, such as flood control, irrigation, power generation, recreation and wildlife, etc., and be repaid on a period recognizing the life expectancy of these facilities: Be it therefore

Resolved, That we do hereby request the favorable consideration by the Congress of the United States of the Kerr-Trimble bill, H.R. 7362.

RESOLUTION 8—TVA

Whereas, we recognize the Tennessee Valley Authority as being the outstanding yardstick on power cost; and

Whereas we believe it imperative that this yardstick be maintained: Be it therefore

Resolved, That we do urge the passage of bills to permit TVA to issue and sell bonds, notes and other evidence of indebtedness to assist in financing its power expansion program, and do further urge the passage of all measures which will preserve TVA's existence.

RESOLUTION 9—YELLOW TAIL PROJECT

Whereas the continually increasing demand for low-cost electric power makes it necessary that the potentialities of the Yellow Tail project be integrated with the Missouri Basin power development program; and

Whereas we reject the partnership concept of development for public power resources;

Now therefore we urge the immediate and expeditious development of the Yellow Tail project in the State of Montana on the Big Horn River and request that the Bureau of Reclamation be empowered to construct necessary transmission to integrate the project with the other Missouri Basin projects.

RESOLUTION 10—GENERAL ACCOUNTING OFFICE

Whereas the Federal Accounting and Budgetary System makes no distinction between wealth-creating investments and ordinary operating costs, and as such is misleading to Congress, our members and the public in general: Be it therefore

Resolved, That proper laws be enacted to establish a "capital budget" and accounting system; and be it further

Resolved, That our local cooperatives and the statewide Association of Rural Electric Cooperatives take proper measures to educate the public on the importance of this change.

RESOLUTION 11—PROPAGANDA ADVERTISING

Whereas we are unalterably opposed to the private power companies spending ratepaying consumers money for propaganda purposes aimed at destroying rural electric cooperatives and public power development, charging the costs of such propaganda as a legitimate operational expense, and thereby gaining unwarranted exemption for Federal corporation taxes as to those amounts: Be it therefore

Resolved, That we urge the Congress of the United States to enact appropriate measures to curb this insidious practice.

RESOLUTION 12—O'MAHONEY-MILLIKEN AMENDMENT

Whereas the time has come when the so-called abundant supply of water in the Missouri Basin is no longer adequate to supply all the demands for water of the Missouri Basin as well as demands for water for navigation and other purposes downstream to the gulf; and

Whereas the amount of water stored behind all main stem dams on the Missouri River at June 1 this year was less than the amount stored behind Fort Peck Dam alone 3 years ago, indicating a serious depletion of our water supply apparently to take care of navigation and other downstream requirements;

Whereas, this matter is of such concern to the people of the Missouri Basin that the State Legislatures of Montana, South Dakota, and North Dakota all memorialized Congress earlier last year to study this problem, giving careful consideration to the present use of our water resources, in relation to compliance with the O'Mahoney-Milliken amendment: Now, therefore, be it

Resolved, That we, the members of the North Dakota Association of Rural Electric Cooperatives, respectfully request Congress to continue studies and hearings on this problem, and that they take steps necessary to see that the O'Mahoney-Milliken amendment be adhered to, and we further urge Congress to reexamine the whole area of Missouri Basin planning and management to determine whether it would not be better to substitute one agency with overall authority and responsibility rather than the numerous agencies and bureaus which we now have.

RESOLUTION 13—HUMPHREY-PRICE LEGISLATION

Whereas the North Dakota Association of Rural Electric Cooperatives assembled in annual meeting this 10th day of July 1959, is not satisfied with the results of the override vote on the Humphrey-Price bill: Therefore be it

Resolved, That we ask introduction of the same legislation in the next session of Congress and urge all our Senators and Representatives to support such a bill;

Also, we wish to thank Senator LANGER, Senator YOUNG, and Congressman BURDICK for their support of the bill in the present Congress.

RESOLUTION 14—FEDERAL TERRITORIAL LEGISLATION

We urge the enactment by the Federal Congress of legislation to protect the territory of the rural electrics and their unrestricted right to serve in that territory, and we ask for removal of the restriction prohibiting service to towns of over 1,500 population.

RESOLUTION 15—POWER AND MECA

Whereas the natural resources of this great country have been recognized as the heritage of all our people ever since the days of Teddy Roosevelt; and

Whereas the consumer-owned rural electric cooperatives and municipal electric systems organized the Midwest Electric Consumers Association, for the purpose of promoting the maximum development of the natural resources of the Missouri Basin; and

Whereas the Midwest Electric Consumers Association under the forceful leadership of its executive committee and of Mr. Kenneth Holum, its executive director, has fostered and advanced the ideals of this heritage in the Missouri Basin area; and

Whereas it is essential to the welfare of this great area of our Nation that we maintain and support the Midwest Electric Consumers Association in its effort to promote the maximum development of the resources of this part of our Nation: Now, therefore, be it

Resolved by the North Dakota Association of Rural Electric Cooperatives at its annual meeting duly assembled do hereby authorize and direct the officers of the organization to join and maintain a membership in said Midwest Electric Consumers Association and do urge each of its members to join the Midwest Electric Consumers Association and do also commend the executive committee of the Midwest Consumers Association, and Mr. Kenneth Holum, its executive director, for a job well done.

RESOLUTION 16—COMMENDING THE ADMINISTRATOR

Be it resolved, That we the members of the North Dakota Association of Rural Electric Cooperatives, do commend REA Administrator, Dave Hammel, for the conduct of his office and hope for continued association with him as Administrator.

RESOLUTION 17—COMMENDING ELLIS AND NRECA

Be it resolved, That we commend Clyde Ellis and his staff for the increasingly valuable services which they are providing the member cooperatives.

RESOLUTION 18—COMMENDING SENATORS LANGER, YOUNG, AND REPRESENTATIVE BURDICK

Be it resolved, That we commend Senator WILLIAM LANGER and Senator MILTON YOUNG and Representative QUENTIN BURDICK for their continuing support of the REA cooperatives.

RESOLUTION 19—THANKS

We thank the members of the statewide staff: Ray Harens, Con Blomberg, Diane Hohimer, and the Verendrye Electric Cooperative, Mountrail Electric Cooperative, Burke-Divide Electric Cooperative for their help in making this meeting a success.

RESOLUTION 20—THANKS

We thank the city of Minot, Mayor Maurice Harringten, Glen Benson, first vice president of the Minot Chamber of Commerce; Father Benedict Pfaller and the Reverend T. Megordon for their courtesy and friendly help given to the Association of Rural Electric Cooperatives.

The following resolutions were adopted by other organizations and endorsed by the North Dakota Association of Rural Electric Cooperatives on July 10, 1959.

"RESOLUTION OF THE NORTH DAKOTA WATER USERS ASSOCIATION URGING RESTORATION OF INVESTIGATIONAL MONEYS FOR BUREAU OF RECLAMATION FOR THE GARRISON DIVERSION UNIT OF NORTH DAKOTA FOR FISCAL YEAR 1960

"Whereas the Pick-Sloan compromise for the Missouri Basin development provided for the irrigation of 1 million acres of North Dakota land in exchange for approximately half a million acres taken from production and the tax roles; and

"Whereas this agreement was accepted in good faith by the State of North Dakota as reflected by action of three sessions of the State legislature, as well as by affirmative action of voters and taxpayers; and

"Whereas the Bureau of Reclamation, through their investigations, has discovered sufficient acreage and has engineering plans which provide for development of areas over a 70-year period; and

"Whereas the Bureau of Reclamation is presently engaged in firming up more detailed land classification, topographical mapping, and engineering for canal lateral and drainage layouts, cost estimates and further economic studies in order to refine the project plan report completed in 1957 which indicates the economic feasibility by all rigid standards; and

"Whereas North Dakota, through its legislature, enacted legislation providing for the Garrison Diversion Conservancy District which has been activated and is presently cooperating with farm operators and such organized irrigation districts for the purpose of completing repayment contracts on a partnership basis in order to assure an expeditious program if and when construction moneys are made available; and

"Whereas the U.S. House of Representatives' reduction of the recommended Bureau of the Budget estimate of $550,000 to $300,000 for the Garrison diversion unit, will impair and seriously hinder the efficiency of scheduled work because of disruption of the Bureau of Reclamation's technical staff, and thus will bring added costs to the National Government because of added delays: Now, therefore, be it

"Resolved by the North Dakota Water Users Association, a statewide organization founded for the purpose of assuring orderly and maximum development of all of North Dakota's water resources, That the U.S. Senate Committee on Appropriations restore the $250,000 reduced by the House of Representatives for the Garrison diversion unit and urges that the conference committee on public works appropriations for 1960 sustain the full amount because it is in the economic interest of not only North Dakota, but the United States; and be it further

"Resolved, That copies of said resolution adopted by the North Dakota Water Users Association be transmitted to the U.S. Senators WILLIAM LANGER and MILTON R. YOUNG, of North Dakota, and Senator CARL HAYDEN, chairman of the U.S. Senate Committee on Appropriations, and to U.S. Representatives QUENTIN N. BURDICK and DON L. SHORT, of North Dakota, and to the Honorable CLARENCE CANNON, U.S. Representative and chairman of the House Committee on Appropriations."

The above resolution was adopted by the executive committee of the North Dakota Water Users Association at Bismarck, N. Dak., on June 19, 1959.

Resolution submitted from Central Power:

"RESOLUTION 1

"Whereas Nebraska has offered to sell the Bureau of Reclamation winter firm power in ample quantity to furnish all the customers in the Missouri Basin their needs through 1963, which power can be purchased under the Fort Peck Act: Now, therefore, be it

"Resolved, That we request the Bureau to immediately start negotiations for the purchase of this power from Nebraska, that all customers in the Missouri Basin will receive all of their requirements as preference customers through 1963, in order that the preference customers may have time to make necessary arrangements for ample power after 1963, when the new allocation of power which is now in process of being allocated is completed; and be it further

"Resolved, That a copy of this resolution be forwarded to Secretary of Interior Seaton; Assistant Secretary of Interior Aandahl; Senator Murray; Senator Mansfield; Senator Langer; and Senator Young.

"RESOLUTION 2

"Whereas we hereby endorse Senate Resolution 71, which has been introduced by Senators MURRAY, CARROLL, and NEUBERGER, to investigate the water and power problems of the United States: Now, therefore, be it

"*Resolved*, That we urge the Senate to approve Resolution 71; and be it further

"*Resolved*, That we send copies of this resolution to Senators MURRAY, CARROLL, NEUBERGER, YOUNG, LANGER, and MANSFIELD.

"RESOLUTION 3

"Whereas it is becoming increasingly difficult for consumer-owned electric cooperatives to obtain satisfactory service and use of the existing federally owned, as well as privately owned, transmission facilities which by law should be dedicated to public service; and

"Whereas the use of such transmission facilities, and especially the excess capacity thereof, is becoming more and more essential to the survival of such cooperatives: Now, therefore, be it

"*Resolved by Central Power Electric Cooperative, Inc., at its annual meeting duly assembled*, That this federation respectfully urges the passage fo H.R. 3142, introduced by Representative QUENTIN BURDICK, in order to assure the maximum use of such facilities by the consumer-owned electric cooperatives; be it further

"*Resolved*, That copies of this resolution be sent to the Senators and Representatives of the States of Montana and North Dakota, as well as to the chairmen of the appropriate committees of the House and Senate."

Resolution submitted by Sheyenne Valley:

"RESOLUTION, SENATOR GORE'S AEC BILL, S. 683

"Whereas the expansion of our economy to meet our growing population is dependent upon an abundance of low-cost electric energy; and

"Whereas the early maximum development and production of small atomic energy reactor plants, together with large atomic energy reactor plants, will bring about an additional source of cheap energy; and

"Whereas America as a nation must compete for that number one position in world leadership through an ever-growing economy; and

"Whereas other countries are seeking to reach that number one position through the development and mass production of these reactor plants; and

"Whereas several nations are now already even with and, in some instances, ahead of our country, even though America was first to develop the use of the atom: Now, therefore, be it

"*Resolved*, That the board of directors of the Sheyenne Valley Electric Cooperative at this meeting dated March 30, 1959, respectfully urge all 96 U.S. Senators to support Senate bill 683; and be it further

"*Resolved*, That all 96 U.S. Senators use their influence and prestige to encourage mass development of atomic energy for peaceful purposes."

FEDERAL HIGHWAY CONSTRUCTION PROGRAM—RESOLUTIONS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a number of resolutions which I have received urging that Congress take necessary action so as to assure the continuation of the Federal highway construction program be printed at this point in the RECORD and appropriately referred.

The resolutions which I have received are from the Board of County Commissioners of Hennepin County in Minnesota; the Board of County Commissioners of Beltrami County in Minnesota; the City Council of the City of Minneapolis, Minn.; the Board of County Commissioners of Chisago County in Minnesota; the Board of County Commissioners of Isanti County in Minnesota; the Board of County Commissioners of Goodhue County in Minnesota; the Board of County Commissioners of St. Louis County in Minnesota; and the Board of County Commissioners of Polk County in Minnesota.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Appropriations:

"RESOLUTION RELATING TO THE CURTAILMENT OF THE FEDERAL ROADBUILDING PROGRAM

"Whereas the City Council of the City of Minneapolis has been advised that a substantial number of construction lettings on highway work affecting the Minneapolis area were canceled as of August 4, 1959, by the commissioner of highways of the State of Minnesota because of a shortage of Federal funds and the uncertainty of Federal participation in road financing; and

"Whereas the inadequate financing of roads in this area from Federal aid funds creates an immediate financial crisis; and

"Whereas said crisis creates unemployment among those normally engaged in highway construction, and aggravates the burden on homeowners and other owners of property located in highway right-of-way: Now, therefore, be it

"*Resolved by the City Council of the City of Minneapolis*, That the Congress of the United States be urgently requested to make the necessary moneys available in the Federal Aid Highway Fund so as to restore and continue the Federal aid road construction program without deficit financing; be it further

"*Resolved*, That a copy of this resolution be transmitted forthwith to each of the Members of Congress from the State of Minnesota.

"Passed August 13, 1959. Geo. W. Martens, president of the council.

"Approved August 13, 1959. P. Kenneth Peterson, mayor.

"Attest: Leonard A. Johnson, city clerk."

"RESOLUTION URGING LEGISLATION TO CARRY OUT APPROPRIATION FOR THE ABC HIGHWAY PROGRAM

"Due to possible cancellation of Federal aid projects already let effecting Beltrami County highways, Commissioner Pool offered the following resolution and moved its adoption:

"'Whereas the Congress has failed thus far to appropriate sufficient funds to carry out the ABC highway program; and

"'Whereas failure of Congress to enact legislation to carry out said program could have a serious effect upon the ability of Beltrami County to meet its obligations on contracts heretofore awarded and in some instances already completed: Now, therefore, be it

"'*Resolved*, That the County Board of Beltrami County hereby signifies its support and urges that Congress take appropriate steps to insure the carrying out of the ABC highway program without any interruptions or delays.'

"Resolution was seconded by Commissioner Mistic and, upon being put to vote, was unanimously carried.

"A. D. JOHNSON,
"*County Auditor, Beltrami County.*"

"Commissioners Ainsworth, Hanson, Matthews, Scott, and Swanson offered the following resolution and moved its adoption:

"'Whereas L. P. Zimmerman, commissioner of highways, State of Minnesota, on August 4, 1959, by telegram and newsletter, informed L. P. Pederson, county highway engineer of this county, that all county Federal aid secondary contract lettings are canceled as of that date due to a shortage of Federal funds; and

"'Whereas the said financial crisis in the roadbuilding program in the State of Minnesota was brought about by reason of the inadequacy of the financing of the Federal aid funds; and

"'Whereas the cancellation of the above contracts creates an emergency in this county and will cause undue hardship on personnel employed in the construction improvement of all Federal aid roadbuilding, and

"'Whereas it appears that the only adequate remedy to alleviate this desperate financial situation is for the Congress of the United States to take immediate and adequate steps to appropriate and make available in the Federal aid funds the moneys necessary to continue the Federal aid road program: Now, therefore, be it

"'*Resolved*, That this board earnestly request the Congress of the United States to make the necessary appropriations to the Federal aid highway funds so as to continue the Federal aid road construction program, and that the necessary legislation be enacted to continue adequate financing of such program; be it further

"'*Resolved*, That a copy of this resolution be sent immediately to each of the Members of Congress from the State of Minnesota and they are hereby requested to work for and make available the moneys necessary to finance the Federal aid road program and bring to the attention of the chairman of the House and Senate committees passing upon the financing of such program the request of this Board of Hennepin County Commissioners.'"

To the Committee on Finance:

"Because of the recent action taken by the House Ways and Means Committee in Washington with reference to future financing of the highway construction program nationwide, the commissioner of Minnesota Highway Department has canceled all future contract lettings planned for State trunk highways, Interstate System, and county aid secondary roads in Minnesota; be it

"*Resolved*, That the Board of County Commissioners of Chisago County, Minn., favor more taxes to keep this program going and on its present level and demand action from Congress at once to rectify the situation.

"Dated this 10th day of August 1959.

"BOARD OF COUNTY COMMISSIONERS,
"*Chisago County, Minn.*
"EPHRAIM BRITZ,
"RUSSELL H. PETERSON,
"FRANK O. ANDERSON,
"ELMER A. FIEDIN,
"CARL LINDBERG,

"Attest:

"THELMA A. JOHNSON,
"*County Auditor.*"

"Whereas the failure of the Congress to enact revenue measures sufficient to finance the Federal Government's share in the present highway construction program, has resulted in the cancellation of road building contracts throughout the United States and particularly in the State of Minnesota; and

"Whereas if the necessary funds are not made available through appropriate legislation in the immediate future, the delay in construction will seriously affect the construction of highways upon which the residents of the county of Isanti are dependent for their economic well-being and the farm-to-market road program of the county of Isanti will be seriously curtailed: Now, therefore, be it

"*Resolved by the County Commissioners, in meeting assembled this 10th day of August 1959*—

"1. That it endorses and will support legislation to increase gasoline taxes in a sum sufficient to produce the revenues necessary to continue the present Federal highway building program without delay,

"2. That a copy of this resolution be forwarded by the county auditor to Senator HUBERT HUMPHREY, Senator GENE MCCARTHY, and Representative ROY WIER, for their information and guidance.

"H. GEO. SUNDBERG,
"Chairman.

"Attest:

"ROBT. J. MOODY,
"Auditor."

REDWING, MINN., *August 13, 1959.*

Hon. HUBERT H. HUMPHREY,
Senate Chambers,
Washington, D.C.

DEAR SIR: At a session of the County Board of Goodhue County, Minn., held August 11, 1959, they instructed the county auditor to send the following resolution to you for your consideration:

"Whereas the Government of the United States has not provided sufficient funds for the carrying out of needed highway improvements; and

"Whereas Goodhue County has been informed by letter dated August 5, 1959, from the department of highways, State of Minnesota, that Goodhue County would have to finance FAS projects on county State aid highways already entered into, entirely, due to the fact that Federal funds would not be forthcoming, as the Federal share of the cost of these projects: Therefore be it

"Resolved, That we, the Board of County Commissioners of Goodhue County, Minn., do urge the Congress of the United States to enact legislation for the increase of Federal gasoline tax 1½ cents per gallon so that contracts on FAS projects already entered into and projects contemplated in the future, may be partially financed by Federal funds."

Yours very truly,

E. P. EKHOLM,
County Auditor.

"RESOLUTION 595

"Whereas the House Ways and Means Committee of the U.S. House of Representatives has failed to reach a compromise solution to protect the highway finances for the fiscal year 1960 for financing the nationwide highway construction program; and

"Whereas the State of Minnesota has funds for its share of the various types of Federal aid projects but has received no assurance from the Bureau of Public Roads that it can meet its part of the obligations until the solution is resolved; and

"Whereas the Board of County Commissioners of St. Louis County is in favor of more taxes to keep this program going and on its present level: Now, therefore, be it

"Resolved, That the Board of County Commissioners of St. Louis County hereby requests all Congressmen and Senators from the State of Minnesota to extend every effort to have the House Ways and Means Committee reach a solution to protect the highway finances for the fiscal year 1960 in the nationwide highway construction program."

"Whereas the County of Polk, department of highways, has been notified by the State of Minnesota, department of highways, that Federal funds for Federal aid highway construction have been depleted, and that no action has been taken by Congress to provide for Federal funds for the continuation of the present Federal aid program; and

"Whereas Polk County has laid out and is working on a long-range farm-to-market road improvement program, which includes the Federal aid secondary system with the anticipation of Federal aid funds; and

"Whereas the discontinuance of Federal funds for any part of the Interstate System, Federal aid primary system and Federal aid secondary system of highways must be continued to meet present day traffic demands and provide for employment: Therefore be it

"Resolved, That the Board of County Commissioners of Polk County, Minn., in regular session, this 11th day of August 1959, request that Congress, now in session, take immediate action to increase the Federal tax on gasoline by 1 cent per gallon and appropriate funds for Federal aid to keep the Federal aid program going on its present level."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 2263. A bill to authorize the Federal Power Commission to exempt small hydroelectric projects from certain of the licensing provisions of the Federal Power Act (Rept. No. 725); and

S. 2482. A bill to remove geographical limitations on activities of the Coast and Geodetic Survey, and for other purposes (Rept. No. 726).

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

H.R. 3365. An act to authorize the crediting of certain service for purpose of retired pay for nonregular service, and for other purposes (Rept. No. 727).

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. TALMADGE:

S. 2541. A bill for the relief of Maria Vittone and Rosa Fostina; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 2542. A bill to increase the annual amount which certain veterans are permitted to earn without being deprived of the receipt of their pensions; and

S. 2543. A bill to amend section 4071 of the Internal Revenue Code of 1954 so as to fix a tax of 1 cent per pound on certain laminated tires produced from used tires; to the Committee on Finance; and

S. 2544. A bill for the relief of Soo Ile (John) Chang and Young Sukho (Holly) Chang; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. DIRKSEN, and Mr. HENNINGS):

S. 2545. 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.

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

By Mr. LANGER:

S. 2546. A bill for the relief of Henry Lohrey and Jacob J. Kossmann; to the Committee on the Judiciary.

S. 2547. A bill for the relief of the surviving widow of Randolph Weum; to the Committee on Post Office and Civil Service.

By Mr. HUMPHREY:

S. 2548. A bill for the relief of Henry C. Larson; to the Committee on the Judiciary.

By Mr. MURRAY (for himself, Mr. BARTLETT, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARROLL, Mr. CHURCH, Mr. CLARK, Mr. DODD, Mr. DOUGLAS, Mr. ENGLE, Mr. GRUENING, Mr. HART, Mr. HENNINGS, Mr. HUMPHREY, Mr. JACKSON, Mr. JOHNSON of Texas, Mr. LANGER, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. MORSE, Mr. MOSS, Mr. NEUBERGER, Mr. RANDOLPH, Mr. SPARKMAN, Mr. SYMINGTON, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota):

S. 2549. A bill to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. SCOTT:

S. 2550. A bill to amend the Welfare and Pension Plans Disclosure Act, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. CLARK (for himself, Mr. SYMINGTON, Mr. LAUSCHE, Mr. SCOTT, Mr. HENNINGS, and Mr. YOUNG of Ohio):

S. 2551. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Finance.

By Mr. KENNEDY:

S. 2552. A bill for the relief of Pietro Capici Conti; to the Committee on the Judiciary.

By Mr. BRIDGES (for himself and Mr. DIRKSEN):

S. 2553. A bill to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat; to the Committee on Armed Services.

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

By Mr. COOPER:

S. 2554. A bill for the relief of Leila Finlay Bohin; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself, Mr. EASTLAND, and Mr. TALMADGE):

S.J. Res. 133. Joint resolution proposing to amend the Constitution relating to the right of Congress and the States to enact legislation with respect to obscene material; to the Committee on the Judiciary.

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

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON "BIOLOGICAL AND ENVIRONMENTAL EFFECTS OF NUCLEAR WAR"

Mr. ANDERSON submitted the following concurrent resolution (S. Con. Res. 72), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Atomic Energy be authorized to have printed for its use fifteen thousand additional copies of the public hearings on "Biological and Environmental Effects of

Nuclear War," held by the Special Subcommittee on Radiation during the Eighty-sixth Congress, first session.

APPLICABILITY OF ANTITRUST LAWS TO EXEMPT CERTAIN ASPECTS OF DESIGNATED PROFESSIONAL TEAM SPORTS

Mr. KEFAUVER. Mr. President, on behalf of myself, the Senator from Illinois [Mr. DIRKSEN], and the Senator from Missouri [Mr. HENNINGS], I introduce, for appropriate reference, a new professional team sports bill for the purpose of exempting from the antitrust laws certain aspects of the organized professional team sports of football, basketball, and hockey.

This bill differs in several respects from the bill I introduced on February 3, 1959, S. 886, and the bill S. 616 introduced on January 21, 1959, by Senators HENNINGS, DIRKSEN, and KEATING. In both of those bills an attempt was made to deal with not only the games of football, basketball and hockey, but also with the game of baseball. As the result of the hearings which were recently held by the Antitrust and Monopoly Subcommittee on S. 886 and S. 616, it became apparent that there were not only differences in the legal status but that there were fundamental differences in the operations of the game of baseball from the games of football, basketball and hockey. The operation difference stems from the fact that in the game of professional baseball a minor league problem exists which does not exist in the other sports. As yet, the Antitrust and Monopoly Subcommittee has been unable to arrive at an overall bill dealing with all professional team sports, including baseball. However, in introducing this new measure it is the purpose of the sponsors to correct the inequity which has been created by the various decisions of the Supreme Court, which has held that with respect to the team aspects of baseball, and only baseball, the antitrust laws do not apply. Stated simply, the professional team sports of football, basketball and hockey, which are similar in their operational aspects to the game of baseball, are exposed fully to the full force and effect of the antitrust laws, whereas the game of baseball is not. The purpose of this bill is to correct this inequity and to give certain exemptions which are thought necessary to these team sports.

The bill which I send to the desk permits the organized professional team sports of football, basketball, and hockey to equalize the competitive playing strength of the teams involved in these sports, and the employment, selection and eligibility of players, as well as the reservation, selection and assignment of player contracts.

Also, these sports may regulate the right to operate within specific geographic areas, provided that such geographic areas shall mean an area included within the circumference of a circle having a radius of 5 miles with its center at the football field, basketball court or hockey rink of the respective sports, and further provided that the exemption which relates to the right to operate within specified geographic areas shall not apply to cities having a population of more than 2 million people. Also provided in this measure is the right to regulate the preservation of public confidence in the honesty in the sports involved.

Also provided as an exemption from the antitrust laws is the right of the team sport involved to limit the telecasting of contests to within 75 miles of the home community of another club on the day when such club is scheduled to play a regularly scheduled league game in the same sport, or, if desired as an alternative, to mutually distribute to other clubs in the same or different leagues all or any part of the revenues, of whatever nature, received from telecasts in the same sport. This exemption, however, is limited by the requirement that no club may telecast reports or pictures of its contests from within 75 miles of the home community of another club in a different league in the same sport on a day when such club is scheduled to play there a regularly scheduled league game, unless consent is received in writing from the other club.

In a very few weeks, regularly scheduled games in the game of professional football will begin. As interpreted by the Supreme Court, today every mutual act taken by the teams engaged in this great American pastime will be suspect under the present ruling of the Supreme Court unless some measure such as this bill is enacted into law. This is not a fair situation, and it is to correct such situation that this bill is submitted for consideration.

In order that other Senators may have an opportunity to join in sponsoring this bill, I ask unanimous consent that it lie on the desk for 3 days, and that the bill be printed following these remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Tennessee.

The bill (S. 2545) to limit the applicability of the antitrust laws so as to exempt certain aspects of designated professional team sports, and for other purposes, introduced by Mr. KEFAUVER (for himself, Mr. DIRKSEN, and Mr. HENNINGS), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 2, 1890, as amended (26 Stat. 209); the Act of October 15, 1914, as amended (38 Stat. 730); and the Federal Trade Commission Act, as amended (38 Stat. 717), shall not apply to any contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging in, or participating in the organized professional team sports of football, basketball, and hockey to the extent to which it relates to—

(1) the equalization of competitive playing strengths;

(2) the employment, selection, or eligibility of players, or the reservation, selection, or assignment of player contracts;

(3) the right to operate within specific geographic areas: *Provided,* That such geographic areas when used with respect to any football, basketball, or hockey club shall mean the area included within the circumference of a circle having a radius of five miles with its center at the football field, basketball court, or hockey rink of the respective football, basketball, or hockey club: *And provided further,* That the exemption which relates to the right to operate within the specified geographic areas shall not apply to cities having a population of more than two million people; and

(4) the preservation of public confidence in the honesty in sports contests.

SEC. 2. No contract, agreement, rule, course of conduct, or other activity by, between, or among persons conducting, engaging in, or participating in the organized professional team sports of football, basketball, and hockey shall constitute a violation of the antitrust laws, to the extent to which it relates to the regulation of the granting by one or more clubs of the right to telecast reports or pictures of contests in the organized professional team sports of football, basketball, or hockey from telecasting stations located within seventy-five miles of the home community of another club on the day when such club is scheduled to play there a regularly scheduled league game in the same sport, or to the distribution to other clubs in the same or different leagues of all or any part of the revenues of whatever nature received from telecasting any or all contests in the same sport of football, basketball, or hockey: *Provided, however,* That the granting by one or more clubs in one league of the right to telecast reports or pictures of its contests in such organized professional sports from telecasting stations located within seventy-five miles of the home community of another club in a different league in the same sport on a day when such club is scheduled to play there a regularly scheduled league game shall be unlawful whenever such granting of the right to telecast has not been consented to in writing by the other club and the effect of such telecasting is injurious to or may tend to destroy such other club.

SEC. 3. As used in this Act, "persons" means any individual, partnership, corporation, or unincorporated association, or any combination or association thereof.

SEC. 4. Nothing in this Act shall be construed to deprive any players in the organized professional team sports of football, basketball, or hockey of any right to bargain collectively, or to engage in other associated activities for their mutual aid or protection.

SEC. 5. Except as provided in sections 1 and 2 of this Act, nothing contained in this Act shall affect the applicability of the antitrust laws to the organized professional team sports of football, basketball, or hockey.

SEC. 6. Nothing in this Act shall affect any cause of action existing on the effective date hereof in respect to the organized professional team sports of football, basketball, or hockey.

WELFARE AND PENSION PLANS DISCLOSURE ACT AMENDMENTS OF 1959

Mr. SCOTT. Mr. President, earlier in this session I introduced a bill to amend the Welfare and Pension Plans Disclosure Act, by restoring certain provisions of the legislation that were eliminated when passed by the Congress.

Since that time, it has been brought to my attention that there are other technical amendments which should be included in amending legislation. For this reason, I am introducing a second bill, to replace S. 567, introduced by me on January 20.

I ask unanimous consent that a statement, explaining the new bill and the text of the bill be placed in the RECORD at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement and the bill will be printed in the RECORD.

The bill (S. 2550) to amend the Welfare and Pension Plans Disclosure Act, and for other purposes, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement and bill presented by Mr. SCOTT are as follows:

STATEMENT BY SENATOR SCOTT

In approving the Welfare and Pension Plans Disclosure Act (Public Law 85-836, 72 Stat. 997), the President stated that he was doing so only because it established a precedent of Federal responsibility in this area. He said that the new statute would require amendment at the next session of the Congress if it is to be effective.

This bill is designed to make the amendments to the act recommended by the President. In addition, experience gained in developing the report forms which the Secretary of Labor is required to make available to plan administrators has revealed the need for certain technical amendments to the act in order to provide a workable disclosure system that will carry out the President's recommendations.

The provisions of the bill which would effectuate the President's proposals are as follows:

(1) The word "summary" would be deleted from section 7(b) of the act which presently provides that the annual reports shall contain, among other things, a "summary" statement of the plan's assets, liabilities, receipts and disbursements. As the President pointed out, this language may make it possible to conceal abuses with respect to a number of important aspects of the financial operations of those plans. By eliminating the word "summary," the amendment would insure that these abuses cannot be concealed by the simple expedient of making the statement extremely sketchy or incomplete.

(2) Plan administrators and others affected by the act would be permitted to place full reliance upon the opinions and report forms of the administering agency, thereby correcting another defect in the present provisions of the act described by the President. A provision of the bill, patterned on section 10 of the Portal-to-Portal Act of 1947, would enable persons charged with violation of the act to plead as a defense that they acted in good faith in compliance with and in reliance on interpretations of the Secretary of Labor. Likewise, if charged with failing to publish or file any information required by the act, they would have a defense where they show that they published and filed the required description and annual reports on the forms prepared by the Secretary of Labor, in conformity with his instructions accompanying such forms. The establishment of such a plea would protect the person from any liability or punishment for the actions in question even though those actions were later determined not to have been in conformity with the act.

(3) The enforcement deficiencies present in the act would be remedied. As the President stated, compliance presently rests solely on court proceedings brought by individual employees, with no investigatory or enforcement powers conferred upon any agency of Government. The amendment would confer appropriate power, including that of subpena, upon the Secretary of Labor and would authorize him to seek injunctions compelling compliance with and restraining violations of the act. This amendment is essential for a real enforcement program.

(4) The flagrant abuses of embezzlement and "kickbacks" would be directly dealt with by new criminal provisions. The embezzlement or unlawful conversion of money or any other assets of these plans would be made a Federal felony. In addition, administrators and other representatives of plans, as well as officers of employers and unions whose employees or members are covered by these plans, would be prohibited under criminal sanctions from receiving monetary or other inducements, in the nature of bribes, to influence their actions or decisions respecting important operations of the plan. The same penalty would be imposed upon those convicted of giving any inducement prohibited by the proposal. This would go far toward remedying an evil which disclosures in the area of employee welfare plans during the past few years have shown to be both prevalent and serious.

As stated previously, experience gained since the enactment of the statute has shown that certain technical amendments are necessary to ensure that the new disclosure system is fully effective and that it does not place an undue burden upon those affected by its reporting requirements. Experience may prove the need for additional amendments. The following are the technical changes which this bill would make:

(1) The bill would permit the remedying of certain defects which will prove exceedingly troublesome to certain plan administrators. For example, section 7(d) of the act requires plans which utilize an insurance carrier or service organization in providing the benefits under the plan to furnish certain specific data respecting insurance premiums, subscription charges, and the like, in addition to the information required from all plans by section 7(b). Information relating to benefits provided through insurance is generally available on the basis of the contract year, but section 7(b) appears to require information respecting benefit payments to be furnished on the basis of the plan's reporting year. Since these 2 years will in many instances not be coincidental (i.e., where a trust reporting on a calendar year basis purchases insurance under policies covering a different period or a plan provides benefits through two insurance contracts, each covering different periods), it appears that the hardship of providing certain information on the basis of the plan's reporting year rather than on a contract year is inflicted on many insured plans.

In addition, paragraph (2) of section 7(d) of the act requires the covered plans to report, among other things, the total claims paid by the insurance carrier or service organization covering benefits under the plan. However, it is extremely burdensome for certain carriers and organizations which do not maintain separate experience records covering the specific groups they serve to supply this information to plan administrators respecting individual plans. Paragraph (2) recognizes this burden by providing an appropriate alternative reporting requirement in these situations. This alternative is plainly essential, but it appears to be largely nullified because subsection (b), on its face, will still require these plans individually to report the amount of benefits paid or otherwise furnished, including those benefits paid by such carriers or organizations.

Paragraph (2) of section 7(d) in its present form would also prove burdensome, particularly to the Government, in another respect. This provision requires every plan which it covers to attach to its annual report a copy of the financial report of the carrier or service organization. Since some organizations service as many as several hundred plans, it is evident that the files of the Labor Department will be encumbered with a multitude of unneeded copies of the same report of the same organization or carrier.

These defects could be remedied and relief could be expeditiously granted from these burdens under the proposed amendment to section 5(a) of the act, which deals with the duty of plan administrators to disclose and report information. The requirement of this section that plan descriptions and annual reports contain the information specified in sections 6 and 7 of the act would be preserved. However, new language would be added to take care of situations where specific information required by the statute respecting certain kinds of plans or the classes of benefits provided by such plans cannot, in the normal method of the plan's operations, be practicably ascertained or made available for public inspection in the manner or for the period prescribed by any provision of the act, or where the information if published in such manner or for such period would be duplicative or uninformative. The Secretary of Labor would be authorized, where he finds after hearing that such a situation exists, to prescribe by regulations such other manner or such other period for the publication of the particular information as may be appropriate to carry out the act's purposes.

(2) Subparagraph (C) of section 7(f)(1) of the act requires the reports of plans funded through the medium of a trust to include detailed lists of all investments (including information as to cost, present value, and percentage of total fund) in securities or properties of the employer, the employee organization, or other party in interest; but the identity of, and details respecting brokerage fees and commissions on, securities listed and traded subject to certain Federal laws, need not be disclosed if "the statement of assets [shows] the total investments in common stock, preferred stock, bonds and debentures, respectively, listed at their aggregate cost or present value, whichever is lower." The quoted language differs from that of subparagraph (B) providing for the valuation of assets for purposes of the subparagraph (B) statement, and it appears that in some cases plan administrators would have to revalue these four types of securities before they can exercise the option of not disclosing the identity of their "party in interest" securities. The amendment would relieve these administrators of this burden by permitting the securities to be valued "as provided in subparagraph (B)."

S. 2550

A bill to amend the Welfare and Pension Plans Disclosure Act, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Welfare and Pension Plans Disclosure Act Amendments of 1959."

SEC. 2. Subsection (a) of section 5 of the Welfare and Pension Plans Disclosure Act is amended by striking out the last sentence thereof and by inserting in lieu thereof the following:

"Such description and such report shall contain the information required by sections 6 and 7 of this Act in such form and detail as the Secretary of Labor shall by regulations prescribe and copies thereof shall be executed, published, and filed in accordance with the provisions of this Act: *Provided,* That no administrator shall be relieved of the obligation to include in such description or such report any information relevant to the plan which is required by section 6 or section 7; but if the Secretary finds, on the record after giving interested persons an

opportunity to be heard, that specific information on plans of certain kinds or on any class or classes of benefits described in section 3(a) (1) and (2) which are provided by such plans cannot, in the normal method of operation of such plans, be practicably ascertained or made available for publication in the manner or for the period prescribed in any provision of this Act, or that the information if published in such manner or for such period would be duplicative or uninformative, the Secretary may by regulations prescribe such other manner or such other period for the publication of such information as he may determine to be necessary and appropriate to carry out the purposes of this Act."

SEC. 3. Subsection (b) of section 7 of such Act is amended by striking the word "summary" immediately preceding the word "statement".

SEC. 4. Subparagraph (C) of paragraph (1) of subsection (f) of section 7 of such Act is amended to read as follows:

"(C) a detailed list, including information as to cost, present value, and percentage of total fund, of all investments in securities or properties of the employer or employee organization, or any other party in interest by reason of being an officer, trustee, or employee of such fund, but the identity of all securities and the detail of brokerage fees and commissions incidental to the purchase or sale of such securities need not be revealed if such securities are listed and traded on an exchange subject to regulation by the Securities and Exchange Commission or securities in an investment company registered under the Investment Company Act of 1940, or securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, and the statement of assets contains a statement of the total investments in common stock, preferred stock, bonds and debentures, respectively, valued as provided in subparagraph (B)."

SEC. 5. Such Act is further amended by striking out subsections (d) and (e) of section 9, by redesignating sections 10, 11, and 12 as sections 14, 15, and 16, respectively, and by adding the following new subsections (d), (e), (f), and (g) to section 9 and the following new sections 10, 11, 12, and 13 to the Act:

"(d) The Secretary of Labor may, upon complaint of violation, or on his own motion when he finds reasonable cause to believe investigation may disclose violations of this Act, make such investigations as he deems necessary, and may require or permit any person to file with him a statement in writing, under oath or otherwise, as to all the facts and circumstances concerning the matter to be investigated.

"(e) For the purposes of any investigation provided for in this Act, the provisions of section 307 (relating to the attendance of witnesses and the production of books, records, and documents) of the Federal Power Act of June 10, 1920, as amended (16 U.S.C. 825f), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor or any officers designated by him.

"(f) Whenever it shall appear to the Secretary of Labor that any person is engaged in any violation of the provisions of this Act, he may in his discretion bring an action in the proper court having jurisdiction under subsection (g) to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted. Attorneys of the Department of Labor may appear for and represent the Secretary of Labor in any such litigation, but such litigation shall be subject to the direction and control of the Attorney General.

"(g) The United States District Courts, the United States District Court for Alaska, and the United States courts of any Territory or other place subject to the jurisdiction of the United States, shall have jurisdiction, for cause shown, to restrain violations of this Act. All actions under this subsection shall be brought by the Secretary of Labor.

"RELIANCE ON ADMINISTRATIVE INTERPRETATIONS AND FORMS

"SEC. 10. In any action or proceeding based on any act or omission in alleged violation of this Act, no person shall be subject to any liability or punishment for or on account of the failure of such person to (1) comply with any provision of this Act if he pleads and proves that the act or omission complained of was in good faith in conformity with and in reliance on any written interpretation or opinion of the Secretary of Labor, or (2) publish and file any information required by any provision of this Act if he pleads and proves that he published and filed such information in good faith, on the description and annual report forms prepared by the Secretary of Labor and in conformity with the instructions of the Secretary of Labor issued under this Act regarding the filing of such forms. Such a defense, if established, shall be a bar to the action or proceeding, notwithstanding that (1) after such act or omission, such interpretation or opinion is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect, or (2) after publishing or filing the description and annual reports, such publication or filing is determined by judicial authority not to be in conformity with the requirements of this Act.

"CRIMES

"SEC. 11. (a) Chapter 11 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 224. Offer, acceptance, or solicitation to influence operations of employee benefit plan.

"'(a) Any administrator, officer, trustee, custodian, or employee of any employee welfare benefit plan or employee pension benefit plan, or any officer of an employer or officer or employee of an employee organization any employees or members, respectively, of which are covered by such plan, who receives or agrees to receive any money or thing of value, because of or with intent to be influenced with respect to any of his actions, decisions, or other duties relating to any question or matter concerning the procurement of property or insurance or other services for or in connection with such plan, shall be fined not more than $5,000, or imprisoned not more than five years, or both: *Provided*, That nothing contained in this subsection or in subsection (b) shall be construed to prohibit the payment to or acceptance by any person of usual salary or compensation for necessary services performed in the regular course of his duties as such administrator, officer, trustee, custodian, or employee of such plan, employer, or employee organization.

"'(b) Any person who directly or indirectly gives or offers, or promises to give or offer, any payment or delivery of money or other thing of value prohibited by subsection (a), shall be fined not more than $5,000, or imprisonsd not more than five years, or both.

"'(c) As used in this section and in section 664, the phrase "any employee welfare benefit plan or employee pension benefit plan" means any such plan subject to the provisions of the Welfare and Pension Plans Disclosure Act.'

"(b) The analysis of chapter 11, title 18, United States Code, immediately preceding section 201 thereof, is amended by adding at the end thereof the following new item:

"'§ 224. Offer, acceptance or solicitation to influence operations of employee benefit plan.'

"SEC. 12. (a) Chapter 31 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 664. Theft or embezzlement from employee welfare benefit plan.

"'Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or to the use of another, any of the moneys, funds, securities, premiums, credits, property, or other assets of any employee welfare benefit plan or employee pension benefit plan, or of any fund connected therewith, shall be fined not more than $10,000, or imprisoned not more than five years, or both.'

"(b) The analysis of chapter 31, title 18, United States Code, immediately preceding section 641 thereof, is amended by adding at the end thereof the following new item:

"'§ 664. Theft or embezzlement from employee welfare benefit plan.'

"SEC. 13. (a) Chapter 47 of title 18, United States Code, as amended, is amended by adding a new section captioned and reading as follows:

"'§ 1027. False statements to Secretary of Labor.

"'Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly conceals, covers up, or fails to disclose a material fact, in any document required under the provisions of the Welfare and Pension Plans Disclosure Act to be filed with the Secretary of Labor, shall be fined not more than $10,000, or imprisoned not more than five years, or both.'

"(b) The analysis of chapter 47, title 18, United States Code, immediately preceding section 1001, is amended by adding at the end thereof the following new item:

"'§ 1027. False statements to Secretary of Labor.'"

CONTINUATION OF AUTHORITY TO PROMOTE, UPON RETIREMENT, CERTAIN OFFICERS OF THE NAVY, MARINE CORPS, AND COAST GUARD

Mr. BRIDGES. Mr. President, on behalf of myself and the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], I introduce, for appropriate reference, a bill to postpone until July 2, 1960, the effective date of the repeal of the laws that require officers of the Navy, Marine Corps, and Coast Guard, upon their retirement, to be advanced to the next higher grade if they have been specially commended for their performance of duty in actual combat before January 1, 1947.

Provisions to repeal these so-called "tombstone" promotion laws, effective on November 1, 1959, were added by this body to H.R. 4413, which was passed on July 27. As you know, the principal purpose of this bill was to provide for the early forced retirement of some of the senior captains and commanders in the Regular Navy and colonels and lieutenant colonels in the Regular Marine Corps in order to prevent stagnation in the promotion of their juniors. The repeal of the "tombstone" promotion laws, effective on November 1 instead of on the date of approval of the bill, was expected to result in the voluntary retirement of some of these

senior officers before that date and thus to reduce the number who would have to be involuntarily retired. We thought that we were allowing enough time for officers who are entitled to advancement upon retirement to decide whether to retire immediately in order to attain the higher rank or to remain on the active list and take their chances of being involuntarily retired later with no advancement. However, we have not allowed enough time.

In mid-August the first of November seems a long way off. But it is only 2½ months away. It takes time to process applications for retirement. In order to meet the November 1 deadline, officers must decide immediately to submit their applications. Many of these officers are on ships at sea or at remote foreign stations. Hastily and without consultation with their families, they must make a decision now which will affect their entire future lives. They must balance the expected long-range benefit of having higher rank on the retired list against the hardship of abrupt termination of their careers, a drop in income, and a sudden transition to civilian life for which they have had no time to prepare. Forced to make a quick decision, some will make a wrong one which they will have no time to correct.

President Eisenhower, as an old soldier, understands perhaps more fully than we do the dilemma which now faces senior career officers in the Navy, Marine Corps, and Coast Guard. When he signed H.R. 4413—now Public Law 86-155—he said:

> I believe that it would be only fair to officers, who by their noteworthy combat service, have shown their dedication to our country, that they be allowed an additional period of time during which to make what is for them a momentous decision. Out of consideration for the service which these officers have rendered, I hope the Congress will promptly accord them such additional time.

Mr. President, the bill which I have introduced on behalf of myself and the minority leader would allow these career officers sufficient time in which to make a wise choice and to prepare for the termination of their active service.

I should like to point out, Mr. President, that this additional time is also needed by the Reserves of the Navy, Marine Corps, and Coast Guard. There are many Reserves on inactive duty, but still active in Reserve programs, who were decorated for heroism in combat and who will be eligible for advancement upon retirement if they apply for retirement in time. I feel sure that the services are doing their best to insure that all eligible Reserves are advised of the necessity for submitting their applications for retirement promptly, but unless additional time is granted it seems inevitable that some Reserves will not be reached until it is too late.

I urge the speedy passage of this proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2553) to continue until July 2, 1960, authority to promote upon retirement certain officers of the Navy, Marine Corps, and Coast Guard who have been specially commended for performance of duty in actual combat, introduced by Mr. BRIDGES (for himself and Mr. DIRKSEN), was received, read twice by its title, and referred to the Committee on Armed Services.

PROPOSED AMENDMENT TO CONSTITUTION, RELATING TO THE RIGHT OF CONGRESS AND THE STATES TO ENACT LEGISLATION WITH RESPECT TO OBSCENE MATERIAL

Mr. KEFAUVER. Mr. President, on behalf of myself, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Georgia [Mr. TALMADGE], I introduce, for appropriate reference, a joint resolution proposing to amend the Constitution relating to the right of Congress and the States to enact legislation with respect to obscene material. I ask unanimous consent that the joint resolution, together with a statement, prepared by me, be printed in the RECORD, and that the joint resolution may lie on the desk for 2 days so as to give other Senators an opportunity to cosponsor it if they so desire.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and statement will be printed in the RECORD, and the joint resolution will lie on the desk, as requested by the Senator from Tennessee.

The joint resolution (S.J. Res. 133) proposing to amend the Constitution relating to the right of Congress and the States to enact legislation with respect to obscene material, introduced by Mr. KEFAUVER (for himself, Mr. EASTLAND, and Mr. TALMADGE), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress.

"ARTICLE —

"Freedom of speech and freedom of press shall not extend to the publication, manufacture, sale, dissemination, or distribution of obscene material, and both the Congress and the States may enact legislation with respect to the prohibition thereof. Material is obscene if, applying contemporary community standards, its dominant theme taken as a whole appeals to the prurient interest of the average person."

The statement presented by Mr. KEFAUVER is as follows:

On July 2, I joined with the distinguished chairman of the Committee on the Judiciary and several other distinguished Senators in the introduction of Senate Joint Resolution 116, a joint resolution "proposing to amend the Constitution relating to the right of a State to enact legislation on the basis of its own public policy on questions of decency and morality." The operative part of this proposed amendment reads: "The right of each State to decide on the basis of its own public policy questions of decency and morality, and to enact legislation with respect thereto, shall not be abridged."

I joined in cosponsorship of this joint resolution because it is designed to cope with the ever more serious problem of pornography. Several years ago, as chairman of the Senate Subcommittee on Juvenile Delinquency, I held many hearings which brought out very clearly the connection between pornography and juvenile delinquency.

Unfortunately the ill effect of obscene and lewd literature and pictures is not limited to juveniles alone.

I have constantly sought ways to turn the tide on the smut peddlers. Only last year, we succeeded in enacting a bill to strengthen the hands of the Post Office Department and Justice Department in the prosecution of purveyors of obscene material. However, it is very possible that the laws on this subject need further strengthening. As I have the honor to be the chairman of the Senate Subcommittee on Constitutional Amendments, I thought that Senate Joint Resolution 116 offered an excellent opportunity for a full public discussion of methods of dealing with those who make a living out of the publication and sale of "dirt for dirt's sake." No opportunity should be missed to gain public support through public education for solutions to this most serious problem.

However, since the introduction of Senate Joint Resolution 116, I have had an opportunity to study this matter at some length. I have also received letters from several eminent lawyers with respect thereto. In my view, the joint resolution, as presently drafted, contains two defects, which render it both too narrow and too broad at the same time.

It is too narrow in that it limits its delegation of power to the several States alone; no power is given to the Federal Government. Yet, control of pornography must be achieved by cooperative action of both the Federal Government and the several States. The Post Office Department and the Justice Department play leading roles in the control of the dissemination of obscene material. Senate Joint Resolution 116, as presently drafted, might have the effect of tying the hands of these two agencies of the Federal Government.

At the same time, I believe that the proposed joint resolution might be too broad in the standards of prohibition that it would establish. It would, in effect, permit the States to control the publication, sale, et cetera, of literature which was deemed to be either indecent or immoral. Taking into account our jurisprudence on this complicated subject, I believe that a better standard might be "obscenity."

I feel certain that the other sponsors of Senate Joint Resolution 116 do not favor censorship, using that term in its normal sense. I, for one, am unalterably opposed to censorship in all forms. It is the first and most vicious tool of any totalitarian government. Once a people begin to go down the road to censorship, their freedom is in the gravest danger. That the Founding Fathers of our country realized this full well is evidenced by the fact that freedom of speech and freedom of press are provided for in the first article of the Bill of Rights.

This does not mean that there are no permissible limitations on freedom of speech and freedom of press to deal with pornography and smut. I believe that they can be dealt with effectively without wandering into the field of censorship. Therefore, I have drafted and hereby introduce another proposed constitutional amendment dealing with this subject. I am honored to have the

distinguished senior Senator from Mississippi, and the distinguished junior Senator from Georgia join me in its introduction. Its operative language is as follows:

"Freedom of speech and freedom of press shall not extend to the publication, manufacture, sale, dissemination, or distribution of obscene material, and both the Congress and the States may enact legislation with respect to the prohibition thereof. Material is obscene if, applying contemporary community standards, its dominant theme taken as a whole appeals to the prurient interest of the average person."

This alternative proposal will be before the Subcommittee on Constitutional Amendments at such time as we may have hearings on Senate Joint Resolution 116. I am hopeful that we will be able to have such hearings in the near future, as this is a most important subject which needs as much public discussion as possible.

It is very possible that in place of or in addition to a constitutional amendment, we may conclude that further strengthening of existing Federal laws is needed. In fact, there are certain changes which can be made in existing Federal laws to strengthen the hand of the Post Office Department and the Justice Department in their fight against the smut peddlers. I shall introduce proposed legislation for this purpose in the next few days, and I hope a large number of my colleagues will join me in cosponsorship of this legislation.

In conclusion I may state that I do not believe that many Americans favor censorship by either the Federal Government or their State governments. However, they desire and expect that there will be some effective control over those lowest members of society who make their living by purveying filth to the immature members of our society.

CIVIL RIGHTS AMENDMENTS TO SENATE BILL 1617

Mr. HENNINGS. Mr. President, I submit amendments, intended to be proposed by me to the bill (S. 1617) to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and ask that they be printed and lie on the table.

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

Mr. HENNINGS. Mr. President, I also ask unanimous consent that the amendments be printed in the RECORD, at the conclusion of my remarks.

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

Mr. HENNINGS. Mr. President, the amendments I submit contain the following:

Titles II through X are titles I through IX of printed amendment "7-28-59—C" which I offered to S. 2391, the clean bill reported by the Subcommittee on Constitutional Rights.

Title I is the bill being amended.

Title XI is the language of printed amendment "7-15-59—B," appropriately renumbered.

Title XII is the language of title II of H.R. 8601, appropriately renumbered.

Title XIII is the language of title V of H.R. 8601, appropriately renumbered.

Stated another way, the amendment contains:

(a) The statement of findings by Congress that enforced racial segregation in public schools violates the equal protection of the laws guaranteed by the 14th amendment to the Constitution of the United States.

(b) A systematic, orderly program is outlined for aid by the Federal Government, operating through the Department of Health, Education, and Welfare, to accomplish public school desegregation.

(c) The Attorney General is authorized to seek civil court remedies to accomplish public school desegregation if plans sponsored by the Department of Health, Education, and Welfare are not accepted voluntarily.

(d) The Attorney General is authorized to seek civil court remedies for individual persons in the United States who are being denied the equal protection of the laws on the basis of race, color, religion, or national origin.

(e) Election records, papers, and ballots are to be retained and preserved, under penalty of the criminal law; and a procedure is established for production of these materials for inspection by the Attorney General.

(f) All tests—questions and answers—for registration or voting in Federal elections must be printed or in writing.

(g) The Federal criminal law will punish flight across a State line to avoid punishment for damaging or destroying any building or vehicle.

(h) The Federal Government will provide for the education of children of members of the Armed Forces in areas where public schools are closed.

(i) The Civil Rights Commission will have until January 31, 1961, to file its final report.

Mr. President, I wish to emphasize that none of the provisions of this amendment is new. All of them have been before the Senate in one form or another for some time, and all of them have been analyzed and reanalyzed to the point where I believe all of us are quite familiar with them.

Mr. President, I present this amendment with a great deal of reluctance, as I have always been a strong advocate of normal procedures. However, I am certain that some of my colleagues on the Judiciary Committee are determined that the committee shall not report to the Senate any bill whatsoever which contains any substantial civil-rights proposals.

This I say in the face of the fact that members of the committee who favor several of the proposals now before the committee are in a substantial majority.

The committee has backed and filled, marched and countermarched on this proposed legislation since last March, when hearings began. The subcommittee held 21 days of headings. Sixty witnesses were heard over 2½ months. The subcommittee took another month and a half in marking up the bill, because of extreme difficulty in obtaining quorums and because of the use of other technical delaying tactics. The committee debated for 5 hours, over 2 weeks, the motion to make the bill the pending business. The committee spent 2 full days last week discussing the bill, and we are now no farther toward reporting a bill than we were when the subcommittee reported the bill on July 15.

If the Senate is to act on any civil rights legislation whatsoever before adjournment, I am convinced, though reluctantly, that we must follow this procedure of offering substantial civil rights legislation as an amendment to legislation pending before the Senate.

The proposed legislation I offer is not new. Some of the proposals were debated and voted upon in the Senate in 1957. The remainder have been before us in one form or another last year and this year.

Mr. THURMOND. Mr. President, I wish to ask a question of the distinguished Senator from Missouri.

Mr. HENNINGS. Certainly.

Mr. THURMOND. As I understood the statement he made, he merely asked that an amendment be printed in the RECORD, and did not request any other action.

The VICE PRESIDENT. The request was that the amendment be printed, lie on the table, and be printed in the RECORD. No other action was requested.

Mr. HENNINGS. Let me say that I asked that the amendment be printed, lie on the table, and be printed in the RECORD.

Mr. KEATING. Mr. President, the action suggested by the distinguished senior Senator from Missouri is about the only course which could be taken at this stage, to make it possible to obtain at this session of Congress a meaningful civil rights package.

The proposed amendment of the Senator from Missouri has some details with which I would find myself in some disagreement. But no doubt opportunity will be afforded, when the amendment is before us to propose amendments to it.

But certainly the procedure of offering the amendment to some other bill will afford the only opportunity, apparently, which we shall have at this session—due to the inaction on the part of the Judiciary Committee—to act on what many of us believe to be a very important issue before the people today. I shall support the procedure taken by the Senator from Missouri as the only recourse which we have at this stage of the session.

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

Mr. KEATING. I yield.

Mr. HENNINGS. I wish to thank the Senator for his support. I also should like to say he has given support to us in our committee and has exerted every effort, along with others of us, to reach an agreement and to bring before the committee and make the pending business the bill which is now before the committee.

In offering the amendment, I have done so with the full knowledge that if there is not included in the amendment offered to be printed today certain details, there are other Members of the Senate who will offer amendments covering some of those anyway. While I propose to support them all, I recognize that there are various respectable differences of opinion.

Mr. KEATING. I appreciate the remarks of the Senator from Missouri.

The amendments submitted by Mr. HENNINGS are as follows:

On page 1, after line 2, insert "title I", and, at the beginning of line 3, insert "SEC. 101.", and on page 7, after line 11, insert the following:

"TITLE II

"Short title and findings

"SEC. 201. This Act may be cited as the 'Civil Rights Act of 1959'.

"SEC. 202. (a) The Congress hereby finds that—

"(1) recent decisions of the Supreme Court of the United States holding racial segregation unlawful in public education, public transportation, and public recreational facilities (hereinafter referred to as the antisegregation decisions) as a denial of the constitutional right to the equal protection of the laws expressed the moral ideals of the Nation and the world and point the way to a nation enhanced in strength and dignity at home and enhanced in honor and prestige throughout the world.

"(2) these antisegregation decisions are being resisted in many areas of the Nation mostly directly affected by them and indirectly evaded in other areas, thereby denying to millions of Americans within our borders the constitutional right to the equal protection of the laws,

"(3) many States, municipalities, school districts, and other local governmental units have failed to make a prompt and reasonable start toward full compliance with the Supreme Court's decisions in the field of public education despite the substantial time which has already elapsed since the promulgation of those decisions in 1954 and 1955,

"(4) the constitutional right to the equal protection of the laws is being denied to many persons because of race, color, religion, or national origin in fields other than education, transportation, and recreation.

"(5) these denials of the constitutional right to the equal protection of the laws restrict millions of Americans to second-class citizenship and deprive the Nation of the maximum development and maximum benefits that can be contributed by such persons, and

"(6) legislative and executive action (A) is necessary to safeguard and guarantee to all Americans the constitutional right to equal protection of the laws and (B) will aid in expediting universal compliance with the antisegregation decisions of the Supreme Court.

"(b) The Congress further finds that the rights protected by the Constitution, as declared by the antisegregation decisions, will be more widely accepted and more fully enjoyed in all areas of the Nation, and particularly in those areas of the Nation most directly affected by the decisions, when it is generally recognized and understood that—

"(1) the Constitution, as declared by the antisegregation decisions, is the supreme law of the land,

"(2) all Federal and State officials are bound by their oaths or affirmations to support the Constitution, and

"(3) the legislative and executive branches of the Federal Government are acting and will continue to act, with such Federal authority as is found necessary, to protect the constitutional rights upheld by those decisions of the judicial branch of the Government.

"(c) The Congress further finds that—

"(1) the present system whereby individual plaintiffs in the Federal courts bear the burden of protecting constitutional rights, as declared by the antisegregation decisions, is neither the exclusive nor the most effective means of protecting those constitutional rights and the public interest in safeguarding those constitutional rights, and has resulted in local restrictive and punitive measures against the individuals and organizations engaging in, and supporting, efforts in the courts to assert those constitutional rights, and

"(2) specific authorization to the executive branch of the Federal Government to act in support of the constitutional rights upheld by the antisegregation decisions (A) will provide a more rational, uniform, just, and effective system of protecting constitutional rights than the present procedure under which the safeguarding of constitutional rights is determined by the varying resources and courage of individuals and organizations and by the varying State statutory restrictions placed upon them, and (B) will render less effective, and hence tend to reduce, hostile community pressures upon individuals and organizations seeking to safeguard constitutional rights.

"(d) The Congress hereby recognizes it to be the initial responsibility of all States, municipalities, school districts, and other local governmental units to safeguard the constitutional right to the equal protection of the laws as declared by the antisegregation decisions of the Supreme Court and to administer their systems of public education, public transportation, and public recreational facilities in accordance with the Constitution of the United States, but the Federal Government, to maintain a more perfect union, to extend justice, to promote the common defense, and to secure the blessings of liberty to all persons, has a coordinate responsibility to guarantee the constitutional right to the equal protection of the laws, to prevent denials of the right when State or local authorities cannot or will not do so, and thus to enhance the Nation's internal strength and its position throughout the world.

"(e) Recognizing its authority and responsibility under the fifth section of the fourteenth amendment to the Constitution of the United States and its obligation to uphold the coordinate authority and responsibility of the judicial branch of the Government, the Congress hereby declares its intention that the right to the equal protection of the laws guaranteed by the Constitution against deprivation by reason of race, color, religion, or national origin and affirmed by the antisegregation decisions of the Supreme Court, shall be protected by all due and reasonable means, and to that end enacts the following provisions of this Act.

"TITLE III

Technical assistance by Secretary of Health, Education, and Welfare

"SEC. 301. The Secretary of Health, Education, and Welfare (hereafter in this Act referred to as the "Secretary") is hereby authorized to render technical assistance to States, municipalities, school districts, and other local governmental units to eliminate denials of constitutional rights in the field of public education by reason of race, color, religion, or national origin and to come into compliance with the decisions of the Supreme Court in the field of public education by—

"(a) assembling, publishing, and distributing information which, in his judgment, will prove helpful in obtaining public understanding of, and compliance with, the Constitution and decisions of the Supreme Court in the field of public education;

"(b) surveying the progress made in eliminating segregation in public education in various parts of the country and making available to public agencies, private organizations, private individuals, and the general public the results of such surveys, including wherever possible successful case histories of desegregation and the ways and means utilized to bring about desegregation in such instances;

"(c) planning, calling, and holding local, State, regional, and national conferences attended by State and local officials, representatives of private organizations, and private citizens, to discuss ways and means of eliminating segregation in public education generally or in any particular State, municipality, school district, or other local governmental unit;

"(d) appointing local, State, regional, and national advisory councils to assist the Secretary in carrying out his duties under this Act and to offer their assistance to any State, municipality, school district, or other local governmental unit to come into compliance with the Constitution and the decisions of the Supreme Court in the field of public education;

"(e) reporting to the Congress, at least semiannually, concerning the progress being made in eliminating segregation in public education in various parts of the country; and

"(f) assisting, by such other related means as he deems appropriate, States, municipalities, school districts, and other local governmental units to eliminate segregation in public education.

"SEC. 302. The Secretary shall recruit, employ, and train specialists in preparing, putting into effect, and carrying out plans for eliminating segregation in public education and shall offer the services of the specialists to States, municipalities, school districts, and other local governmental units. Upon request of any State, municipality, school district, or other local governmental unit, the Secretary shall make available to the requesting governmental unit the services of one or more specialists for such periods of time and in such numbers as the Secretary deems necessary and appropriate in the light of the particular needs of the requesting governmental unit.

"SEC. 303. (a) The Secretary is authorized to reimburse any State or local official, representative of a private organization, or private citizen who is invited by him to attend any local, State, regional, or national conference held under the authority of section 301(c), and any member of an advisory council appointed under the authority of section 301(d) who is carrying out authorized functions, for travel expenses incurred, and to pay to any such person per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b-2) for persons in the Government service serving without compensation.

"(b) The Secretary is authorized to reimburse any State or local official who, with the approval of the Secretary, is invited to confer with one or more specialists employed by the Secretary under section 302 for travel expenses incurred in attending such conference, and to pay to any such official per diem in lieu of subsistence, in the same amounts as authorized by law (5 U.S.C. 73b-2) for persons in the Government service serving without compensation.

"SEC. 204. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such amounts not to exceed $2,500,000 in any fiscal year as may be necessary for carrying out the purposes of this title.

"TITLE IV

"Grants to areas where desegregation in public education is being carried out

"SEC. 401. (a) The Secretary is authorized to make grants to States, municipalities, school districts, and other local governmental units which maintained racial segregation in their public schools on May 17, 1954, and which make application for such grants, to assist in meeting the costs of additional educational measures undertaken or to be undertaken to further the process of eliminating segregation in the public schools of the applicant State, municipality, school district,

or local governmental unit, while at the same time assuring that existing educational standards will not be lowered.

"(b) Grants may be made under this section for—

"(1) the cost of employing additional schoolteachers,

"(2) the cost of giving to teachers and other school personnel in-service training in dealing with problems incident to desegregation,

"(3) the cost of employing specialists in problems incident to desegregation and of providing other assistance to develop understanding by parents, schoolchildren, and the general public of plans and efforts for eliminating segregation in the schools in order to reduce the possibility of community hostility or unlawful resistance to such plans and efforts, and

"(4) other costs directly related to the process of eliminating segregation in public schools, including the replacement of State payments to a school district or other political subdivision withdrawn because the applicant district or subdivision is eliminating, or is starting to eliminate, segregation.

"(c) Grants may also be made under this section for the construction, enlargement, or alteration of school facilities when the Secretary finds that lack or inadequacy of existing facilities makes the carrying out of any reasonable plan for desegregation without lowering existing educational standards impracticable or materially more difficult.

"(d) Each application made for a grant under this section shall provide such detailed breakdown of the additional educational measures for which financial assistance is sought as the Secretary may by regulations prescribe.

"(e) Each grant under this section shall be made in such amounts and on such terms and conditions as the Secretary shall prescribe, which may include a condition that the applicant expend funds in specified amounts for the purpose for which the grant is made. In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Secretary shall take into consideration—

"(1) the amount available for grants under this section and the other applications which are pending before him,

"(2) the financial condition of the applicant and the other resources available to it,

"(3) the nature, extent, and gravity of its problems incident to desegregation,

"(4) whether the additional educational measures undertaken or to be undertaken are reasonably and effectively designed to further the process of eliminating racial segregation, while at the same time assuring that existing educational standards will not be lowered, and

"(5) such other factors as he finds relevant.

"SEC. 402. The Secretary is further authorized to make grants to public or other nonprofit educational institutions of higher learning to meet or assist in meeting the cost of short-term training courses or institutes, not to exceed four weeks in duration, for personnel of public schools or of educational agencies engaged in or about to undertake desegregation, designed to enable such personnel to deal more effectively with problems incident to desegregation. Such grants may also be used by such institutions to establish and maintain fellowships for such training courses or institutes, covering tuition, fees, and such stipends and allowances (including travel and subsistence expenses) as may be determined by the Secretary.

"SEC. 403. Payments of grants under sections 401 and 402 may be made in advance or by way of reimbursement, and at such intervals and on such conditions as the Secretary may determine.

"SEC. 404. (a) There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such sums, not exceeding $40,000,000 for any fiscal year, as may be necessary to carry out the provisions of this title.

"(b) In making grants from funds appropriated for any fiscal year for the purposes specified in section 401(b), the Secretary may disregard applications received after August 31 in that fiscal year, or may subordinate such applications to applications received before that date. In the event that he receives, either before or after that date, applications which he considers would materially contribute to carrying out the purposes of this title, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the appropriation of additional funds.

"(c) In the event that the Secretary receives applications for grants for the purpose specified in section 401(c) which he considers would materially contribute to carrying out the purposes of this title, but which he cannot grant because of lack or inadequacy of available funds, he shall forthwith report this fact to the Congress and to the President, together with his recommendation with respect to the approrpiation of additional funds.

"TITLE V

"Administrative action directed toward eliminating segregation in public education

"SEC. 501. The Secretary shall make every effort to persuade States, municipalities, school districts, and other local governmental units to make a start toward eliminating segregation in public education and to carry out in full such programs as they may start, and to this end he shall utilize the authority provided in titles III and IV.

"SEC. 502. Whenever the Secretary shall find that all efforts under titles III and IV and under section 501 of this title have failed, and continue to fail, in bringing about a start toward the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, the Secretary is authorized to prepare a tentative plan for the elimination of segregation in public education in such State, municipality, school district, or other local governmental unit. In preparing such a tentative plan, the Secretary shall seek the advice and assistance of public officials, private organizations, and private citizens in the area and of any local, State, regional, or national advisory council appointed pursuant to section 301(d); and he shall carefully consider such advice and assistance wherever available. Tentative plans prepared by the Secretary under the authority of this section shall take into account the need of the particular area for time to make an orderly adjustment and transition from segregated to desegregated schools.

"SEC. 503. (a) Whenever the Secretary has prepared a tentative plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit, he shall forward the plan to the Governor, mayor, or other appropriate official, as the case may be. If the State, municipality, school district, or other local governmental unit agrees to put into effect the tentative plan as proposed by the Secretary or as modified by the State, municipality, school district, or other local governmental unit with the consent of the Secretary, the Secretary shall utilize the authority granted in titles III and IV to assist the State, municipality, school district, or other local governmental unit in putting into effect the tentative plan.

"(b) If the State, municipality, school district, or other local governmental unit (1) does not agree to put into effect the tentative plan as proposed by the Secretary or as modified with his consent, or (2) after agreeing to the tentative plan as so proposed or modified, does not, in the judgment of the Secretary, carry out such tentative plan, the Secretary shall hold a public hearing upon the tentative plan. Notice of such hearing shall be given to the local authorities concerned by registered mail and notice shall be given to private organizations and private citizens within the area by publication in one or more newspapers. Local authorities, private organizations, and private citizens shall be permitted to participate in the hearing and present evidence and argument in favor of the tentative plan, in favor of amendments to the tentative plan, or in opposition to the plan or to any plan, but cumulative evidence may be excluded in the discretion of the Secretary. Anyone shall be permitted to file a written statement with the Secretary in addition to, or in lieu of, personal appearance at the public hearing.

"(c) After the hearing provided in subsection (b) has been concluded, the Secretary shall prepare and issue an approved plan for eliminating segregation in public education in the State, municipality, school district, or other local governmental unit. He shall publish the approved plan in the Federal Register and in one or more newspapers in the area affected thereby and shall transmit a certified copy thereof to the appropriate official of the State, municipality, school district, or other local governmental unit involved.

"(d) In order that the proceedings under this title shall expedite the elimination of segregation in any State, municipality, school district, or other local governmental unit, the Secretary shall handle all proceedings under this title as expeditiously as possible. The Secretary shall complete any proceedings hereunder within one year from the time that a tentative plan is forwarded to the Governor, mayor, or other appropriate official under section 503(a), or, in case a State, municipality, school district, or other local governmental unit agrees to a tentative plan but does not carry it out, within six months from the time that the Secretary determines that such State, municipality, school district, or other local governmental unit is not carrying out such tentative plan.

"SEC. 504. There are hereby authorized to be appropriated for the fiscal year beginning July 1, 1959, and for each of the four succeeding fiscal years, such amounts as may be necessary for carrying out the purposes of this title.

"SEC. 505. The Secretary is authorized to carry out his responsibilities and exercise his authority under this title and under titles III and IV through designated personnel in his own office or through any existing bureau, division, or agency of the Department of Health, Education, and Welfare or through a new office created by him for the special purpose of exercising the Secretary's responsibilities hereunder, except that the Secretary shall personally review and sign any approved plan issued under section 503(c).

"TITLE VI

"Authorization to the Attorney General in the field of public education

"SEC. 601. (a) Whenever (1) the Secretary has published in the Federal Register an approved plan for the elimination of segregation in public education in any State, municipality, school district, or other local governmental unit pursuant to section 503(c), (2) the State, municipality, school district, or other local governmental unit has rejected the plan or has refused or failed to act in accordance therewith, and (3) the Secretary has certified to the Attorney General that all efforts to secure compliance

with the Constitution and the Supreme Court's decisions by conciliation, persuasion, education, and assistance under titles III, IV, and V have failed, the Attorney General of the United States is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against the appropriate officials of the State, municipality, school district, or other local governmental unit, and any individual or individuals acting in concert with such officials to enforce compliance with the approved plan.

"(b) The Attorney General is authorized to move to dismiss or discontinue any action brought under subsection (a), or to propose or to agree to a decree adopting a plan for elimination of segregation in public education which is different from the approved plan, whenever he determines that the State, municipality, school district, or other local governmental unit is making, or is prepared to make, a prompt and reasonable start toward full compliance with the Constitution and the Supreme Court's decisions in the field of education and to work toward full compliance with all deliberate speed.

"(c) Any interested party may, with the leave of the court, intervene in any action brought under subsection (a), and the court shall consider any proposals by the intervenors, as well as by the defendant or defendants, in determining its final decree.

"TITLE VII—OTHER AUTHORIZATIONS TO THE ATTORNEY GENERAL

"SEC. 701. (a) Whenever the Attorney General receives a signed complaint that any person or group of persons is being deprived of, or is being threatened with the loss of, the right to the equal protection of the laws by reason of race, color, religion, or national origin and whenever the Attorney General certifies that, in his judgment, such person or group of persons is unable for any reason to seek effective legal protection for the right to the equal protection of the laws, the Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for an injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or subdivision or instrumentality thereof, deprives or threatens to deprive such person or group of persons of the right to equal protection of the laws by reason of race, color, religion, or national origin and against any individual or individuals acting in concert with them.

"(b) A person or group of persons shall be deemed unable to seek effective legal protection for the right to the equal protection of the laws within the meaning of subsection (a) not only when such person or group of persons is financially unable to bear the expenses of the litigation, but also when there is reason to believe that the institution of such litigation would jeopardize the employment or other economic activity of, or might result in physical harm or economic damage to, such person or group of persons or their families.

"(c) Nothing contained in titles V and VI shall limit the authority of the Attorney General to institute and maintain an action under subsection (a).

"SEC. 702. The Attorney General is authorized to institute for or in the name of the United States a civil action or other proceeding for preventive relief, including an application for injunction or other order, (1) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder, any Federal, State, or local official from according any person or group of persons the right to the equal protection of the laws without regard to race, color, religion, or national origin, or (2) against any person or persons preventing or hindering, or threatening to prevent or hinder, or conspiring to prevent or hinder the execution of any court order protecting the right to the equal protection of the laws without regard to race, color, religion, or national origin.

"SEC. 703. The Attorney General is authorized, upon receipt of a signed complaint, to institute for or in the name of the United States, a civil action or other proceeding for preventive relief, including an application for injunction or other order, against any individual or individuals who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or subdivision or instrumentality thereof, deprives or threatens to deprive any person or group of persons or association of persons of any right guaranteed by the fourteenth amendment of the Constitution because such person or group of persons or association of persons has opposed or opposes the denial of the equal protection of the laws to others because of race, color, religion, or national origin.

"SEC. 704. Whenever a suit is brought in any district court of the United States seeking relief from the deprivation of the right of equal protection of the laws because of race, color, religion, or national origin, the Attorney General is authorized to intervene in such action with all the rights of a party thereto and seek compliance with any lawful order issued by such district court.

"TITLE VIII

"Miscellaneous provisions

"SEC. 801. The district courts of the United States shall have jurisdiction of proceedings instituted under sections 601, 701, 702, and 703 of this Act and shall exercise the same without regard to whether any administrative or other remedies that may be provided by law shall have been exhausted and, in the case of proceedings instituted under sections 701 and 702, without regard to whether any administrative proceeding is pending or contemplated under title V, it being the purpose of title V to expedite, not delay, the elimination of segregation in public education throughout the Nation. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

"SEC. 802. Nothing in this Act or in any administrative proceeding hereunder shall be construed to impair any right guaranteed by the Constitution or laws of the United States or any remedies already existing for their protection or enforcement, nor to prevent any private individual or organization from acting to enforce or safeguard any constitutional right in any manner now permitted by law.

"SEC. 803. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

"TITLE IX—EXTENSION OF COMMISSION ON CIVIL RIGHTS

"SEC. 901. Section 104(b) of the Civil Rights Act of 1957 is amended by striking out 'two years from the date of the enactment of this Act' and inserting in lieu thereof 'January 31, 1961.'

"TITLE X—RETENTION, PRESERVATION, AND PRODUCTION OF FEDERAL ELECTION RECORDS, PAPERS, AND BALLOTS

"SEC. 1001. Every officer of election shall retain and preserve, for a period of three years from the date of any general, special, or primary election at which candidates for the office of President, Vice President, presidential elector, Member of the Senate or Member of the House of Representatives are voted for, all records and papers which come into his possession relating to any application, registration, payment of poll tax or other act requisite to voting in such election, except that, when required by law, such records and papers may be delivered to another officer of election and except that if a State designates a custodian to retain and preserve these records and papers at a specified place, then such records and papers may be deposited with such custodian, and the duty to retain and preserve any record or paper so deposited shall devolve upon such custodian: *Provided, however,* That nothing contained herein shall require the retention and preservation of ballots for a period of more than eighteen months from the date of any such election. Any officer of election or custodian who willfully fails to comply with this section shall be fined not more than $1,000 or imprisoned not more than one year, or both.

"SEC. 1002. Any person, whether or not an officer of election or custodian, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by section 1001 to be retained and preserved shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"SEC. 1003. Any record or paper required by section 1001 to be retained and preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying by the Attorney General or his representative.

"SEC. 1004. Any record or paper demanded pursuant to section 1003 shall be produced for inspection, reproduction, and copying at the principal office of the person upon whom such demand is made or at any other location mutually agreed upon by such person and the Attorney General or his representative.

"SEC. 1005. Unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose any record or paper produced pursuant to this title, or any reproduction or copy, except as is necessary in the performance of his official duties, including presentation of any case or proceeding before any court or grand jury.

"SEC. 1006. The United States district court for the district in which a demand is made pursuant to section 1003, or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.

"SEC. 1007. As used in this title, the term "officer of election" means any person who, under color of any Federal, State, or local law, statute, ordinance, regulation, authority, custom, or usage, performs or is authorized to perform any function, duty, or task in connection with any application, registration, payment of poll tax, or other act requisite to voting in any general, special, or primary election at which candidates for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives are voted for.

"TITLE XI—DETERMINATION OF QUALIFICATIONS OF VOTERS IN FEDERAL ELECTIONS

"SEC. 1101. (a) Any general, special, or primary election at which candidates for the offices of President and Vice President of the United States or of presidential elector, or the offices of Members of the Senate and House of Representatives, are voted for is declared to be a Federal election.

"(b) All intelligence, educational, or other tests, or questionnaires to which any individual may be subjected, or which may be administered to him in order to determine his qualifications to vote at any Federal election, shall be prepared in such manner that the questions of any such test or questionnaire shall appear in printed form, and administered so that the answers thereto shall appear in writing. Where such an individual asserts that he possesses

the ability to read and write, the answers to such test or questionnaire shall appear in his handwriting; otherwise the person writing such answers in behalf of such individual shall affix his signature to such test or questionnaire so that it will appear together with the signature of the individual to whom such test or questionnaire was administered. It shall be unlawful for any person whether or not acting on behalf of any State or governmental subdivision thereof or therein to require any individual to submit to any test or questionnaire which does not comply with the requirements of the preceding sentences as a prerequisite for voting in any Federal election, or to deny him the privilege of voting in any such election on account of his failure or refusal to submit to any such test or questionnaire. Any such action by any person shall be deemed an interference with the manner prescribed by the Congress for holding Federal elections, and abridgment of the right and privilege of citizens of the United States to vote for Federal officers, and an obstruction of the operations of the Federal Government.

"SEC. 1102. (a) In the event of a violation of subsection (b) of section 1101, any person aggrieved by such violation may apply to the appropriate district court of the United States for an order enjoining such violation, or for an order compelling compliance with such subsection. Upon proof of such violation, the court shall issue, with or without bond, such restraining order, or temporary or permanent injunction, or shall grant such affirmative relief, or shall issue such order or orders as may be appropriate to insure prompt and effective compliance with such subsection.

"(b) The district courts of the United States shall have jurisdiction over all actions brought pursuant to subsection (a) of this section. Any such action may be instituted in any judicial district in which any defendant resides, or in which alleged violations of subsection (b) of section 1101 occur.

"(c) In any action brought under subsection (a) of this section, any appeal to the appropriate court of appeals and any review thereof by the Supreme Court shall be heard expeditiously and shall, where practicable, be determined before the next Federal election in connection with which the violation of subsection (b) of section 1101 is alleged.

"TITLE XII

"Flight to avoid prosecution for damaging or destroying any building or other real or personal property

"SEC. 1201. Chapter 49 of title 18, United States Code, is amended by adding at the end thereof a new section as follows:

"'§ 1074. Flight to avoid prosecution for damaging or destroying any building or other real of personal property

"'Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody, or confinement after conviction, under the laws of the place from which he flees, for willfully attempting to or damaging or destroying by fire or explosive any building, structure, facility, vehicle, dwelling house, synagogue, church, religious center or educational institution, public or private, or (2) to avoid giving testimony in any criminal proceeding relating to any such offense shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"'Violations of this section may be prosecuted in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement: *Provided, however,* That this section shall not be construed as indicating an intent on the part of Congress to prevent any State, Territory, Commonwealth, or possession of the United States of any jurisdiction over any offense over which they would have jurisdiction in the absence of such section.'

"SEC. 1202. The analysis of chapter 49 of such title is amended by adding thereto the following:

"'1074. Flight to avoid prosecution for damaging or destroying any building or other real or personal property.'

"TITLE XIII

"Education of children of members of Armed Forces

"SEC. 1301. (a) Subsection (a) of section 6 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, relating to arrangements for the provision of free public education for children residing on Federal property where local educational agencies are unable to provide such education, is amended by inserting after the first sentence the following new sentence: 'Such arrangements to provide free public education may also be made for children of members of the Armed Forces on active duty, if the schools in which free public education is usually provided for such children are made unavailable to them as a result of official action by State or local governmental authority and it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children'.

"(b)(1) The first sentence of subsection (d) of such section 6 is amended by adding before the period at the end thereof: 'or, in the case of children to whom the second sentence of subsection (a) applies, with the head of any Federal department or agency having jurisdiction over the parents of some or all of such children'.

"(2) The second sentence of such subsection (d) is amended by striking out 'Arrangements' and inserting in lieu thereof 'Except where the Commissioner makes arrangements pursuant to the second sentence of subsection (a), arrangements'.

"SEC. 1302. (a) Section 6(b)(1) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), as amended, relating to applications for school construction projects with respect to which Federal aid is requested, is amended by striking out 'and' at the end of clause (F), by striking out the period at the end of clause (G), and inserting in lieu thereof '; and', and by adding after clause (G) the following new clause:

"'(H) assurance that such agency will make the school facilities included in any such project, the application for which is approved after enactment of this clause, available to the Commissioner pursuant to section 10(b).'

"(b) Section 10 of such Act, relating to arrangements for facilities for the provision of free public education for children residing on Federal property where local educational agencies are unable to provide such education, is amended by inserting after the first sentence the following new sentence: 'Such arrangements may also be made to provide, on a temporary basis, minimum school facilities for children of members of the Armed Forces on active duty, if the schools in which free public education is usually provided for such children are made unavailable to them as a result of official action by State or local governmental authority and it is the judgment of the Commissioner, after he has consulted with the appropriate State educational agency, that no local educational agency is able to provide suitable free public education for such children.'

"(c) Section 10 of such Act is further amended by inserting '(a)' after 'SEC. 10.', and by adding at the end thereof the following new subsection:

"'(b) Whenever the Commissioner determines that—

"'(1) any school facilities with respect to which payments were made under section 7 of this Act, pursuant to an application approved under section 6 after the enactment of this subsection, are not being used by a local educational agency for the provision of free public education, and

"'(2) such facilities are needed in the provision of minimum facilities under subsection (a),

he shall notify such agency of such determination and shall thereupon be entitled to possession of such facilities for purposes of subsection (a), on such terms and conditions as may be prescribed in regulations of the Commissioner. Such regulations shall include provision for payment of rental in an amount which bears the same relationship to what, in the judgment of the Commissioner, is a reasonable rental for such facilities as the non-Federal share of the cost of construction of such facilities bore to the total cost of construction thereof (including the cost of land and off-site improvements), adjusted to take into consideration the depreciation in the value of the facilities and such other factors as the Commissioner deems relevant. Upon application by the local educational agency for the school district in which such facilities are situated and determined by the Commissioner that such agency is able and willing to provide suitable free public education for the children in the school district of such agency to whom section 10 is applicable, or upon determination by the Commissioner that such facilities are no longer needed for purposes of subsection (a), possession of the facilities shall be returned to such agency. Such return shall be effected at such time as, in the judgment of the Commissioner, will be in the best interest of the children who are receiving free public education in such facilities, and in the light of the objectives of this Act and the commitments made to personnel employed in connection with operation of such facilities pursuant to arrangements made by the Commissioner.'

"TITLE XIV

"Separability

"SEC. 1401. If any provision of this Act is held invalid, the remainder of this Act shall not be affected thereby.

"Amend the title so as to read: 'A bill to effectuate and enforce the constitutional right to the equal protection of the laws; to extend the Commission on Civil Rights; and to provide further means of securing and protecting the right to vote.'"

CIVIL RIGHTS AMENDMENTS TO SENATE BILL 1617—AMENDMENT

Mr. JOHNSTON of South Carolina. Mr. President, I submit an amendment which I intend to propose to the Senate when the amendments submitted by the Senator from Missouri [Mr. HENNINGS] on the subject of civil rights, are considered by the Senate.

The amendment which I intend to submit will provide for a trial by jury in any criminal contempt case that may result from the provisions of the amendments which are being submitted.

I ask that my proposed amendment be printed and lie on the table.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

ADJUSTMENT OF LEGISLATIVE JURISDICTION EXERCISED BY THE UNITED STATES OVER CERTAIN LAND USED FOR FEDERAL PURPOSES—AMENDMENTS

Mr. JAVITS submitted amendments, intended to be proposed by him, to the bill (S. 1617) to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes, which were ordered to lie on the table and to be printed.

VALIDATION OF CERTAIN EXTENDED OIL AND GAS LEASES—AMENDMENT

Mr. ANDERSON submitted an amendment, intended to be proposed by him, to the bill (S.2308) to validate certain extended oil and gas leases, which was ordered to lie on the table and to be printed.

TAX ADJUSTMENT AND DEBT RETIREMENT ACT OF 1959—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of August 11, 1959, the name of Mr. HRUSKA was added as an additional cosponsor of the bill (S. 2506) to impose additional individual and corporate income taxes when necessary in order to offset deficits and to provide for systematic reduction of the public debt, introduced by Mr. BENNETT (for himself and Mr. BUSH) on August 11, 1959.

ADDITIONAL INVESTIGATION OF DOMESTIC LEAD AND ZINC INDUSTRIES—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of August 12, 1959, the names of Senators CHURCH, ALLOTT, CAPEHART, CASE of South Dakota, CARLSON, DWORSHAK, WILEY, MARTIN, and SCHOEPPEL were added as additional cosponsors of the resolution (S. Res. 162) requesting the U.S. Tariff Commission to make an additional investigation under section 332 of the Tariff Act of 1930 of the domestic lead and zinc industries, submitted by Mr. KERR (for himself and other Senators) on August 12, 1959.

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

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

By Mr. SCHOEPPEL:

Article written by the Senator from New Hampshire [Mr. BRIDGES] entitled "A Letter to Bankers and Insurance Executives," published in Human Events, on August 19, 1959.

NOTICE OF HEARING ON NOMINATION OF ERIC H. HAGER TO BE LEGAL ADVISER OF DEPARTMENT OF STATE

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate today received the nomination of Eric H. Hager, of Connecticut, to be Legal Adviser of the Department of State, vice Loftus E. Becker, resigned.

In accordance with the committee rule, the pending nomination may not be considered prior to the expiration of 6 days.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

William B. West III, of Texas, to be U.S. attorney, northern district of Texas;

Russell E. Ake, of Ohio, to be U.S. attorney, northern district of Ohio;

John H. Phillips, of Mississippi, to be U.S. marshal, northern district of Mississippi;

Charles D. Read, Jr., of Georgia, to be U.S. attorney, northern district of Georgia;

Lynn J. Gillard, of California, to be U.S. attorney for the northern district of California.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before 10 a.m., Monday, August 24, 1959, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

TRIBUTE TO LATE FLEET ADM. WILLIAM F. HALSEY

Mr. JOHNSON of Texas. Mr. President, the Nation has lost a great American in the passing of Fleet Adm. William F. Halsey.

His exploits have been written into the annals of American history where they are preserved as an inspiration for coming generations.

His slogan was: "Hit hard, hit fast, and hit often."

The Japanese Navy, in World War II, came to know the full meaning of those words. For, as commander of the Third Fleet, Admiral Halsey harried, chased, sought out, and destroyed the Japanese Navy wherever he could find it on the waters of the Pacific.

Tribute to this great naval hero is carried in editorials published in today's New York Times and New York Herald Tribune. I ask unanimous consent, Mr. President, that these editorials be printed at this point in the RECORD.

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

[From the New York Times, Aug. 17, 1959]

ADMIRAL OF THE UNEXPECTED

Adm. William F. Halsey's explanation of his strategy was, "We do the unexpected. * * * Whatever we do, we do fast." Thus it was that Halsey, then a vice admiral, heaving to off Pearl Harbor on the morning of December 7, 1941, after a mission to Wake Island, took a breathing space and then, within 2 months, buzzed westward again like an angry hornet, inflicting heavy damage on the aggressors in the Marshalls and the Gilberts.

He had learned sea fighting the hard way as a destroyer commander in World War I. Except for a spell of illness he never shut off steam during World War II, hitting the enemy at the Battle of Santa Cruz, in the battles off Guadalcanal, in a series of fights and raids throughout the western islands and in the Battle of Leyte Gulf—an affair that caused him some disquiet later, for he sank or damaged only 51 Japanese ships and by bad luck missed 2 carriers and some other craft that were only 42 miles away. But it was Halsey's flagship, the *Missouri*, that witnessed Japan's formal surrender on September 1, 1945, and nobody begrudged ship or captain that high honor.

Fighting admirals are not always popular with the rank and file, but this one was. He expressed the American strategy of ending wars by fighting them hard. It was estimated that his forces destroyed 4,800 planes, sank so many ships they lost count, and put 150,000 enemies out of action. Yet in private life Admiral Halsey was a kindly and even lovable man. It is sad to think that his vigorous personality has come to an end, as it did yesterday—sad and hard to believe.

[From the New York Herald Tribune, Aug. 17, 1959]

BULL HALSEY, FIGHTING ADMIRAL

Fleet Adm. William F. Halsey was one of those great sailors who captures the public imagination with his victories and personality alike—one of the men for whom such terms as seadog and old salt seem made to order. His nickname of "Bull" and his old baseball cap told even more about his character than the formal dress uniform which, upon occasion, he wore.

Above all, Bull Halsey was a fighting admiral. He fought not only with keen knowledge of his profession, but with a fierce sense of personal conviction. The Japanese Navy was his enemy, as well as his country's, and he went after it accordingly. The Marshalls, the Gilberts, the Solomons, Wake Island, and the Japanese home islands all saw and felt Halsey in action. He was on hand, too, for the successful American invasion of the Philippines, and naval historians still refight the Battle of Leyte Gulf, which is ever the way with famous victories.

Admiral Halsey came from a Navy family, but he was not a man to be unduly restricted by tradition. He became a flyer at the age of 51 and he was very early aware of the power and potential of the aircraft carrier. The carrier task forces that came into being during the Pacific fighting bore the Halsey imprint, and it was the accomplishments of his 3d Fleet in the early years of the war that as much as anything else told the world that the United States was hitting back with ever more powerful blows.

Science has wrought vast changes in the 14 years since Admiral Halsey witnessed the surrender of the enemy fleet he had done so much to crush; naval warfare very likely has altered beyond recognition. Yet the fighting heart and victorious spirit of Bull Halsey are changeless qualities, and they stand today as his legacy.

"DEMOCRACY VERSUS COMMUNISM"—A PRIMER FOR SURVIVAL IN THE COLD WAR

Mr. KEATING. Mr. President, I have addressed the Senate on several occasions about the great need for more

teaching in our schools about the differences between communism and democracy. I am firmly convinced that we should institute specific courses in our educational institutions on this subject, so that our young people can learn the nature and scope of the international Communist conspiracy. At the same time, we should have more teaching and thinking about the principles of our free government and way of life, and of America's proud heritage.

Courses which teach the basic differences between democracy and communism can do much to sweep away youthful—and adult—indifference. That is a must, if we are to avoid lapsing into the apathy and complacency in which communism thrives. Once our people are alerted to the whys and wherefores of communism and are buttressed in their allegiance to democracy, we can better unite to fight this atheistic menace and strengthen our system of government.

An important tool in this vital cold war struggle is a textbook to be used in such courses. A fine text which more than adequately fills the bill is "Democracy Versus Communism," written by Prof. Kenneth Colegrove, of Northwestern University, under the sponsorship of the Institute of Fiscal and Political Education.

It is an able and readable analysis of the conflicting views of the two forms of government, which is designed primarily for the secondary school level. Already some 1,000 schools across the country have adopted it, and the Defense Department has used chapters of the book in the form of pamphlets. One million four hundred thousand pamphlets have been ordered for use in training courses. These and other statistics I have seen demonstrate amply that "Democracy Versus Communism" fills a very definite need.

I commend all concerned with the preparation and distribution of this important volume. I hope schools and libraries all over the country will obtain it and utilize it in every way possible. Wide reading of this book will contribute substantially to an understanding of communism and of our form of government.

Mr. President, a number of outstanding people and publications have commented on "Democracy Versus Communism." Their opinions deserve close study, and I ask unanimous consent that some extracts from these editorials and statements be printed in the RECORD.

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

The Tablet (a Catholic weekly, Saturday, December 7, 1957): "* * * the best treatment of democracy and communism in this century. Above all, 'Democracy Versus Communism' presents an honest picture so that students, and indeed all citizens, can make an informed, reasoned choice between democratic and totalitarian governments."

The Sunday Star, Washington, D.C., December 1, 1957:

"KOREA PROVED THE NEED

"America's schools * * * had failed to teach effectively what America stands for and what communism stands for" (Gen. John E. Hull, Commander of Forces in Far East, Korean War).

The Saturday Evening Post, December 28, 1957:

"IT'S TIME OUR CHILDREN WERE TAUGHT THE FACTS ABOUT COMMUNISM

"The men who had been prisoners of the Communists in Korea and China, those who in various degrees cooperated with the Communists, were boys who knew almost nothing about communism and hardly more about their own system."

New York Herald Tribune, Sunday, January 5, 1958, by Columnist and Lecturer Herbert A. Philbrick: "I have before me a most remarkable new book. The first of its kind ever published in the United States. It is a textbook on democracy and communism * * * and it tells the truth about both. * * * The next job is * * * to see that every student is properly equipped with knowledge of the most dangerous enemy ever to challenge our way of life."

NAM News, National Association of Manufacturers, January 3, 1958: "Planned especially for high school students, but recommended reading for everybody."

Chamber of Commerce of the United States, December 26, 1957, letter from John R. Miles, manager, education department: "My congratulations on the editorial in the current issue of the Saturday Evening Post, as well as on the textbook you published on 'Democracy Versus Communism.'

"Dr. Emerson P. Schmidt and I have read it through and both of us heartily approve of the attitude taken toward communism as well as toward our own free market economy."

Hon. Herbert Hoover: "I am glad to have the book. I am glad you have done it."

RICHARD NIXON, Vice President of the United States: "I am sure that this book 'Democray Versus Communism' will serve a most useful function in helping to educate our young people concerning the basic principles in which we believe, and the nature of our enemy."

J. Edgar Hoover, U.S. Department of Justice: "America must have an informed citizenry. Our young people need to be taught the difference between the treasured values of democracy and the deceit and falsehoods of atheistic communism. Democracy stands for freedom, justice, and fair play; communism for terror, injustice, and slavery. Our youngsters will be our leaders of tomorrow. To nurture them in the hopes and ideals which have made our Nation great is our best guarantee that freedom shall continue to ring in America."

Lewis L. Strauss, Chairman, U.S. Atomic Energy Commission: "'Democracy Versus Communism' is a valuable weapon, for it has the sharp blade of truth."

Harold C. Lyon, colonel, Department of the Army (Chief of Troop Information Division): "The Institute of Fiscal and Political Education should be very proud of what they have done in the sponsorship of this marvelous publication, 'Democracy Versus Communism.' It truly is an outstanding publication which fills a definite need in the secondary school level. I firmly believe that we should carefully consider some form of distribution, or utilization at least, of this publication within the Army within the field of troop information."

"The American Legion today reversed its longstanding policy against teaching anything about communism in public schools.

"Along with the pro-American study courses the Legion has long advocated, its Americanism Commission proposed instruction to expose the fallacies of communism" (Associated Press dispatch from Indianapolis, November 21, 1957).

THOUGHTFUL COMMENTS FROM THE ASSEMBLY OF CAPTIVE EUROPEAN NATIONS

Mr. KEATING. Mr. President, some useful and interesting comments concerning American relations with the Soviet Union and its satellites recently came to my attention in the form of two letters and a memorandum from Dr. Stefan Korbonski, the chairman of the Assembly of Captive Nations. Dr. Korbonski, who has served as a legislator in his native land of Poland, speaks from broad experience in analyzing the present and future status of the free world and communism.

I have read with particular interest Dr. Korbonski's letter addressed to delegates to the 48th Interparliamentary Union meeting to be held in Warsaw beginning late this month. I am proud to have been named an American delegate to this important assembly, and only regret that it appears certain the press of my duties here in the Senate will prevent my attending. Nevertheless, Dr. Korbonski, in behalf of his fine organization, has performed a vital service by emphasizing some of the things we must pound home in our dealings with the Soviets.

One thing we can and must do is to take strong steps to make certain Vice President NIXON's visit to Poland is not in any way interpreted as approval of the Gomulka regime. This Government is completely loyal to communism and has engaged in normal Communist tactics to subjugate the noble people of Poland.

Another issue which we must hit and hit hard is the proposal to challenge the Communists to hold free elections behind the Iron Curtain. We know this is something the Soviets and their fellow travelers fear, because they realize the results would be overwhelmingly in favor of freedom and national independence. We must grasp every opportunity to fling this challenge to the Soviets. In the long run, it holds the seeds for transforming a world of tension into a world at peace.

Mr. President, so that the thoughtful comments of Dr. Korbonski may have wide circulation, I ask unanimous consent that his letter to the editor of the New York Times, other letters, and a memorandum be printed in the RECORD at this point.

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

[From the New York Times, Aug. 12, 1959]

EUROPE'S CAPTIVE NATIONS: POLAND'S RECEPTION OF NIXON AND KHRUSHCHEV VISIT DISCUSSED

To the EDITOR OF THE NEW YORK TIMES:

Your editorials of August 3 and 4 have prompted my writing this letter as chairman of the Assembly of Captive European Nations as well as head of the Polish delegation to the ACEN.

Your August 3 editorial "From Poland's Heart" stated that Mr. NIXON's reception in Warsaw was the most effective answer possible to Premier Khrushchev's gibes at the celebration of the Captive Nations Week. But

in addition the reception given to Vice President NIXON was, in effect, the biggest anti-Communist demonstration ever to take place in the streets of Warsaw.

LONGING FOR FREEDOM

It was actually a form of election where the Poles showed that, although they are still physically controlled by the Soviets, they are spiritually on the side of the free world. When they shouted "Long live Eisenhower," they really meant "Down with Communist domination." Their unprecedented demonstration showed their deep longing for freedom and independence because they believe, against all odds, that the United States is the only power in the world that can help them regain their independence.

Again your editorial of August 4 "A Bid for Peace" expresses concern that refugees from Eastern Europe may engage in disorderly manifestations on the occasion of Khrushchev's visit. In this connection, I would like to stress that our organization, as such, concerns itself only with legitimate political action. It has never resorted to or encouraged, and never will, violent means, or means incompatible with the laws and customs of this country for promoting the just cause of freedom for the captive peoples.

BENEFITS QUERIED

We are frankly skeptical of the benefits to be derived from Premier Khrushchev's visit to the United States at this time. However, faced with the fait accompli, it is our hope that your great newspaper, the American press and public opinion will find ways and means to translate the spirit of Captive Nations Week into the beginning of political action. Specifically we hope that the Soviet visitor will be forcefully reminded of the unresolved issue of freedom and independence for the nine captive European nations.

We hope that Khrushchev will be made to understand that only in permitting the peoples of these countries freely to establish the governments and institutions of their own choice in accordance with their inalienable rights (to the respect of which the Soviet Union itself is committed) will one of the major causes of international tension be removed.

Only then will the peace and security of all European nations, including the Soviet Union, be set on a solid basis.

STEFAN KORBONSKI,
Chairman, Assembly of Captive Nations.
NEW YORK, *August 6, 1959.*

AUGUST 5, 1959.

DEAR SENATOR KEATING: I take pleasure in congratulating you in the name of the Assembly of Captive European Nations for your appointment to the delegation of the U.S. Congress to the 48th Interparliamentary Conference and to wish success to your endeavors at this world assembly of parliamentarians.

I am also taking the liberty of transmitting to you herewith copy of the memorandum our assembly is addressing to all parliamentarians from free nations who will attend the conference. In this memorandum we express our hope that the choice of Warsaw as the meeting place of the 48th conference was motivated by the desire to take the universal issue of the freedom of nations and dignity of man behind the Iron Curtain.

We also expressed confidence that this opportunity will be taken advantage of in order to demonstrate to the people of Poland, which has shown its true feelings by the tremendous reception it gave to Vice President NIXON, that the elected representatives of the free nations squarely support their legitimate aspirations to full independence and freedom. We are certain that the morale-sustaining effect of such demonstrations will not be confined to Poland, but will be felt all over the captive area.

Sincerely yours,

STEFAN KORBONSKI,
Chairman.

MEMORANDUM TO THE DELEGATES FROM THE FREE NATIONS TO THE 48TH CONFERENCE OF THE INTERPARLIAMENTARY UNION

The Assembly of Captive European Nations, the free voice of the Soviet-enslaved peoples of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, presents greetings to the members of the parliaments from free and democratic nations assembled in the 48th Conference of the Interparliamentary Union, and respectfully expresses its confidence that in their Warsaw gathering they will once again strive to serve their fundamental purpose: "The establishment and development of democratic institutions and the advancement of the work of peace and international cooperation."

In its memorandum addressed to the delegates of the free nations to the 47th Conference of the Interparliamentary Union held last year in Rio de Janeiro, the Assembly of Captive European Nations expressed its profound regret about the admittance of the so-called parliamentarians from the captive countries of East-Central Europe to the membership of the Interparliamentary Union. The Assembly pointed out that these pseudo-parliamentarians have not been elected in free and general elections and do not express the genuine views and aspirations of the peoples concerned. As such, the Assembly stressed, they have nothing in common with the freely elected members of parliaments of the free world.

The above facts have undergone no changes during the year that separates the 47th and 48th Conferences of the Interparliamentary Union. Not a single democratic institution exists at present in the Communist-dominated countries of East-Central Europe. Such institutions have been and remain suppressed and the faintest attempts to revive them are most ruthlessly repressed.

During and immediately following World War II, the Soviet Union usurped the sovereign rights of Estonia, Latvia, Lithuania and suppressed, for all practical purposes, the national independence of Albania, Bulgaria, Czechoslovakia, Hungary, Poland, and Rumania. By means of direct or indirect aggression and forcible intervention, a system of Communist totalitarian dictatorship was foisted upon our countries. Under this dictatorship, all political and human rights as enumerated in the Universal Declaration of Human Rights and in the European Convention of Human Rights were suppressed.

The Communist overlords of the east-central European countries are trying to cover their dictatorial rule by a facade of legality. For this purpose constitutions patterned on that of the Soviet Union and providing for so-called free elections, have been imposed. However, neither the Soviet-imposed constitutions nor their so-called elections have anything in common with the free expression of the will of the people as guaranteed by Western constitutions and provided for by Western electoral laws. Only one list of candidates, drawn up by the Communist Party, is permitted, and consequently all the candidates are automatically elected. The acceptance by the Interparliamentary Union of parliamentarians elected under such conditions, as genuine members of parliaments amounts, in our opinion, to an endorsement of the falsification of the will of our peoples and discredits the parliamentary system itself.

Since conditions in the captive European countries have not changed in this respect, the Assembly renews its protest against the participation in the Interparliamentary Union of the so-called parliamentarians from Soviet-enslaved Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania, whose very presence in any conference of the Interparliamentary Union is contrary to the Union's statutes and aims.

The Assembly is not aware of the motives which have prompted the Interparliamentary Union to convene its 48th Conference in Warsaw, the capital of a country under a totalitarian regime, in which democratic freedoms and institutions are suppressed. The Assembly would, however, understand that decision if the choice of the Polish capital was motivated by the desire to demonstrate the admiration and sympathy of the genuinely elected members of parliament from all over the world for the Polish nation in its struggle for freedom and democracy; if it was intended as a tribute to the resistance of the Polish people against Communist occupation and Sovietization which was climaxed by the Poznan uprising and the Polish October.

The Assembly of Captive European Nations takes the liberty of recalling that the 48th Conference of the Interparliamentary Union will coincide with the 15th anniversary of the Warsaw uprising, which was suppressed by the Nazis with the very effective, if passive, assistance of the same Soviet Union, which in 1939, following the Ribbentrop-Molotov Pact, stabbed Poland in the back, at the very time when the Polish people were engaged in a bitter struggle against the aggression of Hitler's Germany.

The Assembly trusts that the freely elected members of genuine parliaments participating at the Conference will avail themselves of the opportunities provided by the agenda to expose in a country deprived of democratic freedoms and institutions the evils of totalitarian tyranny which has suppressed, throughout Central and Eastern Europe, all political parties, excepting the Communist, and has murdered or imprisoned countness freely elected members of parliaments. And it hopes that the 48th Interparliamentary Conference will recognize that any condonation of the enslavement of the captive peoples would hurt the prestige of parliamentarians and parliamentary institutions, as well as the spirit of resistance of those peoples to Soviet domination and Communist dictatorship—which has been and continues to be a major deterrent to further Soviet aggressions against the free world. Accordingly, the Assembly is confident that the Conference will heed the warning addressed to the free nations in June 1959 by the Atlantic Congress (held in London) "never to make statements, or act with respect to these countries in a way from which it might be directly or indirectly concluded that it recognizes the Communist regimes there."

In conclusion, the Assembly of Captive European Nations appeals to the free parliamentarians taking part in the 48th Conference of the Interparliamentary Union to affirm, in Warsaw, the right of all European nations to live under governments of their own choosing, and to declare: (1) That only the restitution of national independence and democratic freedoms to the captive nations can transform Europe from a zone of international tension into a zone of genuine peace; (2) that free elections, under international supervision, after the withdrawal of all Soviet troops and agents, constitute

the only way, at once legitimate and necessary, to secure to the people of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Rumania the independence and freedom of which they are now deprived.

PASSPORT PROCEDURES

Mr. HENNINGS. Mr. President, my own views on American passport policies and procedures have been expressed in a statement I submitted to the Senate Committee on Foreign Relations when it held hearings several weeks ago, and in a statement I made in the Senate when other Senators and I sponsored S. 806, on Januray 29, 1959, "to protect the travel rights of persons owing allegiance to the United States and to govern the issuance of passports."

The American Bar Association has been meeting this past weekend in Florida and considering this subject. When its reports are available, I wish to examine them carefully. In the meantime, I ask unanimous consent to have printed in the RECORD as a part of my remarks a statement of the views of an old friend of mine from St. Louis, Arthur J. Freund, who is a member of one of the American Bar Association committees which has been studying passport procedures, the special committee on individual rights as affected by national security.

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

STATEMENT OF ARTHUR J. FREUND OF THE ST. LOUIS, MO.—BAR ON PASSPORT PROCEDURES

Freedom to travel within the United States has long been an unquestioned right of all American citizens. During the course of U.S. history freedom to travel outside the Nation's borders has similarly been the ordinary rule so that restrictions on international mobility have been the exception, imposed during time of war, or since the conclusion of World War II, continued during the extended period of the so-called cold war. Indeed since 1941 the external travel of American citizens has been controlled by requiring each citizen wishing to leave the Western Hemisphere to secure a passport. Implementation of this policy by the Secretary of State has resulted in two significant categories of travel restrictions. First, a number of individual citizens have been denied passports altogether, resulting in an effective total prohibition of their travel outside the Western Hemisphere. Second, all American citizens have been forbidden to enter a number of specified areas of the world, such as Communist China, Hungary, and for a time during the Suez crisis four middle eastern countries.

A third problem has arisen in connection with the nature of the hearing procedure to be afforded an applicant following a tentative refusal to issue him a passport. Criticism of the existing procedures has largely centered upon the fact that present practice permits the consideration of undisclosed information from unidentified sources in deciding whether to issue or deny the passport.

It would appear, however, that these restrictive practices have always been regarded with considerable distaste even within the Government where an ending of passport restraints is apparently the long-range objective. Thus, at the Geneva Conference in 1955, President Eisenhower stated that the United States seeks "to lower the barriers which now impede the opportunities of people to travel anywhere in the world for peaceful, friendly purposes, so that all will have a chance to know each other face to face."

The significance of free mobility was underscored in 1958 in the first case in which the U.S. Supreme Court dealt with the State Department restrictions on the travel abroad of American citizens. In *Kent* v. *Dulles* (357 U.S. 116, 125 (1958)), the Court said:

"The right of travel is a part of the 'liberty' of which the citizen cannot be deprived without due process of law under the fifth amendment."

This, of course, is not a holding that all citizens must be allowed to travel without restraint in all circumstances. Nevertheless, even though reasonable limitations may be constitutionally imposed upon the exercise of this right of free movement, it now becomes clear that restrictions limiting the ideal of free travel abroad can be imposed only upon a clear showing of necessity. The problem of balancing of interests is thus seen to be closely related to the similarly difficult question of determining what restraints may be imposed on freedom of speech. Indeed, the Court noted this parallelism:

"We deal with beliefs, with associations, with ideological matters. We must remember that we are dealing here with citizens who have neither been accused of crimes nor found guilty. They are being denied their freedom of movement solely because of their refusal to be subjected to inquiry into their beliefs and associations." (*Kent* v. *Dulles*, 357 U.S. 116, 130.)

It is in light of the foregoing considerations I am aware of the various proposals dealing with the subsistance and procedure of the issuance and denial of passports. These issues may be conveniently divided into three topics for separate discussion: (1) Denial of passports to individual U.S. citizens; (2) area restrictions which forbid the travel of all American citizens within the proscribed areas; and (3) procedures by which the issuance or denial of passports are determined.

These matters have recently received intensive study by a special committee to study passport procedures of the Association of the Bar of the City of New York. The report of that committee, entitled "Freedom to Travel," was published in November 1958, by Dodd, Mead & Co. The recommendations of that committee pertinent to the issues above mentioned, with which I am in complete agreement, are summarized below. My reasons in support follow the summary of recommendations:

"Individual Restraints Upon National Security Grounds: Travel abroad by individual U.S. citizens may be restrained and passports may be denied to citizens as to whom the Secretary finds reasonable grounds to believe that their activities abroad would endanger the national security of the United States by (1) transmitting, without proper authority, security information of the United States; (2) inciting hostilities or conflicts which might involve the United States; or (3) inciting attacks by force upon the United States or attempts to overthrow its Government by force or violence.

"Travel should not be restrained and passports should not be denied solely on the basis of membership in any organization, even the Communist Party, association with any individual or group, adherence to unpopular views, or criticism of the United States or its domestic or foreign policies. Thus, action hostile to the national security of the United States must be reasonably anticipated, as opposed to mere speech or the holding of opinions; and there must be an evidentiary showing that travel of a particular individual will constitute a definable danger to the national security of the United States.

"Individual Restraints Upon Grounds Other Than National Security: Travel abroad by individual U.S. citizens may be restrained and passports may be denied to citizens in the following categories:

"(1) Fugitives from justice or persons under court restraining order.

"(2) Persons who have been returned to the United States at Government expense from previous travel abroad, repayment not having been made.

"Area restrictions: Travel abroad by all U.S. citizens may be prohibited in areas where the Secretary of State determines that such prohibitions should be imposed in the national interest, but only in situations of exceptional gravity.

"Disclosure of Evidence and Confrontation of Witnesses: In general, the hearing should be of such a nature as to disclose to the applicant all the evidence and information to be considered in opposition to issuance of his passport and to permit the applicant a full opportunity to meet the case against him."

INDIVIDUAL PASSPORT DENIALS

The substantive grounds for denial of passports, at least until the Supreme Court decisions in *Kent* v. *Dulles, supra*, and *Dayton* v. *Dulles*, 357 U.S. 144 (1958), appeared in sections 51.135 and 51.136 of the passport regulations of the Department of State. Those regulations provided for refusal of passports to citizens within the following categories: (1) members and consistent supporters of the Communist Party; (2) persons whose activities abroad would violate the laws of the United States; and (3) persons whose activities abroad would be prejudicial to the interests of the United States.

In the 1958 Kent case the Supreme Court, in a five-to-four decision, held that Congress had not authorized the Secretary of State to deny passports on the grounds set forth in section 51.135 of the regulations (members and consistent supporters of the Communist Party). The majority, without reaching the constitutional issue, nevertheless stated that an opposite decision would have raised "important constitutional questions * * *." And Congress was reminded that "We deal here with a constitutional right of the citizens, a right which we must assume Congress will be faithful to respect" (357 U.S. 116, 130).

The companion case, *Dayton* v. *Dulles, supra*, in which procedural due process questions were argued, was decided in the same way and on the same basis as the Kent case, so that the constitutional issues presented in the Dayton case were also not reached.

In light of these two decisions, then, it seems clear that Congress will be called upon to clarify the statutory ambiguities in connection with the authority to deny or restrict passports and to provide standards for a fair hearing procedure in cases of proposed passport denial. I recognize that there must be balanced against the constitutional right to travel abroad the urgent necessities of national security. My recommendations are designed to assist in the drawing of that line at a point of proper balance.

I believe that the present grounds for denial of individual passports (at least those prevailing before the Kent decision), including the ground held in the Kent case to lack statutory authorization, are defective in the following respects:

(a) Persons whose activities abroad would be prejudicial to the orderly conduct of foreign relations or otherwise prejudicial to the interests of the United States. Pursuant to these uncertain criteria the Department of State has since 1952 denied passports to a wide variety of applicants, including fugitives from justice, persons "likely to become public charges," "habitual criminals," persons whose participation in political activities abroad might be prejudicial to "good relations," and persons who might bring discredit upon the United States by their activities abroad.

If a single objection were to be made to this catchall basis for passport refusal, it

would be that it presents no ascertainable standard at all, but permits instead a sweeping discretion to deny passports. The indefinite nature of these reasons makes defense in an administrative proceeding almost impossible. Insofar as the Secretary is permitted to deny passports on the basis of prediction of activity which might be "prejudicial to the interests of the United States," including the exercise of first amendment rights, I believe that the criteria are administratively indefensible and constitutionally doubtful.

(b) Members and consistent supporters of the Communist Party. It is recognized, of course, that the principal threat to national security today lies in the international Communist conspiracy, including its domestic branch, the Communist Party of the United States of America. However, it is in this area that the caution of the Supreme Court, which I believe to be sound, must be recalled:

"We must remember that we are dealing here with citizens who have neither been accused of crimes nor found guilty. They are being denied their freedom of movement solely because of their refusal to be subjected to inquiry into their beliefs and associations." (357 U.S. at 130.)

At the present time, as a matter of domestic law, neither membership in, nor support of, any organization, short of violation of the Smith Act, is punishable in the United States. It would seem to follow then that mere membership or support in itself should not logically, and perhaps cannot constitutionally, be made a basis for travel prohibition. Travel should not be denied to an individual citizen of the United States except upon a clear showing that real danger to the national security would result from the travel abroad of the particular applicant. The Association of the Bar of the City of New York stated in its report "the somewhat conjectural danger that might be involved in the adoption of a policy to issue passports to such individuals is far outweighed by the affirmative advantages to be achieved from close adherence to the high-ranking value represented by the ideal of free travel." ("Freedom to Travel," p. 42.)

However, it is my view that membership in the Communist Party since January 1, 1950, and up to the present time is a factor to be considered in the issuance or denial of a passport, and that the Secretary of State should have the right to consider such membership of an applicant as evidence bearing upon the other criteria enumerated elsewhere herein which may properly be evaluated by the Secretary in this determination.

It is my recommendation that the Secretary of State be permitted to include in applications for passports an inquiry as to whether the applicant was on January 1, 1950, or at any time subsequent thereto a member of the Communist Party.

CRITERIA FOR DENIAL OF PASSPORTS

Recognizing that control of travel may sometimes be vital to national security or other important national interests, I nevertheless believe that the bases for such restriction can and must be stated more precisely. To achieve this purpose, I endorse the criteria for denial of individual passports set forth by the Association of the Bar of the City of New York in "Freedom to Travel," at pages 58–63. These recommendations may be summarized as follows:

Passports should be issued to U.S. citizens for travel abroad except

(a) Where the Secretary of State finds reasonable grounds for belief that their activities abroad would endanger the national security of the United States by

1. Transmitting without proper authority security information of the United States;

2. Participating in or inciting hostilities or conflicts which might involve the United States;

3. Participating in or inciting attacks by force upon the United States or attempts to overthrow our Government by force and violence; or

4. Acting in concert with others to bring about acts which endanger the national security of the United States.

(b) Travel may be denied to fugitives from justice and persons under court restraining order.

(c) Travel may be denied to persons who have been returned to the United States at Government expense from previous travel abroad, repayment not having been made.

AREA RESTRICTIONS

Frequently during the cold war, and occasionally before World War II, the Secretary of State has invoked restrictions upon the travel of all American citizens to specified countries. Far reaching though this power is, it has not been tested judically in the Supreme Court; and the sufficiency of the power of Government to impose such prohibitions has ordinarily been assumed. Indeed, there seems little doubt that, by act of Congress and proper executive action pursuant to such legislation, travel of American citizens may be prohibited to specified areas. Such authority in relation to the conduct of foreign affairs would seem implicit in the holding of *United States* v. *Curtiss-Wright Export Corp.*, 299 U.S. 304, 319–20 (1936), even though that case did not involve a passport issue.

I would reaffirm the existence of such power in the National Government, but would also remind that the significant and limited purposes for which that authority to forbid travel altogether is permitted, has sometimes in the past been abused. It must be remembered that area restrictions, unlike individual restraints, have an impact on the Nation as a whole in denying to the entire populace any effective communication with the affected area. This is scarcely consistent with the generally recognized need for access to information upon which the Nation and individual citizens can and must act.

Of course it is proper and desirable for the impact of an area prohibition to be made somewhat less serious through the Secretary's exercise of discretion to permit some groups or individuals, such as accredited representatives of the press, to travel as an exception to the general ban.

DUE PROCESS

After the decision in *Bauer* v. *Acheson*, 106 F. Supp. 445 (D.D.C. 1952), the Department of State issued rules establishing a Board of Passport Appeals and setting forth procedural standards in connection with issuance and denial of passports. At the hearing provided to persons whose passport applications are tentatively denied, there is provided a right to be represented by counsel, a right to present evidence and witnesses, and a right to cross-examine witnesses offered in opposition to the applications. However, I believe the procedure is still significantly deficient in the following respects:

(a) Insufficient specificity as to reasons for denial in order to permit preparation of an adequate response.

(b) Absence of separation of functions between the Board and the Passport Office counsel.

(c) No assurance of prompt action on applications, thus completely frustrating the travel plans of a number of applicants.

(d) No sufficient standard for the disclosure of evidence and the confrontation of witnesses before the Board.

(e) The right of the applicant to subpena witnesses.

While each of the foregoing is important, the first three can and should be readily corrected as a matter of sound administration and fair procedure. It is implicit that in all cases where a passport is denied that a full written statement of the reasons for such denial be furnished to the applicant.

It is, of course, a basic premise of the adversary method of resolving disputed issues of fact that each party shall have an opportunity not only to introduce his own evidence and witnesses, and to subpena witnesses, but as well, an opportunity to rebut and explain the evidence which will be considered against him, and to cross-examine witnesses hostile to his position. Under present regulations of the Department of State significant portions of those usual rights may be dispensed with. Accordingly, the hearing accorded the applicant cannot meaningfully be described as an adversary type proceeding. This, of course, does not settle the question of whether the hearing should nevertheless be continued on such a one-sided basis. Two considerations require discussion: First, is there a constitutional right to such disclosures and confrontation? Second, even if there is no such constitutional right, is there any overriding necessity which requires the Government to dispense with the ordinarily recognized elements of fairness in hearing procedures?

CONFRONTATION

It is my view that full and complete confrontation of witnesses should be afforded at all hearings of applicants in all cases where the issue is the granting or denial of a passport. The reason given for denying disclosure and confrontation to passport applicants is the possible danger of revealing information or informants essential to national security. However, my own views are that our traditional methods in the legal determination of facts should be preserved and that our basic concepts of due process should be maintained. I am not persuaded that a different procedure should be applied when the determination of a citizen's essential loyalty to our country is at stake than that required by our State and National Constitutions should the same citizen be charged with an offense against our laws, however trivial or great that offense may be. Although it cannot be said with finality that complete confrontation in passport hearings is required under the U.S. Constitution, it is my view that our time-tested and time-honored methods of confrontation and cross-examination in adversary judicial proceedings should be preserved in the determination of the issuance or denial of a passport.

HEARINGS

It is implicit that an applicant should have the right of representation by counsel; to examine and cross-examine witnesses, to be accorded a fair hearing before an impartial tribunal, with the right to subpoena witnesses in his behalf, and that a complete record of the proceedings be maintained and be made available to the applicant.

All hearings should be required to be held in public. The majority of opinion seems to be that an open public hearing should be at the discretion of the applicant. However, Star Chamber proceedings tend to develop faceless judges as well as faceless witnesses and the excesses which have prevailed in examinations at many loyalty hearings would hardly be possible if the public or the bar generally were aware of the manner in which many of these hearings have been conducted. While an individual seeking to obtain a passport may prefer secrecy in the determination of the issue where his essential loyalty to his country is at stake, the processes of the law should not be shaped to suit the convenience or sensibilities of the individual.

Proceedings in the trial of criminal causes are not permitted to be heard in camera; our experience has taught us of the dangers which confront the administration of justice when secret trials are tolerated.

Passport hearings, where the loyalty of the applicant is the essential issue, are in the nature of quasi-criminal proceedings and the same procedural rules should apply to such hearings as are accepted generally in

criminal causes. Some obvious exceptions should be apparent; there should not be a requirement upon the Government to prove its allegations beyond a reasonable doubt (a preponderance of the evidence should be sufficient), and the applicant should be required to testify if the Government wishes to interrogate him.

GOOD FAITH OF APPLICANTS

Applications for passports should be made in good faith; that is, there should be an actual intent of the applicant to use the passport in bona fide travel abroad. Penalties should be provided if such good faith is not present, for a citizen should not be permitted to use an application for a passport merely as a device to ascertain if the Government would question his loyalty or raise issues of his disqualification on other grounds.

JUDICIAL REVIEW

A further element, I believe, to be especially significant is the assurance of full judicial review in those cases in which the Department of Justice finally refuses to issue passports. This review should be upon the full record with jurisdiction vested in the Court to determine if under the law and the evidence adduced the denial of the issuance of the passport was clearly erroneous.

LAKE MICHIGAN POLLUTION

Mr. DOUGLAS. Mr. President, it is well known that Milwaukee has led the fight against Chicago's desire to obtain an additional diversion of water from Lake Michigan. It is less well known that Milwaukee follows the practice of dumping its effluent and in some cases raw sewage into Lake Michigan. We in Chicago have known about this for a long time, but have not wished to raise the issue until recently. The city of Milwaukee, in suits before the Supreme Court and in efforts before the appropriate Senate committee, has tried to compel the city of Chicago to do likewise.

In view of this situation, I ask unanimous consent to have an article from the Chicago Sun-Times printed at this point in the RECORD. The article points out that the county health office of Milwaukee County has closed 7 of Milwaukee County's 10 Lake Michigan beaches because of health and safety hazards created by the pollution of the lake by the dumping of effluent and raw sewage into the lake.

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

[From the Chicago Sun-Times, Aug. 14, 1959]

POLLUTION SHUTS MILWAUKEE BEACHES

MILWAUKEE.—"Closed" signs were up at 7 of Milwaukee County's 10 Lake Michigan beaches Thursday because of health and safety hazards.

Pollution of the lake in Milwaukee's treated sewage, which is channeled into the lake, is the main reason for closing the beaches, health authorities said.

Milwaukee has opposed Chicago's efforts to divert more water from Lake Michigan in order to increase the flow of the Illinois Waterway, into which Chicago now channels its treated sewage.

The Wisconsin city also has supported a U.S. district court suit filed by six Great Lakes States, which seeks to make Chicago put back into the lake any water it takes out and would, in effect, force the city to empty its treated sewage into the lake.

Dr. E. R. Krumbiegel, Milwaukee health commissioner, said at least two beaches—South Shore and Bay View—will remain closed and will not reopen in future summers.

Those two beaches, he said, are near the mouth of the Milwaukee River. Treated sewage from Milwaukee's Jones Island disposal plant flows into the river.

In addition to Milwaukee, Dr. Krumbiegel said, many communities along the river and its tributaries dump treated sewage into the streams.

"Our sewage plant gets 95 percent purification," the health commissioner said, "but some of those smaller communities have plants which give only 90 percent purification."

Many pleasure boats and commercial boats that dock at Milwaukee are equipped with marine toilets, which add to the pollution, Dr. Krumbiegel said.

Forty percent of Milwaukee's sanitary sewers also carry storm water, so that during heavy rains untreated sewage is often washed into the river and lake, Dr. Krumbiegel said.

"After a rain we have quite a bit of pollution," he said. "It's a big problem, but it would cost us $500 million to tear up all those sewers and replace them with a separate system."

The precaution of closing the beaches was taken because swimmers who swallowed the polluted water could contract such intestinal diseases as typhoid and amebic dysentery, the doctor said.

He said one solution would be to chlorinate the water close to the shoreline, but he admitted that this would be a costly program. As an alternative, Dr. Krumbiegel suggested building swimming pools along the beach, in order to utilize the bathhouses already there.

Two of the beaches—Bradford and McKinley—were closed more for safety reasons than as a health measure, the doctor said. Underwater weeds growing on a reef 100 feet from shore tend to wash into the swimming area, endangering children who might become entangled in them, he said.

Mr. DOUGLAS. Mr. President, I also ask unanimous consent that a very able and accurate article on the same subject which appeared in the Chicago Daily Tribune for August 14 be printed at this point in the RECORD.

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

SEVEN MILWAUKEE BEACHES SHUT BY POLLUTION—BLAME DUMPING OF SEWAGE

MILWAUKEE, August 13 [Special].—Milwaukee faced such a serious sewage problem Thursday that all of Milwaukee County's seven beaches have been closed.

Two of the beaches, South Shore and Bay View, will remain closed, it was said, until such time as conditions necessitating the action can be corrected. Milwaukee is an outstanding critic of Chicago's sewage disposal methods and opponent of its neighbor's attempt to increase diversion of lake water for health and navigation purposes.

COST SET AT $500 MILLION

Dr. E. R. Krumbiegel, city health commissioner, said a solution of the sewage pollution affecting the beaches would cost about $500 million and probably is economically impossible.

Russel Kurtz, superintendent of parks for the county park commission, explained that the closing order was issued because of the uncertainty of water conditions at the beaches.

The closing began last week and affected one beach after another in the ensuing days until all were barred to swimmers. Lifeguards have remained on duty at all beaches to keep swimmers from entering the water.

CAUSES INTESTINAL DISEASES

The health department said the pollution can cause intestinal diseases, such as typhoid and amoebic dysentery, when bathers swallow water. Dr. Krumbiegel said small children are especially susceptible.

The health commissioner said that about 1 percent of the sewage from the Milwaukee metropolitan area enters Lake Michigan through rivers. The area includes communities as far north as Mequon and Thiensville in Ozaukee County and St. Francis and Cudahy to the south.

He said other lake pollution is caused by effluent from the sewage disposal plant at Jones Island, the refuse from ships entering the harbor and yachts docked at the South Shore Yacht Club.

POLLUTION SAME IN 1958

"The pollution is no worse this summer than last year," Dr. Krumbiegel said, "but the community is growing and we just can't go on with this kind of health hazard."

Dr. Krumbiegel said one solution of the problem would be to chlorinate the water close to the shoreline but he said this would be extremely expensive.

Rather than resort to this great outlay of money to clean up the lake water, Dr. Krumbiegel recommended that swimming pools be built along the lake shore.

"Ending the pollution is no easy matter," the health commissioner conceded. "The geographical position of Milwaukee on the lake forms a natural cesspool during the summer months."

SUBURBS TAINT RIVER

One of the pollution troubles in Milwaukee is said to be the inadequacy of storm sewers. During heavy rains the contents of storm and sanitary sewers, in some areas that have both, become mixed in overflows.

Another source of pollution of the lake in the Milwaukee area is thru the Milwaukee River. Many of the small communities which spread northward discharge their effluent into the river without treatment. Pollution is lowered to some extent by the time the waters enter Lake Michigan, but the bacteria count is still high.

Problems over the disposal of sewage from a new high school brought 250 persons Wednesday night to the town hall of suburban Mequon to discuss the matter with Milwaukee and State officials. But after the meeting, several persons who had attended were uncertain what, if anything, had been accomplished.

RIVER USE BARRED

Alderman James Egan of Mequon said plans had been made to haul raw sewage in closed tank cars from the new high school, which will have 1,200 pupils, to an interceptor treatment plan in Milwaukee County 3 miles away. A State health department representative said the State would not allow the effluent to be discharged into the Milwaukee River.

O. J. Muegge, a State sanitary engineer, told the audience the effluent would have to go through a treatment plant and said the State would issue an order that the sewage be treated at the plant in the adjacent village of Thiensville. However, like Milwaukee's problems, there were still numerous difficulties to be ironed out, Alderman Egan said.

The Milwaukee's area's pollution troubles reached a peak in the midst of efforts by Wisconsin's Senators, William Proxmire (D.), and Alexander Wiley (R.), in opposition to a bill, now being considered by the Senate Public Works Committee, to allow increased water diversion from the lake at Chicago for a 1-year test period.

Senator Proxmire, a vehement and a longtime foe of Chicago's pleas for more lake water for its sanitary needs last week smashed a liquor glass on the hearing room

floor in a dramatic punctuation of his argument that "the case of the proponents of this bill is shattered, like this glass, to smithereens."

In almost 2 hours of orating against the bill the same day, Senator Wiley said Milwaukee has a much better sewage disposal system than Chicago's.

Mr. DOUGLAS. Mr. President, on last Friday I telegraphed the city health commissioner of Milwaukee offering to Milwaukee the consultative services of the Chicago Sanitary District to assist them in dealing constructively with the problem.

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

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

Dr. E. R. KRUMBIEGEL,
City Health Commissioner,
Milwaukee, Wis.:

The Chicago Sanitary District has twice given Senator ALEXANDER WILEY all the material which he requested. We have been glad to do this. Would you be willing to receive an engineer and give him similar information about recent developments in connection with the Milwaukee sewage disposal system? Furthermore I am assured that the Chicago Sanitary District would be most happy to offer consultative services and help in any way which may be constructive and beneficial. Please reply collect.

PAUL H. DOUGLAS,
U.S. Senator.

Mr. DOUGLAS. I may also say that the president of the sanitary district, Col. Frank W. Chesrow, made a very statesmanlike declaration last Friday in which he offered to furnish to Milwaukee the most expert assistance we could give them, and I am sure this assistance would be offered without charge to meet the very serious situation in which Milwaukee has unfortunately involved itself.

PROPOSED PEACE COMMITTEE FOR THE CARIBBEAN

Mr. SMATHERS. Mr. President, the address by Secretary of State Herter at Santiago, Chile, which he made in the Foreign Minister's conference on Thursday, August 13, certainly deserves everyone's attention. It was an excellent speech, offering a great deal of hope and encouragement.

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

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

ADDRESS BY THE HONORABLE CHRISTIAN A. HERTER, SECRETARY OF STATE, AT THE SECOND PLENARY SESSION OF THE FOREIGN MINISTERS OF THE AMERICAN STATES, AT SANTIAGO, CHILE, THURSDAY, AUGUST 13, 1959

Mr. Chairman, Your Excellencies, I deeply appreciate this opportunity to discuss with the Foreign Ministers of the other American Republics the situation of international tension that exists in the Caribbean area. This situation has for several months been a matter of serious concern to the United States.

We are concerned about this situation first of all because the United States borders upon the Caribbean; we therefore cannot escape involvement in many of the effects produced by the international tensions in that area.

We are also concerned about these tensions as a member of the Organization of American States. Any breach in the peaceful and friendly relations among the American States has repercussions throughout the inter-American community. Any weakening in efficiency of the inter-American procedures and principles is a threat to the important structure of the relationship developed within the Organization of American States.

Finally, the United States is concerned over the Caribbean situation from the standpoint of the position of the Americas in the world as a whole. The inter-American system, and the Organization of American States, constitute one of the bulwarks of freedom in a world that continues to be threatened by the aggressive and imperialistic designs of international communism. The maintenance of a strong inter-American system is therefore an integral part of the supreme effort in which all of us participate to preserve our liberties and the finer aspects of civilization itself.

Our agenda contains two items: The first dealing with the Caribbean situation as a whole, the second with the more general problem of human rights and democracy. Let me first take up item No. 1.

Today throughout the Caribbean area we find the ferment of popular demand for improvement and change. In common with the peoples of most other parts of the world, the peoples of the Caribbean area are seeking to increase their material welfare, to raise their cultural standards, and to win for themselves a greater degree of individual liberty. This movement for change has focused upon two great objectives: The development of the economies of the countries of the region, with a view to raising the levels of living of the common people, and the more effective exercise of representative democracy based upon respect for the rights of man.

This is as it should be. The Government and people of the United States share these objectives and wish to lend all friendly and proper support to their achievement by the peoples of all the American Republics.

This movement for change, which has made such significant progress in some respects, has also created difficult problems for the governments of this region. During the past few months at least three countries have been attacked by armed expeditions coming from outside their borders. Other governments have indicated their concern over threats of attack from abroad. During this period several governments have been menaced by viciously hostile propaganda attacks originating in other countries. Thus, both internal and international tensions have grown throughout the Caribbean region. Our concern at this meeting is not with these individual cases, but with the effect of the present situation in the Caribbean upon the cooperative efforts of the American States to preserve their peace and to promote the political, economic, and cultural welfare of their peoples.

The most important foundation stone of the relationship which has been developed in this hemisphere is the principle of nonintervention by any American state in the affairs of any other American state.

The United States has accepted this principle and with the years has become increasingly convinced of its importance to the entire inter-American relationship. The nonintervention principle is essential to confidence among the 21 member governments of this Organization—and that confidence is, in turn, essential to creative effort and progress in the collective achievement of the great purposes set forth in the charter of our organization.

However, in the Caribbean the principle of nonintervention has been subjected to serious strain. Information gathered by the committees appointed by the Council of the OAS acting under the Treaty of Rio de Janeiro established that several of the revolutionary efforts directed at governments in the Caribbean area have set out from other countries, despite the provisions of the Habana Convention of 1928. Moreover, it appears that at least some of these expeditions were organized in other countries with the knowledge and consent of officials whose governments were pledged to prevent such action. Expeditions have obtained arms from official sources in other countries despite public declarations of policy to the contrary.

Some of these movements have been justified before the public on the grounds that they were undertaken for the purpose of establishing more democratic regimes in certain countries and that thereby they helped to fulfill a principle of the Charter of the OAS.

I do not wish to speculate on what the motives may have been behind these interventionist activities. Yet, whether or not they were commendable, we cannot conduct our inter-American relations on the theory that the end justifies the means, and that the charter and other treaties may be flouted at will.

As you well know, the United States yields to no country in its dedication to democratic principles. Our own history is a living testimony to our faith in the fulfillment of democracy. For that reason the United States has noted with greatest satisfaction the growth of representative democracy and respect for human rights in all the American Republics. We are convinced that this form of political progress can and must go forward and that it deserves the moral support of all peoples of America.

We are equally convinced, however, that the basis for the soundest and most durable growth of democratic institutions within a country stems from the people themselves. History has shown that attempts to impose democracy upon a country by force from without may easily result in the mere substitution of one form of tyranny for another. We therefore believe that there is a great distinction to be observed between moral support for democratic principles which will encourage the peoples of all countries to work toward democratic goals, and attempts by other countries to promote the overthrow of governments by use of force in the hope of establishing democracy.

The greatest progress in the development of democracy in the Americas has taken place within the last 10 years, a period during which conditions of international peace and security have also been strengthened through the efforts of the OAS. The principle of nonintervention, and its companion principle of collective security, are important to democracy because they assure to each country the opportunity to develop its political life free from outside interference. That opportunity and that freedom are the first necessary condition for the growth of democracy. That is a main reason for our firm opposition to international communism or any other form of government which seeks to impose its political system on others.

To weaken the principle of nonintervention and the principle of collective security in an effort to promote democracy is, therefore, a self-defeating activity. The tensions which have developed in the Caribbean area in the last 6 months have, in the opinion of the United States, had an effect opposite from that encouraging democracy. They have forced governments to adopt stricter measures of control. They have promoted internal political tensions which have been seized upon by the enemies of democracy to weaken governments which are sincerely striving to practice democratic principles.

They have forced governments to divert resources from constructive economic and social programs to military ends because of the threat of attack from abroad. Finally, by fomenting conditions of internal conflict and international distrust and ill will, these tensions have provided just the opportunity that the international Communists are always seeking to project themselves and their antidemocratic policies and practices into the affairs of our countries. This threat to the principle of nonintervention imperils the interests of all members of the Organization of American States. It is one of the main tasks of this meeting of consultation to strengthen the confidence of the American States in the validity and effectiveness of this and the other principles so basic to their peaceful relations. In the light of this consideration I should like to propose, Mr. Chairman, that under agenda item No. 1 this meeting of Foreign Ministers do three things: first, that it issue a declaration of faith in the basic principles of the inter-American system, in those principles which bear particularly upon the difficult situation that has developed in the Caribbean and which we are all desirous of resolving in a spirit of cooperation.

Second, we should consider establishing a special temporary committee which would be authorized to study the situation in the Caribbean. It would report to the 11th Inter-American Conference. This committee could be empowered to extend its cooperation to any of the states of that region in the solution of problems that disturb their peaceful relations and which they are not able to resolve through direct negotiation. Such a committee might well look into the subject of hostile propaganda, and report on activities in the field of radio and press tending to foment civil strife in another American State.

Finally, looking at the experience of the Organization of American States during the past 3 months, I believe the meeting of Foreign Ministers must recognize that our generally admirable and effective peace system could be improved if a permanent organ of the OAS, such as the Pan American Peace Committee, were authorized to consider problems of the sort that have plagued the Caribbean region before they reach a point of becoming threats to the peace.

This brings us to the second item on our agenda; the effective exercise of representative democracy and respect for human rights.

Democracy and respect for the rights of man are ideals deeply cherished by the peoples of America since their earliest days. Drawing upon their common belief in the dignity of man, based upon their Christian heritage and the great philosophical ideas of Western civilization, the peoples of the Americas were inspired by democratic principles in their wars for independence. Although from time to time the achievement of these ideals has encountered obstacles and setbacks, the American peoples have never wavered in their determination to press forward toward political systems based on liberty and human dignity. The full realization of democratic principles and the guarantee of human rights remain an ideal towards which all of our countries strive. There are many factors which determine the rate at which a given people can progress in this respect. However, the peoples of America, as a matter of principle, repudiate all forms of dictatorship, whether of the right or the left.

The United States recognizes that the lack of democratic fulfillment has been an important factor contributing to recent unrest and tensions in the Caribbean, and at other times elsewhere in the Americas.

I suggest that the approach of the Organization of American States to this problem should be essentially of a positive, rather than a negative character.

For example, the Organization of American States should have no hesitancy in declaring its profound belief in the importance of democratic principles and in the necessity of cooperation for their achievement. This cooperation can take many forms. It requires the establishment of a peaceful international order in which democratic institutions can flourish.

The important role of economic and social progress to political stability is self-evident. There is no need to recount at this time all the positive steps which the American States have taken in the economic field during the past year, and the not inconsiderable contribution which the United States has made to this effort. The approval of the Charter of the Inter-American Bank, and the progress made in the formulation and execution of Operation Pan America are among the outstanding achievements in working toward the kinds of economic and social environment in which democracy can grow.

Like other important phases in the development of the Organization of American States, this new field of political cooperation must be entered with care in order to avoid reactions that might permanently endanger the capacity of the Inter-American community to pursue this great purpose. A possible first practical step might be the establishment within the structure of the OAS, of a commission or other organ endowed with the authority to gather the views of the American governments and people, to clarify the nature of representative democracy, and to chart a course which the OAS could follow in evoking the maximum cooperation of the governments for the effective achievement of democratic principles.

The United States stands ready to consider sympathetically proposals of the other member states of the organization which offer a genuine opportunity to assist progress toward the achievement of effective democracy and respect for human rights. We realize, of course, that it may be necessary to provide for further study by the competent organs of the Organization of matters which cannot be satisfactorily and definitely resolved at this emergency meeting.

The great opportunity facing this meeting of Foreign Ministers is to reaffirm with full vigor the validity of the principles on which the Organization of American States is built and to demonstrate to the peoples of America and to the entire world that under these principles our countries will go forward to new achievements in bettering the standards of human life and in gaining a greater measure of human liberty.

Mr. Chairman, before concluding I should like to add a few words that occur to me as I think of the relationship between what we are doing here, and what is going on in other parts of the world. It is my belief that the inspiration which our hemisphere can add to the free world is enormous if we continue to fulfill our destiny within the noble framework of tolerant, cooperative internationalism which the OAS represents. I have returned from Geneva with renewed faith that the example set by the Americas can have a great effect in ameliorating and influencing Communist and Soviet courses of action in the long run, though we may often be tempted to lose heart in the short run.

This is not the moment to discuss Geneva or recent developments in U.S.-Soviet relations, though I should be most happy to discuss these matters with you informally should you wish me to do so. I might, however, make two comments on recent developments in our relations with the Soviet Union which will place my proposals in a global, as well as a hemispheric, perspective. Both these comments bear, I believe, on the purposes of this Conference.

First, we found at Geneva no real disposition on the part of the Soviets to negotiate as we understand that word in this hemisphere. We did find, on the other hand, a most resolute Soviet purpose to deny to East Germany and to West Berlin the right to evolve toward ways of life of their own choosing. We found, in short, the most flagrant disregard of the principle on nonintervention notwithstanding the risks involved.

It is perhaps understandable, therefore, that I have returned with a renewed devotion to that principle and its importance to our hemisphere and elsewhere in this troubled world. We must by example persist in efforts to bring the Soviet Union to recognize the democratic values which we have developed and seek to preserve in this hemisphere. Moreover, the knowledge of how the techniques of indirect aggression have been developed by the Communists as a means of intervention in many parts of the world have convinced me how very important it is that we do not allow that virus to become established and to spread in this peace-loving continent. And in this connection I wish to assure you that our policy toward Communist China, which is well known to you all, remains unchanged.

The second point I want to make is that our example here has great relevance to Mr. Khrushchev and his assessment of our inter-American system. Geneva and other recent contacts with the Soviet hierarchy have reenforced our belief that it is essential to do everything possible to remove misconceptions of our way of life on the part of the Soviet leaders. This is one aspect of our quest for peace and a more viable world order and this, rather than any change of policy or intention to negotiate bilaterally, explains our invitation to Premier Khrushchev to visit the United States. We intend to let him see as fully as possible all segments of our society and our institutions. We hope that this experience may remove some of the misconceptions which Communist dogma and distorted dialectic have implanted in his mind. Similarly, we hope that President Eisenhower will on his return visit be able to project a better proportioned image of the United States than the Soviet people have obtained after decades of Bolshevik propaganda. Vice President NIXON's recent visit has given us reason to believe that this is possible. We should not place too much hope on this exchange of visits but we can engage in the modest expectation that they will have influence in transplanting to an alien way of life some of those democratic values for which the Americas stand. I am sure you will agree with me that what we are doing here today, as well as the great cooperative American tasks that we will accomplish in the future, have a global as well as a hemispheric relevance, and are fundamental of democracy.

Mr. SMATHERS. Mr. President, I am sure we all join in support of Mr. Herter's recommendation that a peace commission be established to investigate the reasons for the critical tensions and warlike activities which greatly disturb the Caribbean scene at this time.

Mr. Herter reviewed the great desire for change, which is sweeping the Caribbean today, and the ardent wish of the peoples of the Caribbean lands—in fact of the people of all Latin America—to raise their standard of living and to increase their share of a better and fuller life.

Yet he points to a more immediate cause of discontent when he speaks of the serious strain to which the historic principle of nonintervention has been subjected.

Mr. Herter proposes a threefold program:

First, that the Foreign Ministers of the Organization of American States issue a declaration of faith in the basic principles of the inter-American system, asking that the difficult situation which has developed in the Caribbean be resolved in a spirit of cooperation.

Second, he suggested that the Foreign Ministers of the OAS consider establishing a special temporary committee which would be authorized to study the Caribbean situation and to report to the 11th Inter-American Conference of the OAS to be held in Quito, Ecuador, next February.

And finally he asked that the Foreign Ministers of the OAS consider establishing a permanent peace committee "authorized to consider problems of the sort that have plagued the Caribbean region before they reach a point of becoming threats to the peace."

Mr. President, I am sure all of us concur in every one of the recommendations made by the Secretary of State.

However, I should like to say that the recommendations of the Secretary of State, as someone has already noted, would constitute a watchdog committee of the Caribbean, or a watchdog of the Latin-American world. But it would represent nothing more than a toothless watchdog if at the same time there were not given to the committee the power and authority to enforce the decisions arrived at.

Senators will remember, Mr. President, that some 3 months ago I stood on the floor of the Senate to recommend that the United States pursue a policy of trying to establish an inter-American police force which would be highly mobile and small, which could be set up under the command of the Organization of American States. I felt that with such a mobile force we would be able to stop the adventurers from one nation invading a sovereign nation.

I think we could bring about peace in the Caribbean. We could stabilize the situation, and without a great cost to any one of the nations involved.

In the last 2 or 3 days we have read reports that the country of Panama feared it was going to be attacked again. Some information has been obtained that there was a revolutionary force mounting in Cuba. Recent reports from Haiti cause great concern about the welfare of that country.

I do not believe anything really lasting can be accomplished with a peace commission or a so-called watchdog commission until we give that watchdog certain teeth with which to enforce the decisions which it arrives at.

I am very gratified that the Committee on Foreign Relations, subsequent to my recommendations, considered the matter and endorsed my proposal at least partially, by recommending that the Organization of American States give thought to the matter of establishing an inter-American police force. I think if we had such a force we would find that the situation in the Caribbean would quickly be settled and that with it the integrity of each one of these countries could best be preserved.

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

Mr. SMATHERS. I yield to the able and distinguished Senator from Tennessee, a member of the Committee on Foreign Relations.

Mr. GORE. Mr. President, I concur in the statements of the able junior Senator from Florida. Perhaps the Senator will recall it was my amendment to the bill which passed the Senate, to authorize the appropriation of some $20 million, I believe, to the Organization of American States, for the purposes which the able Senator has outlined. Unfortunately, the other body did not accept the proposal, and the amendment was lost in conference.

We shall try again. What the able junior Senator from Florida has said is so pertinent and so persuasive that the Senate must recall his remarks when next we act in this field.

For the American states to have a watchdog committee, without any means of action, is much the same as having a policeman who has good eyes but whose hands are manacled behind him.

We must give to the hemispheric organization a force under its command to use not only as a police force within the hemisphere, as the able Senator has described it, but also as a force which can be integrated and unified for the defense of the Western Hemisphere. Would the Senator endorse that as a second purpose to be achieved?

Mr. SMATHERS. I completely agree with the statement of the able Senator from Tennessee.

Mr. President, I thank the Senator from Tennessee. I knew the Senator was the author of the amendment from the Committee on Foreign Relations. I know the Senator is on the right track.

Mr. President, I repeat again, I think our Secretary of State has done a magnificent job. Once again, this emphasizes the position of the United States with respect to its relationships with its neighbors in the South American area.

Having made the move forward, as the Secretary has done, by recommending the Peace Commission, it would now be a great deal wiser for us to take the next and logical step, to give to that Commission the so-called police force to which the able Senator from Tennessee referred, to give the authority to stop these adventurers who are organized and armed in one area but who have only one purpose, the destruction of the integrity of the government of another country.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial published in this morning's Washington Post and Times Herald entitled "Castro's Worst Enemy," which refers to the speeches that Fidel Castro himself makes.

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

CASTRO'S WORST ENEMY

Fidel Castro seems to be doing all he can to worsen the Caribbean muddle without winning himself any new friends. Those sympathetic to the Cuban Prime Minister are prepared to believe that Dominican Dictator Rafael Trujillo may have had an active part in the recent plot against the Castro regime. But it is hard to take seriously anyone who charges that the United States and the Organization of American States supported the plot—as Castro was quoted as saying by the New York Times. The assertion that the meeting of Foreign Ministers in Santiago, Chile, came about as a result of "Trujillo intrigue" is equally untrue. If this were so, why did the Cubans then join in the unanimous vote favoring the Conference, why is Cuba represented in Chile, and why is Prime Minister Castro reportedly considering a trip to the meeting himself?

The effect of farfetched language of this sort is to weaken credibility of everything Castro says and to isolate the Cubans from other free-minded regimes in the hemisphere. Zealous idealism cannot excuse patent irresponsibility. Doubtless Generalissimo Trujillo is a dangerous foe for the Prime Minister. But an equally damaging enemy, in terms of hemisphere opinion, is Castro's own tongue.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point another editorial published in yesterday's Miami Daily News, entitled "Hunger Amidst Plenty—Caribbean Paradox," written by an outstanding young editor, Bill Baggs.

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

HUNGER AMIDST PLENTY—CARIBBEAN PARADOX

(By Bill Baggs)

Everyday living across the street in the Caribbean neighborhood is not bad. It is ridiculous.

Millions of the people are hungry and yet they live on some of the most fertile lands of the earth.

Several of the countries in the Caribbean are very nearly bankrupt and yet their hills and mountains are treasuries of minerals needed by the industrial societies of the world.

A most kind climate presides over the Caribbean. There is fresh water. Magnificent harbors.

POOR, HARASSED

Looking down on the lovely green countries under the sun in the Caribbean, a visitor to earth might think that the people who live there are certainly fortunate people. Well, they should be. But they are not. They are poor, harassed human beings. The Indians who resided there 5 centuries ago enjoyed a much finer life.

It is tragic. But most of all, it is ridiculous.

At the moment, revolution or the threat of revolution can be heard in Cuba, the Dominican Republic, Honduras, Nicaragua, Panama, Guatemala, and Haiti.

Mostly, the people who plot to overthrow the governments of these countries are no better than the present proprietors. Worse, they manage a turmoil which has become the customary atmosphere in the Caribbean.

POINTLESS REVOLT

If one measures by history, it was inevitable that revolt was coming to the Caribbean. The people have lived in somewhat of an economic and political jailhouse since the Europeans came to settle the countries four and a half centuries ago. But the shame of what we are seeing today is that these revolutions so often appear pointless. Or almost pointless.

For instance what benefit for the people of the Dominican Republic if they sacked Trujillo in a revolution and got a leftwing dictatorship to succeed the present rightwing dictatorship? Would these mean better schools, medical care, more food, more opportunities for the people?

A Somoza succeeded a Somoza in Nicaragua. Violence in Haiti and then a new president.

In Guatemala, the old liberals were heaved out and new conservatives came in * * * people died and others suffered hunger and privation * * * but is there more food, more schools, better jobs?

Revolts simmer in Honduras, but very little changes. Also in Panama.

Then, the largest example, which is Cuba. Who would argue that Batista promoted a better life for more Cubans? I certainly would not. The list of crimes against democratic ideals when he presided is long and dreary. Under Castro, at least the wanton torture has stopped * * * but once again, do the people have more food, what about better schools for the children, medical care for the sick?

Revolution for the sake of revolution, or revolution which does not change affairs for the better, is a horrible event.

LESSON FOR CASTRO

In Mexico, there was a revolution which carried on a social change and Mexico slowly emerges as a strong, stable society in our hemisphere. The same in Costa Rica. And now in Venezuela. Ah, there is a lesson in Venezuela for Fidel Castro and all the other revolutionists.

A few days ago, Betancourt announced a land reform program for Venezuela. There was not the burly, nasty and vicious reaction which greeted Dr. Castro's land reform program. Why? Simply because Betancourt did not attempt to reform land ownership over the weekend throughout Venezuela. He is taking it slow, and making his steps certain.

IS IT NECESSARY?

Some day, the millions of abused people out there across the street in the Caribbean neighborhood are going to back off from these revolutions and ask themselves a question:

Is this one necessary?

If so, where does this revolution lead? What is the point of this revolution? How will it make the lives of the people better?

Only then can we end this great paradox * * * of people impoverished living in wealthy countries * * * because only then will revolutions become instruments to develop the lands for agriculture, the mountains for mines, the harbors for ships.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, I ask the Chair to lay before the Senate the message just received from the House of Representatives.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S., *August 14, 1959.*

Resolved, That the House insist upon its amendment to the bill (S. 1555) entitled "An act 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," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. BARDEN, Mr. PERKINS, Mr. LANDRUM, Mr. THOMPSON of New Jersey, Mr. KEARNS, Mr. AYRES, and Mr. GRIFFIN be the managers of the conference on the part of the House.

The amendment of the House of Representatives to Senate bill 1555, is as follows:

To strike out all after the enacting clause, and insert:

Table of contents

Sec. 1. Short title.
Sec. 2. Declaration of findings, purposes, and policy.
Sec. 3. Definitions.

TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Sec. 101. Bill of rights.
Sec. 102. Civil enforcement.
Sec. 103. Retention of existing rights.
Sec. 104. Right to copies of collective bargaining agreements.
Sec. 105. Information as to act.

TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

Sec. 201 Report of labor organizations.
Sec. 202. Report of officers and employees of labor organizations.
Sec. 203. Report of employers.
Sec. 204. Attorney-client communications exempted.
Sec. 205. Reports made public information.
Sec. 206. Retention of records.
Sec. 207. Effective date.
Sec. 208. Rules and regulations.
Sec. 209. Criminal provisions.
Sec. 210. Civil enforcement.

TITLE III—TRUSTEESHIPS

Sec. 301. Reports.
Sec. 302. Purposes for which a trusteeship may be established.
Sec. 303. Unlawful acts relating to labor organization under trusteeship.
Sec. 304. Enforcement.
Sec. 305. Report to Congress.
Sec. 306. Complaint by Secretary.

TITLE IV—ELECTIONS

Sec. 401. Terms of office; election procedures.
Sec. 402. Enforcement.
Sec. 403. Frequency of elections.
Sec. 404. Effective date.

TITLE V—SAFEGUARDS FOR LABOR ORGANIZATIONS

Sec. 501. Fiduciary responsibility of officers of labor organizations.
Sec. 502. Bonding.
Sec. 503. Loans to officers of labor organizations.
Sec. 504. Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment.
Sec. 505. Amendment to section 302, Labor Management Relations Act, 1947.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Investigations.
Sec. 602. Extortionate picketing.
Sec. 603. Retention of rights under other Federal and State laws.
Sec. 604. Enactment and enforcement of State laws.
Sec. 605. Service of process.
Sec. 606. Administrative Procedure Act.
Sec. 607. Other agencies and departments.
Sec. 608. Criminal contempt.
Sec. 609. Prohibition on certain discipline by labor organizations.
Sec. 610. Deprivation of rights under act by violence.
Sec. 611. Separability provisions.

TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

Sec. 701. Federal-State jurisdiction.
Sec. 702. Building and construction industry.
Sec. 703. Elections during strike.
Sec. 704. Vacancy in office of General Counsel.
Sec. 705. Boycott and recognition picketing.
Sec. 706. Effective date of amendments.

Short title

SECTION 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959".

Declaration of findings, purposes, and policy

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

Definitions

SEC. 3. As used in titles I, II, III, IV, V (except section 505), and VI of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).

(c) "Industry affecting commerce" means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affect-

ing commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(d) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Employer" means any employer or any group or associations of employers engaged in an industry affecting commerce (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work; and includes any person acting directly as an employer or indirectly as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(f) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.

(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relations of employer and employee.

(h) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, joint board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry, business, or activity affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraphs (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, joint board, or joint council, subordinate to a national or international labor organization, other than a State or local central body.

(k) "Secret ballot" means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(l) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficaries.

(m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

(n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive functions of a labor organization, and any member of its executive board or similar governing body.

(o) "Member" or "member in good standing", when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

(p) "Secretary" means the Secretary of Labor.

(q) The term "officer, agent, shop steward, or other representative", when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried nonsupervisory professional staff, stenographic, and service personnel.

(r) "District court of the United States" means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Bill of rights

SEC. 101. (a)(1) EQUAL RIGHTS.—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided,* That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

(3) DUES, INITIATION FEES, AND ASSESSMENTS.—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization or a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: *Provided,* That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

(4) PROTECTION OF THE RIGHT TO SUE.—No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided,* That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further,* That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined, except for nonpayment of dues, by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(b) Any provision of the constitution and bylaws of any labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

Civil enforcement

SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a district court of the United States for such relief as may be appropriate. Any such action

against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

Retention of existing rights

SEC. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

Rights to copies of collective bargaining agreements

SEC. 104. It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

Information as to Act

SEC. 105. Every labor organization shall inform its members concerning the provisions of this Act.

TITLE II—REPORTING BY LABOR ORGANIZATIONS, OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS, AND EMPLOYERS

Report of labor organizations

SEC. 201. (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

(2) the name and title of each of its officers;

(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transaction of the labor organization, (F) the calling of regular and special meetings (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures, (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) receipts of any kind and the sources thereof;

(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during such fiscal year, received more than $10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

(4) direct and indirect loans made to any officer, employee, or member, which aggregated more than $250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(6) other disbursements made by it including the purposes thereof.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforcible at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(d) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

(e) Clause (i) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: "and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with sections 9 (f), (g), (h)".

Report of officers and employees of labor organizations

SEC. 202. (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

Report of employers

SEC. 203. (a) Every employer who in any fiscal year made—

(1) any payment or loan, direct or indirect, of money or other thing of value (including reimbursed expenses), or any promise or agreement therefor, to any labor organization or officer, agent, shop steward, or other representative of a labor organization, or employee of any labor organization, except payments of the kinds referred to in section

302(c) of the Labor Management Relations Act, 1947, as amended; or

(2) any payment (including reimbursed expenses) to any of his employees, or any group or committee of such employees, for the purpose of causing such employee or group or committee of employees to interfere with, coerce, or restrain any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, unless such payments were contemporaneously or prior thereto disclosed to such other employees; or

(3) any payment (including reimbursed expenses) to a labor relations consultant or other person pursuant to any understanding or agreement under which such person undertook to compensate employees of such employer for (A) interfering with, coercing, or restraining any other employees of such employer in the exercise of rights guaranteed to such employees by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, or (B) procuring confidential information from other employees of such employer concerning the exercise of such rights; or

(4) any payment (including reimbursement expenses) to any person pursuant to any agreement or understanding by which such person undertook to provide such employer with the services of an individual, company, agency, or instrumentality engaged in the business of interfering with, restraining, or coercing employees in the exercise of rights guaranteed by this Act, section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, shall file with the Secretary a report, in a form prescribed by him, signed by its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment, loan, promise, or agreement and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

(b) Every person engaged in providing services to an employer as a labor relations consultant pursuant to any agreement or arrangement under which in any fiscal year he received a payment from an employer which must be reported by such employer under the provisions of subsection (a) (3) or (4), shall file a report with the Secretary in a form prescribed by him, signed by its president and treasurer or corresponding principal officers, showing in detail the date and amount of each such payment, and the name and address of the employer concerned, the names and occupations of any employees of such employer to whom compensation was paid under subsection (a) (3), and the name of the agency or instrumentality providing services under subsection (a) (4), and a full explanation of the circumstances of all such transactions, including the terms of any agreement or understanding pursuant to which they were made.

(c) Nothing contained in this section shall be construed as an amendment to, modification of, or limitation upon, the rights protected by section 8(c) of the National Labor Relations Act, as amended, nor shall any person be required to file a report with the Secretary in regard to any matter protected by section 8(c) of such Act.

(d) The term "interfere with, restrain, or coerce" as used in this section means interference, restraint, and coercion which, if done with respect to the exercise of rights guaranteed in section 7 of the National Labor Relations Act, would, under section 8(a) of such Act, constitute an unfair labor practice.

Attorney-client communications exempted

SEC. 204. Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar in any State, or any client of such an attorney, to include in any report required to be filed pursuant to the provisions of this Act any information which is confidential between the attorney and such client in the course of a legitimate attorney-client relationship, including but not limited to the existence of the relationship of attorney and client, the financial details thereof, or any information obtained, advice given, or activities carried on by the attorney within the scope of the legitimate practice of law.

Reports made public information

SEC. 205. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 201, 202, and 203 shall be public information.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 201, 202, or 203.

(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202, or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

Retention of records

SEC. 206. Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

Effective date

SEC. 207. (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

(b) Each person required to file a report under section 201(b), 202, or 203 shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, or 203, as the case may be, for only a portion of such a fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

Rules and regulations

SEC. 208. The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

Criminal provisions

SEC. 209. (a) Any person who willfully violates this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report or other information required under the provisions of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

Civil enforcement

SEC. 210. Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring an action for such relief as may be appropriate, including injunctions, to restrain any such violation and to compel compliance with this title. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the United States District Court for the District of Columbia.

TITLE III—TRUSTEESHIPS

Reports

SEC. 301. (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship and, semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information: (1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete

account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship and the trustees of the subordinate labor organization.

(b) The provisions of sections 201(c), 205, 206, 208, and 210 shall be applicable to reports filed under this title

(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section, or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.

Purposes for which a trusteeship may be established

SEC. 302. Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

Unlawful acts relating to labor organization under trusteeship

SEC. 303. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided,* That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Enforcement

SEC. 304. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate. Any member or subordinate body of a labor organization affected may bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain any violation of this title (except section 301) and for such other relief as may be appropriate.

(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

Report to Congress

SEC. 305. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

Complaint by Secretary

SEC. 306. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided,* That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

TITLE IV—ELECTIONS

Terms of office; election procedures

SEC. 401. (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot.

(b) Every local labor organization shall elect its officers not less often than once every three years by secret ballot among the members in good standing. Every bona fide candidate shall have the right to inspect and copy a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment, which list shall be maintained and kept at the principal office of such labor organization by a designated official thereof. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

(c) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

(d) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not more than forty-five days and not less than fifteen days prior to the last possible date on which nominations can be made, notice of the time and manner of making nominations and of the place and date of election shall be given in a manner which is reasonably calculated to inform all or substantially all of the members eligible to vote in such election. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted and the results shall be published separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(e) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other official records of the convention pertaining to the election of officers.

(f) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

(g) If upon petition of any member of a labor organization, a district court of the United States finds the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, a district court may order that for the cause shown and after due notice and opportunity for a hearing, an election shall be conducted by the officers of such labor organization among the members in good standing, voting by secret ballot, and in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title, for the purpose of determining whether such officer shall be removed from office. For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judg-

ment awarded to the plaintiff or plantiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

Enforcement

SEC. 402. (a) A member of a labor organization—

(1) who is aggrieved by any violation of section 401, and

(2) who (A) has exhausted the reasonable remedies available under the constitution and bylaws of such organization and of any national or international labor organization with which such organization is affiliated, or (B) has diligently pursued such available remedies without receiving a final decision within six calendar months after their being invoked,

may bring a civil action against such labor organization in any district court of the United States for the district having jurisdiction of such labor organization to prevent and restrain such violation and for such other relief as may be appropriate including the holding of a new election under the supervision of the Secretary and in accordance with the provisions of this title. Where an election has already been held at the time such action is brought, such election shall be presumed valid pending a final decision thereof, as hereinafter provided, and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

(b) For purposes of this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization in the district in which such labor organization maintains its principal office. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff, or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

(1) that an election has not been held within the time prescribed by section 401, or

(2) that a violation of section 401 affected the outcome of an election,

the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization.

(d) An order directing an election, dismissing an action, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but the court, in its discretion, may refuse to stay an order directing an election pending an appeal therefrom.

Frequency of elections

SEC. 403. No labor organization subject to the provisions of this title shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

Effective date

SEC. 404. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner. If no such convention is held within such two-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

TITLE V.—SAFEGUARDS FOR LABOR ORGANIZATIONS

Fiduciary responsibility of officers of labor organizations

SEC. 501. (a) The officers, agents, shop stewards, and other representatives of labor organizations occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolutions of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with his duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. A general exculpatory provision in the constitution and bylaws of such a labor organization or a general exculpatory resolution of a governing body purporting to relieve any such person of liability for breach of the duties declared by this section shall be void as against public policy.

(b) When any officer, agent, shop steward, or representative of any labor organization is alleged to have violated the duties declared in subsection (a) and the labor organization or its governing board or officers refuse or fail to sue to recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the labor organization, such member may sue such officer, agent, shop steward, or representative in any district court of the United States or in any State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

(c) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more than $10,000 or imprisoned for not more than 5 years or both.

Bonding

SEC. 502. (a) Every officer, agent, shop steward or other representative or employee of any labor organization (other than a labor organization whose property and annual financial receipts do not exceed $5,000 in value), or of a trust in which a labor organization is interested, who handles funds or other property thereof shall be bonded for the faithful discharge of his duties. The bond of each such person shall be fixed at the beginning of the organization's fiscal year and shall be in an amount not less than 10 per centum of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year. If the labor organization or the trust in which a labor organization is interested does not have a preceding fiscal year, the amount of the bond shall be, in the case of a local labor organization, not less than $1,000, and in the case of an international labor organization or of a trust in which a labor organization is interested, not less than $10,000. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bond shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of a labor organization or of a trust in which a labor organization is interested. No such bond shall be placed through an agent or broker or with a surety company, in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the Act of July 30, 1947 (6 U.S.C. 6–13), as an acceptable surety on Federal bonds.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Loans to officers of labor organizations

SEC. 503. (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $2,500.

(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employee convicted of any willful violation of this Act.

(c) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

Prohibition against Communists, ex-Communists, and persons convicted of certain crimes holding certain offices and employment

SEC. 504. (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grevious bodily injury, or a violation of title II or III of this Act, or conspiracy to commit any such crimes, shall serve—

(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization, or

(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee (other than as an employee performing exclusively clerical or custodial duties) of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party,

or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction in which such person was convicted. The Board's determination in any such proceeding shall be final.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) For the purposes of this section, any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

Amendment to section 302, Labor Management Relations Act, 1947

SEC. 505. Subsections (a), (b), and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"SEC. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employees who are employed in an industry affecting commerce; or

"(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce; or

"(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"(b) (1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided,* That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties including acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: *Provided,* That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided,* That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: *Provided,* That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

TITLE VI—MISCELLANEOUS PROVISIONS

Investigations

SEC. 601. (a) The Secretary shall, when he has probable cause to believe that any person has violated any provision of this Act, other than a provision of title I, make an investigation, and in connection therewith he may inspect such records and accounts as may be necessary to enable him to determine the facts relative thereto.

(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him.

Extortionate picketing

SEC. 602. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall be fined not more than $10,000 or imprisoned not more than twenty years, or both.

Retention of rights under other Federal and State laws

SEC. 603. (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

(b) Nothing contained in titles I, II, III, IV, V (except section 505, or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

Enactment and enforcement of State laws

SEC. 604. Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes.

Service of process

SEC. 605. For the purposes of this Act, service of summons, subpena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

Administrative Procedure Act

SEC. 606. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rules or regulations, or any procedure, authorized or required pursuant to the provisions of this Act.

Other agencies and departments

SEC. 607. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

Criminal contempt

SEC. 608. No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any district court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

Prohibition on certain discipline by labor organization

SEC. 609. It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act. The provisions of section 102 shall be applicable in the enforcement of this section.

Deprivation of rights under act by violence

SEC. 610. It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this Act. Any person who willfully violates this section shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

Separability provisions

SEC. 611. If any provision of this Act is held invalid, the remainder of this Act shall not be affected thereby.

TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT, 1947, AS AMENDED

Federal-State jurisdiction

SEC. 701. Section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(c)(1) The Board, in its discretion, may, by rule of decision or by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employers, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

Building and construction industry

SEC. 702. (a) Paragraph (1) of subsection (c) of section 9 of the National Labor Relations Act, as amended, is amended by inserting the word "or" after the semicolon at the end of clause (B) and adding the following new clause:

"(C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) and has entered into a collective bargaining agreement with such labor organization;".

(b) Such paragraph (1) is further amended by inserting a colon before the period at the end thereof and adding the following language: "*Provided*, That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of all the employees of an employer referred to in said clause (C) in such unit as the Board may find is normally represented by the labor organization in the building and construction industry for the purposes of collective bargaining with respect to rates of pay, wages, hours, and other conditions of employment: *Provided further*, That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf alleges, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)".

Elections during strike

SEC. 703. The second sentence of section 9(c)(3) of the National Labor Relations Act, as amended, is amended by inserting immediately before the period at the end thereof a colon and the following: "*Provided*, That in any lawful strike in which recognition was not an issue when the strike began, no direction of election pursuant to a petition filed after the commencement of the strike by any person other than the bargaining representative shall issue prior to the termination of such strike as determined by the Board or the expiration of a six-month period from the commencement of such strike (or a twelve-month period if the petition is filed by an employer), whichever occurs sooner".

Vacancy in Office of General Counsel

SEC. 704. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted."

Boycotts and recognition picketing

SEC. 705. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is:

"(A) forcing or requiring any employer or self-employed person to join any labor or employer organization;

"(B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9;

"(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9;

"(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further*, That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful, any strike against, or a refusal to perform services for any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act or in violation of a collective bargaining agreement, if such strike was ratified or approved by the representatives of such employees whom such employer is required to recognize under this Act, and the refusal is limited to services which would ordinarily be performed by the striking employees."

(b)(1) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease

or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any collective bargaining contract entered into heretofore or hereafter containing such an agreement shall be to such extent unenforcible and void."

(2) Any contract or agreement between an employer and a labor organization heretofore or hereafter executed which is, or which calls upon anyone to engage in, an unfair labor practice under section 8(e) of the National Labor Relations Act, as amended, shall to such extent be unenforcible and void.

(c) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative, unless such labor organization is currently certified as the representative of such employees:

"(A) where the employer has lawfully recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act, or

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"(C) where the labor organization cannot demonstrate that it has a sufficient showing of interest on the part of the employees to support a petition for an election under section 9(c), or

"(D) where such picketing has been engaged in for a reasonable period of time (not exceeding thirty days) and at the expiration of which period no petition under section 9(c) has been filed.

Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section (8)(b)."

(d) Section 10(l) of the National Labor Relations Act, as amended, is amended by adding after the words "section 8(b)," the words "or section 8(e) or section 8(b)(7),".

(e) Section 303(a) of the Labor Management Relations Act, 1947, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) or section 8(b)(7) of the National Labor Relations Act, as amended."

Priority in case handling

SEC. 706. Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (l)."

Effective date of amendments

SEC. 707. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act and no provision of this title shall be deemed to make an unfair labor practice any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate disagree to the House amendments and agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I should like to make a brief explanatory statement.

It is my understanding that the Committee on Labor and Public Welfare will recommend that members of the Subcommittee on Labor on both sides of the aisle be the conferees on the part of the Senate in connection with this very important measure.

It is my further understanding that the Senate conferees will meet with the House conferees at the earliest opportunity, and will meet at every opportunity for the next few days, in an attempt to arrive at a reasonable agreement with the other body.

The chairman of the subcommittee [Mr. KENNEDY] has assured me and the minority leader that if the conferees are unable to reach an agreement within a reasonable time, which would permit the Senate adequate opportunity to debate this measure before adjournment, he will come back to the Senate and ask for instructions from the Senate.

I remind Senators that even if that were not done, any Member of the Senate could at any time make a motion to discharge the conferees and bring the bill back to the Senate for disposition.

I have talked with the distinguished chairman of the Select Committee to Investigate Improper Activities in Labor-Management Relations [Mr. MCCLELLAN]. I have discussed the subject with the distinguished minority leader [Mr. DIRKSEN]. I assure the Senate that in my opinion the Senate will have adequate and ample opportunity at this session to debate and to vote on the kind of labor bill it wants. However, I believe that, in view of the fact that no committee has ever considered in detail the bill as passed by the House; in view of the fact that some 80 amendments were added to the Senate bill as passed; in view of the fact that the House itself has requested a conference, and has already appointed conferees; in view of the fact that the chairman of the Subcommittee on Labor [Mr. KENNEDY], who is expected to be chairman of the Senate conferees, has stated that if within a reasonable time an agreement cannot be reached, he will come back and ask the Senate for instructions; and in view of the fact that the chairman of the Select Committee to Investigate Improper Activities in Labor-Management Relations, the majority leader, and the minority leader, have agreed that they will see to it that ample opportunity is afforded for full debate and a vote on this important measure before adjournment, I hope the Senate will agree to the orderly procedure suggested.

I now yield to the minority leader.

Mr. DIRKSEN. Mr. President, sensible of the high interest in the action of the House, the size of the vote, and the nature of the bill, I feel that it was only natural that there should be high interest in the procedure which the Senate would follow.

Obviously it would be in order under the rule to move to concur in the House substitute. Such a motion would have high priority.

Another course would be to send the bill to conference and take a reasonable time to examine into it, inasmuch as no committee report accompanied the Landrum-Griffin bill, and then, after a reasonable time, to come back to the Senate and let the Senate work its will, by way of instruction or otherwise.

I have a question or two. The first question I direct to the distinguished Senator from Massachusetts. I ask him whether or not it is agreed that the members of the subcommittee which handled the bill in the Senate Committee on Labor and Public Welfare will be the conferees on the part of the Senate.

Mr. KENNEDY. It is my understanding, based upon a decision by the chairman of the committee, the distinguished Senator from Alabama [Mr. HILL], that that will be the case.

Mr. HILL. Mr. President, it is agreed that members of the Subcommittee on Labor of the Senate Committee on Labor and Public Welfare will be the conferees on the part of the Senate.

Mr. DIRKSEN. My second question is this: Inasmuch as time is an element, and we are moving into the area where everyone is speculating about adjournment, when would the conferees be likely to meet? Obviously the meetings will be informally arranged. The conferees will meet when they can, or at the request of one body or the other.

Mr. JOHNSON of Texas. I would say, Mr. President, that I would urge the Senator from Massachusetts and the Senate conferees to seek understanding for a meeting today if at all possible, and certainly tomorrow morning at the latest, if that could be arranged.

Mr. DIRKSEN. A third question arises, Mr. President, as to what constitutes a reasonable time for the conferees to meet before any informal determination is made that evidently agreement cannot be achieved, and therefore they should come back to the Senate for further instructions.

Mr. KENNEDY. I would say to the Senator from Illinois that in fact one of the matters which will occupy the attention of the conference will be an attempt to get a more basic definition of the word "reasonable" in the section dealing with picketing. It will be recalled the Landrum-Griffin bill provides for permitting picketing for a reasonable time. So there is always the question of definition as to what is a reasonable time, when a genuine effort has been made on both sides to reach an agreement, and it is obvious that an agreement is not going to be forthcoming.

My feeling would be that by some time next week we should have reached the point where information on that subject would be available to both the House and Senate conferees.

Mr. DIRKSEN. Mr. President, the factor of time is a telling one, and I know some concern has been expressed among some of our colleagues as to when the conferees might return to the Senate with some report. It is my personal belief that probably by Friday of this week we should probably have a concept of what the situation is going to be, so that the conference committee ought to be prepared, I think, to return to the Senate with an informal or formal report requesting instructions.

Mr. KENNEDY. I believe that is too early. I do not know that we can meet today. We are definitely going to meet tomorrow.

I hope to see the chairman of the House conferees today to see if we can set up a schedule. I think we should be able to, and I am hopeful that we may submit a final report sometime next week.

It will be difficult to reach an accommodation, and I therefore would appreciate some leeway. Any member of the conference committee can make a report to the Senate at any time, and, secondly, any member can move to discharge.

I am in agreement with the statement of the majority leader, that in a reasonable time we should return to the Senate, certainly in plenty of time before adjournment.

Mr. JOHNSON of Texas. I should like to say to the Senator from Illinois that I have some specific dates in mind, and it was at his suggestion that I used the word "reasonable," which is used in the bill passed by the House. I assure the Senator from Illinois, and I desire to assure all the Members of the Senate, as I have tried to do all along, that I do not expect to move for a sine die adjournment unless and until Congress has had an opportunity to vote on this labor matter. We were held in session for 9 days and nights to get a bill passed in the Senate, and I am prepared to ask the Senate to come in early and to stay late, and to give it the very highest priority.

If we do not know by the end of this week or early next week, and there are no prospects offered of agreement, I have no doubt that the Members of the Senate will recognize the situation, and will take action accordingly.

I do not think we ought to say that we have until Wednesday midnight to act, or Thursday, or Friday, or even Monday, and I hope the Senate has enough faith in my assurance that I am going to ask the conferees what progress they are making. If they are not making progress, any member of the conference may ask for instructions, and the chairman has already stated that he would. I would not desire to have the matter taken away from him, but trust that he will return and himself ask for instructions.

Mr. DIRKSEN. Mr. President, let me finish my comment. I should like to have the attention of the Parliamentarian.

Assuming that the bill shall still be in conference and no agreement has been reached and a reasonable time has elapsed, it is my understanding that under the rule, notwithstanding the fact that the bill is pending in conference, a motion will be in order to instruct the conferees with respect to continuing further in disagreement, or embracing the House position on one or more differences.

The VICE PRESIDENT. That objective could be accomplished in the form of a Senate resolution.

Mr. DIRKSEN. By a Senate resolution; not by a simple motion?

The VICE PRESIDENT. Either would have the same effect.

Mr. DIRKSEN. So that a formal or informal resolution, even though the bill is pending in conference and no agreement has been reached, could be taken up. I am not sure that it is privileged. Would it be privileged?

The VICE PRESIDENT. It would not be privileged.

Mr. DIRKSEN. It would not be privileged. So it would have to lie over for a day after its submission?

The VICE PRESIDENT. If there were objection, yes.

Mr. DIRKSEN. Mr. President, then I ask the majority leader at this point whether, when we have agreed that it seems a reasonable time has elapsed and there is no hope of agreement, he would be prepared to submit such a resolution, letting the Senate work its will on an instruction to the Senate conferees.

Mr. JOHNSON of Texas. I have assured the Senate, I have assured the Senator from Illinois [Mr. DIRKSEN], and I shall repeat, that once the conference has spent sufficient time on this matter for the conference to have agreed that they need instructions, and that they are unable to reach an agreement, I shall be perfectly willing, and I am prepared to so move myself, or to join with other Senators in moving, to discharge the conferees, if they themselves have not asked that that be done.

Mr. DIRKSEN. I have one more question. It is, of course, always possible, in view of the fact that the resolution to which I referred a moment ago will not be privileged, for intervening business to prevent action on that kind of resolution. I ask the majority leader if he would be prepared to move to set aside the pending business in order to take up that kind of resolution.

Mr. JOHNSON of Texas. I am prepared always to keep my commitments. The Senator from Illinois understands the commitment I have made publicly and privately, namely, that after a reasonable time in conference, if an agreement cannot be reached, and if the chairman of the Committee on Labor and Public Welfare will return to the Senate and ask for instructions, I am prepared to see to it that the Senate will have an opportunity to give those instructions by a vote of the majority of the Senate.

I now yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I have a question I wish to ask the distinguished majority leader; then I wish to make a short statement.

In the event the conferees do not reach an agreement, and the resolution to discharge the conferees is successful, will the Senate then have an opportunity to vote on the bill as it came from the House as a substitute for S. 1555?

Mr. JOHNSON of Texas. I should think any Senator could make a motion to that effect and get a vote on it.

Mr. GOLDWATER. Very well. Now I wish to make a brief statement to the Senate.

I think it is best that this matter go to conference. The Landrum-Griffin bill, which came over from the House this morning, is, in my estimation, a very good bill, but I see some places in it which I feel can be improved by conference.

I repeatedly said on the floor of the Senate during the debate on S. 1555 that had it been called a reporting bill I could have supported it. I could not support it because it was not in my estimation a reform measure.

There are contained in S. 1555, which passed the Senate, some very salutary features which I think, if they could be incorporated by the conferees into the House bill, would result in a bill the House could readily agree on, and that it would be a better bill for the American people and for the American workingman. Therefore, I am hopeful that the Senate will allow the bill to go to conference, and I think I speak for the Republican members of the conference in saying that we will bend every effort on our part to seeing that we do come back with a bill the Senate can support freely and without any fear.

There are controversial parts in both bills, to be sure. One does not write legislation in the field of labor and expect to achieve unanimity on it. We cannot even get the lawyers on the staff to agree that the language is correct in every instance. We cannot get labor leaders to agree among themselves as to what is good and what is bad. We have a difficult time resolving the differences between the heads of the various business associations as to what is good and what is bad. But we must keep in mind constantly what is good for the American public, what is good for the Republic, and then we can worry about what is good for business associations and labor organizations.

So, Mr. President, I am extremely hopeful that the conference will result in a better labor bill. I am convinced by the promises of the majority leader reassuring the minority leader that no effort will be made to block a vote in the event of failure of the conferees to reach agreement. I am convinced that the term "reasonable time" does not have to be spelled out between reasonable men, and that "reasonable time" could be satisfied by action by the end of this week or the first part of next week. I have that confidence in the judgment of the Senator from Massachusetts. I think that between reasonable men we can come to a determination as to when we are not making progress; and, with the assurance of the majority leader that the actions he has outlined will be taken, I urge that this matter go to conference.

Mr. JOHNSON of Texas. The Senator from Massachusetts [Mr. KENNEDY] and the subcommittee which carefully

considered the bill will, no doubt, as the Senator has suggested, want to review the 80-some amendments which the House added to the bill. It is my understanding that the House has really never voted on the bill which the Senate passed. It may be that if we are unable to reach an agreement promptly in conference, either body would want to vote on various and specific issues. That right certainly is preserved. I can give no assurance on behalf of anyone except myself, and the chairman of the Committee on Labor and Public Welfare and the chairman of the Subcommittee on Labor. But after talking with the Senator from Massachusetts, and the Senator from Arkansas [Mr. McCLELLAN], who has had such broad experience in this field and is chairman of the Rackets Committee, I have agreed with the distinguished minority leader that orderly procedure requires that a reasonable opportunity be given reasonable men for a reasonable time. If agreement is not then reached, either body has it within its power to take any action it may decide ought to be taken in the public interest.

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

Mr. JOHNSON of Texas. I yield.

Mr. GORE. In that connection, the papers will be in the hands of the managers on the part of the other body.

Mr. JOHNSON of Texas. The Senator is correct.

Mr. GORE. In the event no agreement is reached, and that is reported to the two respective Houses of Congress, the papers, being in the hands of the managers on the part of the other body, the vote would likely first come in the other body, as the majority leader has pointed out. The other body has not yet voted upon the bill which the Senate passed by a vote of 90 to 1.

I concur in the recommendations of the majority leader. It would be an act of denigration on the part of the Senate to refuse a request on the part of the other body to go to conference on a bill which the Senate committee and the Senate itself have expended so much thought and consideration, and which, in my opinion, is a superior bill.

There are certain points in the Senate bill which I think are superior, and some in the House bill which may be preferable. It seems to me, as the able Senator from Texas has stated, that reasonable men, given a reasonable time, can take the best of the two bills and we can thus enact for the country the best possible legislation in this vexatious field. But I point out that in the case of an impasse the papers would be in the hands of the managers on the part of the other body.

Mr. JOHNSON of Texas. The Senator from Tennessee is correct. I now yield to the Senator from Arkansas [Mr. McCLELLAN], who has done notable and outstanding work in this field.

Mr. McCLELLAN. Mr. President, I associate myself with those who believe that the situation requires orderly procedure. I do not believe it would be the better part of wisdom, in the case of a highly controversial bill, even though a small majority might favor the bill passed by the House, to set a precedent by not granting a conference and giving an opportunity to the conferees to work out a bill to be referred back for acceptance or adoption by both Houses.

I have said before that, in my judgment, the House amendment and the Senate bill taken into conference will present an opportunity for the conferees to take the best of the two bills, according to their judgment of what is best, and work out what will be a better bill than the House amendment.

There is also the opportunity, which I hope it will not be successful, so to weaken the measure that we would have nothing better than what came out of the Senate. There is now opportunity to get a better bill than the one which the Senate passed, and an opportunity to take the best of the two measures and get a better measure than either House passed. I hope that will be done. I cannot predict that it will be done, but the opportunity is presented.

I associate myself with those who have expressed the view that there must be a vote on proposed labor legislation at this session. We must pass a bill; that is, the Senate must have the opportunity and the House must have the opportunity to vote for or against the conference report, or to vote for the Senate bill as the final measure, or to vote for the House amendment as the final measure. That ought to be done at this session.

I would not associate myself with any parliamentary procedure, maneuver, or action which would prevent final action on this proposed legislation at this session of Congress.

Mr. STENNIS. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. STENNIS. Mr. President, decisive action by the House in passing a strong labor bill designed to protect the rights of labor, management, and the public presents a direct challenge to the Senate for early and decisive action.

We need strong labor legislation this session.

I favor adoption of the House amendment by the Senate although I am willing for conferees to make a reasonable attempt to work out even a better bill.

The abuses and illegal practices uncovered by the McClellan committee have aroused strong concern throughout the country. The Federal Government, having almost wholly occupied the field of labor-management relations, has nevertheless left many loopholes in the law which have become subject of abuse by racketeers and hoodlums who use the honest labor movement to feather their own nest. As often as not, their raw power is directed against their own union members to whom they should owe unswerving loyalty, as it is directed against employers for the purposes of blackmail and extortion. These abuses must be curbed by force of law.

I do not believe that any bona fide union has anything to fear from the enactment of the Landrum-Griffin bill. On the contrary, the rank and file union member or employee in a union plant may feel, with new confidence, that his rights will be fully protected by the force of the law supported by the force of public opinion.

Surely, any labor legislation enacted this session should contain express prohibitions on secondary boycotts and blackmail picketing. The House amendment's text contains language on this subject similar to that offered by the senior Senator from Arkansas [Mr. McCLELLAN] in the Senate. I supported these amendments at that time, and still support them, and urge their inclusion in permanent law. I think this is the absolute minimum protection the public has the right to expect of any labor reform legislation enacted.

Mr. President, I have been encouraged by the assurances of the majority leader, of the chairman of the Committee on Labor and Public Welfare, and the chairman of the Subcommittee on Labor. I am impressed by what the Senator from Arizona [Mr. GOLDWATER] said. I am entirely willing to leave this very important matter to the judgment of the Senators who are charged with the primary responsibility of handling it. I know they have done excellent work. But I definitely think the time has now come when the individual Members of the Senate must express themselves, and let whatever judgment they may have on the subject be known.

I would favor now the enactment of stronger legislation than the Senate passed, particularly including the ban on the secondary boycott, and illegal picketing, or blackmail picketing, whatever the correct term is, and the retention of those provisions in the bill. I would favor the adoption of the House amendment now rather than to take the serious chance of not getting some legislation to protect the public and also to protect labor and management.

Some Senators on this side of the aisle could not fully hear the statement of the Senator from Massachusetts. As I understood him, he said he had in mind trying to get a final report this week. I am not trying unduly to press the Senator from Massachusetts or any other member of the committee, because I know that it takes time to consider such matters properly, and whatever language is used in drafting the proposed legislation should be deliberately drawn. But I did want to get from the Senator a statement as to the possible timetable which he has in mind.

Mr. KENNEDY. I hope it will be next week, although as I said to the majority leader it took 19 sessions of the Subcommittee on Labor before S. 1555 was reported. This is a complicated matter. There will be a bill at this session of Congress. The question is whether it will be the bill which was passed by the Senate, the amendment which was adopted by the House, or a compromise bill. I believe I can guarantee, on behalf of all members of the conference, on both sides of the aisle, that it will be one of those three choices. I hope we can reach an accommodation.

Mr. STENNIS. I thank the Senator from Massachusetts. I now wish to address a question to the Chair.

As I understand, should there be a deadlock, or should any Senator wish to

proceed, after we have the chance to move to adopt the House amendment, is it correct to say that any Senator can move to bring the bill back from the conference to the floor, or will a formal resolution have to be submitted, and the resolution be considered by the committee?

The VICE PRESIDENT. A concurrent resolution would be required to bring the bill out of committee, but any Senator could submit a resolution to instruct the conferees or to discharge the conferees on the part of the Senate.

Mr. STENNIS. Could a motion be made in an informal manner from the floor stating what the instructions are?

The VICE PRESIDENT. Such a resolution would not be required to go to the committee. It could be submitted by a Senator and considered by the Senate on the same day, if unanimous consent were granted; if objection were raised, it would have to lie on the table for 24 hours.

Mr. STENNIS. And after 1 day it would be a privileged matter, would it?

The VICE PRESIDENT. It would not be a privileged matter.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. The point the distinguished Senator from Mississippi has made is quite important, and it is one which I raised. First, we must bear in mind that in the conference committee there might be disagreement, and, therefore, there might be no conference report.

The question now before us is whether we can instruct the Senate conferees while the matter is still in conference. The answer which has been given is that the conferees can be instructed by motion or by concurrent resolution, although such a motion or concurrent resolution would not be privileged and would have to lie over for 1 day. However, notwithstanding the fact that the bill was still in conference, the Senate could instruct its conferees in regard to what to do.

The VICE PRESIDENT. The Senator from Illinois is correct.

Mr. STENNIS. My desire is to find out what, if anything we would be waiving today. I believe that we could gain some things by having the measure go to conference. But the question is whether we shall be waiving anything of a procedural nature today.

The Chair has already ruled, as I understand, that such a motion or concurrent resolution could be taken up today if unanimous consent were given. Is that correct?

Mr. JOHNSON of Texas. That is my understanding.

Mr. MUNDT. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I should like to address myself to the question of the Senator from Mississippi as to whether, in connection with strong labor legislation, we run the risk, today, of waiving something which we could not recapture at a later date. I think that is the point which sincerely concerns the Senator from Mississippi, and I know it is the point which sincerely concerns me. I know I have devoted a great many conferences and considerable study to it ever since the House adopted, last Thursday by a substantial vote, the Landrum-Griffin bill, by its crucial roll-call vote on August 13.

I think several things stand out as clearly as the noonday sun. The first is that the one clear opportunity for the Senate to have an opportunity to vote on the Landrum-Griffin bill is here, today, on the basis of a preferential motion to make that measure the order of business of the Senate, instead of sending it to conference. I think no Senator will deny the accuracy of that statement. Any Senator who has a strong desire to have the Landrum-Griffin bill passed as it now stands must recognize that now we have the opportunity to pass that bill; and that is the one, clear way for the Senate to pass it, without any uncertainty or ambiguity.

On the other hand, I think any Senator who has served in the Senate very long recognizes that the legerdemain of parliamentary procedure frequently produces surprises which would have astonished Houdini; and I think it is clear that such a result may obtain now unless we take action to vote on Landrum-Griffin today, or receive definite assurances we shall not be denied that opportunity later this week or next.

Mr. JOHNSON of Texas. Mr. President, if the Senator from South Dakota will yield, I should like to point out that many other procedures would take precedence over such a motion in regard to the Landrum-Griffin bill.

I do not think any reasonable Senator would want to have the Senate pass immediately on 80-odd amendments which have not been passed on by the Senate committee, unless that Senator wished to put an end to all Senate committee procedures. Most prudent Members believe that when proposals are made, they should be considered by the committee experts.

No one contends that the Senate committee has had an opportunity to consider these 80-odd proposals. Most of the experts on the subject agree that the first five titles of the Kennedy-Ervin bill are substantially stronger than the corresponding provisions of the House bill; and we would not want, in one fell swoop, to throw into the ashcan the first six titles of the Kennedy-Ervin bill.

We hope that the judgment arrived at by means of 19 various committee meetings and 9 days and nights of Senate debate will at least be presented to a conference between conferees on the part of the Senate and conferees on the part of the House.

I do not know how much assurance is necessary; but I have given all the assurance that I think reasonable Members should want or should expect—namely, that if the conferees are unable to agree on a conference report to both Houses, then the chairman of the subcommittee, on his honor, will ask for such instructions, at which time we can vote on the Landrum-Griffin bill, if we wish to do so; and if the chairman of the subcommittee did not do that—although I would never anticipate that he would fail to do it—I would be prepared to join the chairman of the committee and the chairman of the Antirackets Committee and the chairman of any other committee who desired to participate in it, in a motion to discharge the committee from the further consideration of the measure, so that the Senate itself could amend the bill in any respect whatsoever.

I am not going to take the position that I will make a final commitment that I will favor having the Senate abandon everything it has done, and accept everything the other body has done.

I believe the Senate should have an opportunity to work its will, even if it has to remain in session until the 3d of January, so far as I am concerned; and I shall try to lead a sufficient number of Members on both sides to take action to see to it that that is done, if the Senate wishes to do it.

In the present circumstances, our anticipation is merely that orderly procedure will be followed. I have never been one to favor intercepting bills. I think the soundest part of our legislative procedure is the committee procedure. Although on rare occasions I have had to vote against the recommendations of Senate committees, generally speaking I think a committee which has specialized in the field and has spent days and nights in the consideration of special bills, has greater knowledge of what they contain or what they should contain than does an individual Senator who is not even on the committee. So I want to preserve the committee system.

It is very unusual to move that the Senate abandon everything it has done, and immediately concur in everything contained in a bill passed by the other body, when the bill is of such magnitude, and when it was rewritten by the other body by means of 80-odd amendments, which amounted to entirely new and additional and far-reaching proposals in the nature of a substitute. I hope the Senate will not reach the point where it feels it must proceed in that way.

On the other hand, I know that it was with my approval and at my motion that the Senate created the Antirackets Committee; and whenever it has sought authority or funds, its request has been supported without equivocation from this side of the aisle.

I labored into the night to get the Senate to pass such a bill as this last year, and I am sorry that the other body did not see fit to pass that bill last year, too.

I brought up the measure early at this session, and the Senate spent 9 days and nights in working to pass the bill at this session.

At this time I am willing to spend 9 days or 19 days to see that such a bill is enacted into law. I realize what will be required. But before the measure goes to conference, I am not willing to abandon everything the Senate already has done. I do not wish to leave the impression that the Kennedy-Ervin bill does not deal properly with racketeers in the labor field. As a matter of fact, I am informed by good technicians who have reviewed both bills that, so far as the first 6 titles of the Kennedy-Ervin bill

are concerned—and they constitute the antiracketeering parts of that bill—the Senate bill is stronger and contains stronger penalties than the House bill. I am also informed that some parts of the House bill have great appeal.

I should like to have the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Arizona [Mr. GOLDWATER], the chairman of the subcommittee and the ranking minority member, sit down with the chairman of the House Labor Committee and Mr. LANDRUM and Mr. GRIFFIN, and exchange views for 3 or 4, or 5 or 6, or 8 or 10 days, if necessary, or for a sufficient length of time to enable them to know whether they can agree or whether they cannot agree. If they report to us that they cannot agree, then we shall take prompt action.

Mr. MUNDT. Mr. President, the Senator from Texas is correct when he says he has supported the requests of the McClellan committee, on which I have labored for more than 2 years, by means of helping provide all the authority and all the funds the committee has requested.

But now we want to go one step further, beyond the authority and beyond the funds, we want to get effective results. Now we are talking about trying to enact into legislation some of the results of the hearings and the investigations the committee has conducted.

The Senator from Texas has also said he has given us some assurances. But I am leading up to the most important assurance of all, which has not yet been given, but which I think should be given, and which I think Senators should have clearly in mind as one which it is important to have stated for the RECORD now, before we consider such a preferential motion, should it be necessary.

First I want to make a couple of points. One is that the one, clear, positive time when we can vote on the Landrum-Griffin bill provisions is today. The machinery is here. The parliamentary procedures are available. Members of the Senate are acquainted with the facts. We can do it now. There is no question about that.

Mr. JOHNSON of Texas. Mr President, will the Senator yield at that point? I point out to him that the Senator could vote on it if he wanted to, but there are 97 other Senators, and they might like to discuss and analyze it. So it is not just a matter of pressing the button and saying we have the parliamentary procedures to vote on it now.

Mr. MUNDT. Should the conferees bring out a bill slightly stronger, slightly more restrictive of labor, should it include those elements in the first five titles which we all recognize are somewhat better as they passed the Senate than as they passed the House, and should that measure go back to the House of Representatives, that might be a way of killing labor legislation.

There was a very narrow margin on the crucial vote in the House on Thursday. Should the bill be sent back to the House, who can say what will happen in the House, remembering that slim 28-vote margin on the crucial vote? Would that require another television talk by the President? Would that require another great period of lobbying on both sides of the issue? Or might the result of sending the bill to conference and back to the House result in no legislation at all? It is something to consider. It is something we can avoid if we adopt the Landrum-Griffin bill today instead of sending it to conference.

Or suppose the conferees should weaken the bill, rather than strengthen it, and bring back something which is considerably less effective in its control of labor racketeering and its protections of the rank-and-file union members than the Landrum-Griffin bill. Then the Senate would be in the position of being forced to vote for something less effective, less significant, because of having neglected our opportunity today to vote for the "bird in hand," the Landrum-Griffin bill now before us.

Mr. President, that is all preliminary to the assurances I would like to get now from the majority leader, if I may have his attention, and from the chairman of the subcommittee [Mr. KENNEDY]. I think that in his customary, penetrating manner, the Senator from Tennessee has let the cat out of the strategy bag onto the floor of the Senate, and I think my colleagues should know exactly what can confront them unless we can get this important assurance from the Senator from Massachusetts [Mr. KENNEDY], and from the Senator from Texas [Mr. JOHNSON].

The Senator from Tennessee is correct. In case of disagreement in conference, the action first eventuates in the House. I was about to make this point when it was injected by the Senator from Tennessee. The House then will be confronted with voting for the Landrum-Griffin bill or the Kennedy-Ervin bill; and the Senate could be entirely detoured if the House approves the Kennedy-Ervin bill.

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

Mr. MUNDT. In just a second. In such an event many of those Members of the House who voted in the majority for the Landrum-Griffin bill in that crucial vote, wanting to vote for some labor bill, supported with the votes of labor, would, in my opinion, wind up voting for the Kennedy-Ervin bill as the final legislation, devoid of the salutary provisions in the Landrum-Griffin bill, and the whole fight for really effective labor legislation, fought for by the President, fought for by the Senator from Arkansas [Mr. MCCLELLAN], fought for by the Rackets Committee, fought for by Representatives LANDRUM and GRIFFIN, would result in a grandiose retreat down the hill, and we shall wind up with the Kennedy-Ervin bill and nothing better. That is precisely the contingency I am endeavoring to avoid.

We confront that possibility, concurred in by the majority leader. If we are not going to have a preferential motion voted on today, we should have it stated clearly on the Senate floor and for the RECORD that that is not going to be the kind of fatalistic formula we are to follow after the bill goes to conference.

Mr. JOHNSON of Texas. Mr. President, I yield first to the Senator from Illinois [Mr. DIRKSEN], and then I want to reply to the Senator from South Dakota, because I am not as fatalistic as he is on many matters.

Mr. DIRKSEN. Mr. President, the Senator from South Dakota has said if the conference committee disagrees, meaning if the House and Senate conferees, voting as a unit, cannot agree, that the bill will then go back for a vote on both sides——

Mr. ERVIN. Mr. President, will the Senator speak louder so we can hear him?

Mr. DIRKSEN. I want to get this matter clear, because it is my recollection that, since the House requested the conference, it becomes necessary for the conference report to be acted upon by the Senate first.

Mr. MUNDT. That is something we want in the RECORD. The Senator from Tennessee, who is an astute parliamentarian, has agreed the matter would have to be voted on first in the House.

Mr. JOHNSON of Texas. Mr. President, in my opinion, the Senator from Tennessee is correct. The House will have to vote first. Let me make a point about this, and then we will have the Parliamentarian rule.

The Senate has been assured by the chairman of the Senate conferees that they will attempt to work out an agreement with the House conferees. The House has asked to do that. The House has assured us they want a bill, that they want to sit around the table with us and exchange views with us, and has suggested to us that we agree to a conference.

The Senator from Arkansas [Mr. MCCLELLAN] has recommended that procedure. The Senator from Arizona [Mr. GOLDWATER], who will be one of the conferees, has agreed we should bargain in good faith and attempt to reach some agreement in conference.

If we are unable to do that, regardless of what action the House takes, or where the papers are, or who must act first, the Senator from Massachusetts has said he will come back to the Senate and ask the Senate for formal instructions. That is No. 1.

Mr. MUNDT. Will the Senator yield on that point?

Mr. JOHNSON of Texas. I would like to button down the points one at a time.

No. 2, the Senator from Illinois and the Senator from Arkansas have said if it becomes necessary, they would offer a resolution to discharge the conferees and return the matter to the Senate, where it could be amended. We have done everything except agree on what the conferees are going to agree to.

We have agreed that if they do not agree it will be a matter for the majority of the Senate. I do not know how much further the Senator would expect us to go.

Mr. MUNDT. Mr. President, will the Senator yield now?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. Our concern at the moment is in the eventuality of a disagreement in conference.

Mr. JOHNSON of Texas. In that eventuality the Senator from Massachusetts [Mr. KENNEDY] has said he will

come to the Senate and ask for instructions. No. 2——

Mr. MUNDT. Let us stay on No. 1——

Mr. JOHNSON of Texas. No. 2, it has been stated that a resolution would be offered instructing the conferees.

Mr. MUNDT. Do we have the assurance of the Senator from Massachusetts and the majority leader that if the normal, ordinary procedures proposed are followed and this bill goes to conference, and in the event of a disagreement in conference whereby normally, under the rules of the two Houses, the House would act first—and we are all agreed that the Senator from Tennessee was correct and that the Senator from Illinois was not correct in his interpretation as to which House would act first—in the event of disagreement, in normal procedure, under the normal operating procedures, whereby the House would act first, can we have the assurance of the Senator from Massachusetts, whose word I will accept, and the assurance of the Senator from Texas, whose word I will accept——

Mr. JOHNSON of Texas. I appreciate the Senator's generosity.

Mr. MUNDT. May we have their assurance that before the House votes again on this measure it will be brought back to the Senate for further instructions, in the event the conference committee disagrees.

Mr. JOHNSON of Texas. So far as the Senator from Texas is concerned, he never gives any assurance that he cannot carry through on, and he can give no assurance as to what the House will do.

Mr. MUNDT. Exactly. And that is what concerns me.

Mr. JOHNSON of Texas. The Senator from Texas does give assurance that when the Senator from Massachusetts, the Senator from Arizona, and the other members of that conference committee are unable to reach agreement within a reasonable time, the Senator from Massachusetts will ask for instructions.

Mr. MUNDT. If the Senator from Texas cannot give that assurance——

Mr. JOHNSON of Texas. No one can give assurance about the House.

Mr. MUNDT. The Senator cannot do so, because he is not a member of the conference committee. No assurance the Senator could give without the cooperation of the distinguished chairman of the conference committee would be valid, because the rules of Congress continue regardless of what any of us say. Then we have to go next to the chairman of the conference committee. Can I then have the assurance of the chairman of the conference committee [Mr. KENNEDY] that before the conference is broken up in disagreement, should that eventuate, and before it becomes necessary, therefore, for the rules of Congress to operate—which would mean that the House would vote first and that we would wind up with the Kennedy-Ervin bill, with no Member of the Senate ever having had even a chance to vote for the Landrum-Griffin bill—in the event as we approach such area of disagreement if we do, before it becomes finalized, so that the bill will go to the House, that the chairman of the conference committee will bring the bill back to the Senate for further instructions?

Mr. KENNEDY. I will say, quoting the Senator from Arkansas, I cannot state what the House will finally agree upon. If we cannot get together in conference——

Mr. MUNDT. That might happen.

Mr. KENNEDY. We may not get together in conference, though I am hopeful we will. With the expectation and the hope that we can get together, if we cannot get together then we will have two bills before the House and Senate, the Senate bill and the House amendment. There is no possible way I can give assurance.

Mr. MUNDT. Yes; there is.

Mr. KENNEDY. I cannot assure the Senate what we will finally have a vote on, under those conditions.

Mr. MUNDT. Yes; the Senator can give assurance. Before we arrive at the point of formal disagreement at which point, under the rules of the Congress the House must act first; and at which point any individual who understands the facts of life with respect to this proposed legislation knows we will wind up with the Kennedy-Ervin bill being substituted for the Landrum-Griffin bill in the House. The Senator can give us assurance, as chairman of the Senate conference committee, he will bring the matter back to the Senate for further instructions. That is all I am asking. In that way we can be sure, as Members of the Senate, of having an opportunity to vote on the Landrum-Griffin bill; and only in that way can we be sure of it.

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

Mr. JOHNSON of Texas. I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, the distinguished senior Senator from South Dakota has made the remark that the junior Senator from Tennessee has "let the cat out of the bag." I am not exactly sure what the Senator means by that remark.

Mr. MUNDT. That is an old South Dakota colloquialism with no evil implications whatever.

Mr. GORE. Very well. I merely stated, and I believe truly stated, the parliamentary situation.

The senior Senator from South Dakota speaks as if this were a unicameral Congress. The Senator seems to forget that there is another body. As a matter of fact, it is within the power and the parliamentary rules of the other body, as the Senator knows, since he and I served together in the other body, for the other body to pass a resolution today instructing its conferees to accept the Senate bill in conference. There is no action this body can take, or should take, to deny the other body the opportunity to work its will in regard to proposed legislation.

Instead of letting a cat out of a bag, I merely wanted to state the true parliamentary situation on the floor of the Senate, to avoid any misunderstanding. Both bodies can work their will in this field. Each body has an equal right to do so.

Mr. MUNDT. Mr. President, will the Senator yield now?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. As I said, there were no evil implications in the statement about letting the cat out of the bag. I said that the Senator from Tennessee is a good parliamentarian. The Senator served in the House at the time I was a Member of the House. We are both familiar with the House rules.

Of course the House, tomorrow or even today, could pass a resolution rescinding what it did on Thursday. No realistic man expects that to happen, but every realistic man must anticipate what will occur if the conference winds up in disagreement, as many people expect it will. In that event, as the Senator from Tennessee quite properly pointed out and as I have pointed out, the first vote will come in the House.

Mr. GORE. If the Senator from Tennessee quite properly pointed it out, then why did the Senator characterize it as letting the cat out of the bag?

Mr. MUNDT. I will be happy to explain that, because the Senator from South Dakota happens to know that the cat was in the bag. That is part of the strategy, and neither the Senator from South Dakota nor the Senator from Tennessee had anything to do about it.

There are some labor bosses around this town who are not entirely stupid about parliamentary procedure. I happen to have had reported to me twice over the past weekend that the strategy on the part of the labor bosses in Detroit is that they want to kill the proposed legislation, and that they believe perhaps that can be best accomplished by what we are trying to be coaxed and "weaseled" into doing on the floor of the Senate today—by sending the bill to conference with no commitment, with ambiguous assurances, in the hope that there will be disagreement, in which case the House will have to act first, and in which case we will get the Kennedy-Ervin bill, unamended and unstrengthened in any way, shape, or form.

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

Mr. JOHNSON of Texas. I simply want to make one statement.

I do not know what the strategy of the labor bosses is. The labor bosses have not talked to me about their strategy, and I did not know the Senator from South Dakota was in their confidence. [Laughter.]

Mr. MUNDT. I will say, there are ways of finding these things out other than by direct information or contacts.

Mr. JOHNSON of Texas. Mr. President, I do not yield. May we have the rules followed? I do not yield to the Senator.

The VICE PRESIDENT. The Senator from Texas has the floor.

Mr. JOHNSON of Texas. Will the Presiding Officer protect me in my rights?

Mr. MUNDT. I am not sure whether the Senator has the floor to yield, but that is all right.

Mr. JOHNSON of Texas. Mr. President, I do not yield to the Senator.

The VICE PRESIDENT. The Senator from Texas has the floor.

Mr. JOHNSON of Texas. I want to bring this to the attention of the Senate. I thought the agreement I had reached with the minority leader and with other Senators vitally interested in this proposed legislation, including the chairman of the subcommittee, would give the Senate an opportunity to confer with the House and to attempt to evolve an agreement which would be satisfactory to both bodies.

Mr. MUNDT. Mr. President, will the Senator yield at that point?

Mr. JOHNSON of Texas. If that cannot be done, then the Senate could act.

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

Mr. JOHNSON of Texas. I will yield when I get through with my statement.

Mr. MUNDT. Very well.

Mr. JOHNSON of Texas. The Senator's persistency does not encourage me.

Mr. MUNDT. Very well.

Mr. JOHNSON of Texas. Let me make my statement, and then I will yield.

Mr. MUNDT. Good enough.

Mr. JOHNSON of Texas. I would call attention to the fact that even the National Association of Manufacturers feels we should have a House-Senate conference committee. I should like to quote from their publication of August 14. It is the publication of the National Association of Manufacturers, with 64 years of service to America through industry.

I desire to quote from the Washington Bulletin, in which it is pointed out:

> House-Senate conference committee: Whatever measure the House approves must go to a House-Senate conference committee for the adjustment of differences between the versions passed by the two branches of Congress. Then the conference committee agreement must be returned to both the House and Senate for approval. Thus there is still ample time to make your views known to Members of Congress. The extent to which this is done could determine the type of bill Congress sends to the White House. There is a possibility, of course, that Congress will be unable to agree on a measure.

Mr. MUNDT. Mr. President, will the Senator yield now?

Mr. JOHNSON of Texas. I will say, there is no assurance we can get a vote on the Landrum-Griffin bill, or on the Kennedy-Ervin bill, or any other type of bill, today, tomorrow, or next week.

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

Mr. JOHNSON of Texas. I think if Senators will take the assurance of the conferees on both sides of the aisle and will take the assurances of the leadership on both sides of the aisle, that we will make every attempt to reach an honorable, satisfactory agreement, and if that is impossible then we will attempt to let the Members of the Senate themselves work their will, or a majority work its will, that is the orderly procedure, and that is what should be done.

Certainly the Senator has a right to make a preferential motion. Certainly the Senator can move to concur and wipe out everything the Senate has done. The six titles which are stronger in the Senate bill the Senator would abandon. The Senator would accept the House bill without Senators having a chance to look at it. It would not go to conference, but some Senator could stand up to make a motion which was more preferential, to send the bill to the Committee on Labor and Public Welfare, and we would have a vote on that motion first. Or some Senator could make a motion to postpone consideration to a day certain, and we would have to vote on that first.

I believe that the time we are using debating this subject ought to be used in the conference room, where the conferees could exchange views on the merits of the bill. We think that is desirable.

Mr. McCLELLAN and Mr. MUNDT addressed the Chair.

The VICE PRESIDENT. Does the Senator from Texas yield, and if so, to whom?

Mr. JOHNSON of Texas. I yield first to the Senator from Arkansas.

Mr. McCLELLAN. I ask my good friend from South Dakota upon what he bases the assumption that the House, which has already, for all practical purposes, rejected the Kennedy-Ervin bill, would immediately embrace it and accept it.

Mr. MUNDT. I shall be happy to explain my thinking on that subject.

Mr. JOHNSON of Texas. I yield to the Senator from South Dakota for that purpose.

Mr. McCLELLAN. Senators have said that they want something stronger. If we can get something stronger in conference, why not do it?

Mr. MUNDT. I have read the House debates very carefully. The House has not repudiated the Kennedy-Ervin bill. It has never had an opportunity to vote on it. It was confronted with what I call a sorry substitute, called the Elliott bill.

Mr. McCLELLAN. What was it a substitute for?

Mr. MUNDT. It was a substitute for the Kennedy-Ervin bill.

Mr. McCLELLAN. To that extent it repudiated the Kennedy-Ervin bill as first choice.

Mr. MUNDT. It was repudiated only in the Labor Committee. The distinguished Senator from Arkansas went before the committee and asked the committee not to do exactly what the committee eventually did. His counsel did not prevail there. I am happy to report that his counsel to the House as a whole did prevail. when he urged it to vote for the Landrum-Griffin bill.

I believe that Senators and the country should know clearly where we stand. The point is very clear that if the Senate permits this bill to get out of its hands now, and the conference committee disagrees, it will go back to the House. The House will then vote on the Kennedy-Ervin substitute for the Landrum-Griffin bill, and "church will be out" so far as effective labor legislation is concerned, if, as I suspect, the House would at that point accept the Kennedy-Ervin bill in lieu of the much stronger, much more effective, Landrum-Griffin bill.

Mr. JOHNSON of Texas. The Senator is in error, because at any hour, any day, any minute, the Senate can express its will by a vote if it so desires.

Mr. MUNDT. All I ask is that we act today with our eyes open.

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

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. GOLDWATER. I should like to ask the distinguished majority leader a question. If at the end of what a minority Member might term a reasonable time—5, 6, 7 days, or whatever it might be—he desired to come to the floor of the Senate and submit a resolution that the conferees be discharged and that the Senate proceed to the consideration of this subject, would such a motion be in order?

Mr. JOHNSON of Texas. Any Senator would have a right to submit such a resolution, which could be agreed to by a majority vote. The majority can always work its will.

Mr. GOLDWATER. If the majority leader were convinced that such a course was proper, and that the resolution was offered in good faith, would he support such a resolution offered by a minority Member?

Mr. JOHNSON of Texas. I would not wish to pledge in advance my support of a resolution before I understood all the circumstances. I have said to the minority leader, to the chairman of the subcommittee, and to the ranking minority Member that after a reasonable time I would be prepared to support such a resolution.

Mr. GOLDWATER. May I ask the minority leader if he would support such a resolution submitted by a minority Member?

Mr. DIRKSEN. I would, indeed, support it, even though the bill was still in conference and in disagreement, because there is precedent for the Senate instructing its conferees, even when a bill is in conference and no agreement has been reached.

Mr. GOLDWATER. Can the Senator cite the precedent?

Mr. DIRKSEN. It is to be found in the books. It goes back to 1916. I ask the Parliamentarian now whether he will advise the Chair on that point. While the bill is still pending in conference, the Senate is free to instruct its conferees, even though no agreement has been reached, to embrace the House position, or otherwise.

The VICE PRESIDENT. The Senator is correct. The Senate, by resolution, can so instruct its conferees.

Mr. GOLDWATER. I assure the majority leader that my interest is in getting a bill which the American public will like.

Mr. JOHNSON of Texas. I know that.

Mr. GOLDWATER. I ask the majority leader if he would support such a resolution, provided we could agree that a reasonable time had elapsed. I would not suggest that a minority Member come in tomorrow or next day and submit such a resolution. I am assuming that it might be submitted 5 or 6 days later, or following any period which we might agree was reasonable.

Mr. JOHNSON of Texas. I have so stated a dozen times. I so informed the Senator from Illinois last Thursday; and I made a similar statement to the Senator from Arizona in private this morning.

The Senator from Massachusetts assured me that he had no desire to have a deadlocked conference. After he has an opportunity to meet with the House conferees and talk with them and try to reason out a solution, as is always done in conferences, if he becomes convinced that it is impossible to reach an agreement, on his own initiative he will be the first to come to the floor of the Senate and ask for instructions from the Senate, and let the Senate work its will.

In addition, I agree with the Senator from Illinois and the Senator from Arkansas that, if necessary—but we do not anticipate that it would be necessary—we would submit a resolution to discharge the conference committee. I think we can reach a vote on the labor bill more quickly by that route than by any other.

Mr. GOLDWATER. Does the Senator mean by way of a resolution?

Mr. JOHNSON of Texas. No; I mean going to conference and trying to determine whether an agreement can be reached; and, if so, bringing back a report. If no agreement can be reached, the Senate can act.

Mr. GOLDWATER. That is the point I am afraid of. It is the point my friend from South Dakota [Mr. MUNDT] is afraid of. We are afraid that the bill would go back to the House. I realize that those are the rules.

Mr. JOHNSON of Texas. If we were to sit idly by, do nothing, and refuse to act, it might go back to the House.

Mr. GOLDWATER. If the resolution called for a vote of the Senate on the Landrum-Griffin bill, in view of the fact that the conferees could not come to an agreement, would such action then reflect the judgment of the conferees with the same strength as the action of the conferees, it being the action of the Senate as a whole?

Mr. JOHNSON of Texas. I am afraid I do not understand the question.

Mr. GOLDWATER. If the conferees should fail to reach an agreement, and a resolution were submitted asking the Senate to vote on the Landrum-Griffin bill, and if the Senate then voted on the Landrum-Griffin bill as a substitute, would that action take precedence over the House action? As I understand the opinion of the distinguished Senator from Tennessee [Mr. GORE], the House would be able to vote for one or the other of the proposals.

Mr. JOHNSON of Texas. If the Senate took action before the other body did, that would finalize the measure. If the Senate were to embrace the bill practically as the House passed it, it would then go to the President.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me to clarify that point?

Mr. JOHNSON of Texas. I yield to the Senator from Illinois.

Mr. DIRKSEN. First, if there were disagreement in the conference, a resolution to instruct the conferees could be introduced and called up after 1 day by any Member of the Senate. Such a resolution would require only a majority vote; and, as an instruction, it would become binding upon the Senate conferees.

Assuming that the conferees were in disagreement, and the House conferees should go back—and normally, under the House rules, they wait 20 days before they go back—action in the House would not be automatic. The conferees would have to report their disagreement, and the House would have to work its will by further action. There would have to be a motion to recede and concur in the Senate bill, if that were what was proposed.

I just cannot imagine under those circumstances that the House would so blithely, just because of a disagreement, suddenly move to recede from their earlier position without a rollcall. They would have to have a rollcall on it, and then could concur in the Senate position. It is a divisible motion. They will have to have two rollcalls on it. In that time we could return here for instructions.

Mr. GOLDWATER. Will the Senator yield?

Mr. DIRKSEN. I do not have the floor.

Mr. JOHNSON of Texas. I yield to the Senator from Arizona, and then I promise to yield to the Senator from Arkansas and to the Senator from Delaware.

Mr. GOLDWATER. If the junior Senator from Arizona were as knowledgeable as the junior Senator from Illinois on matters of parliamentary procedure, I probably would not be asking these questions which to some might seem stupid, but I am not that knowledgeable. Therefore, to make sure that we are protected I wish to ask again, if the conferees do not reach agreement—and I am one who thinks that they can—and a resolution is submitted to discharge the conferees, and then the Senate itself votes immediately upon accepting the Landrum-Griffin bill as a substitute for its own bill, will that constitute an action as valid as the action of the conferees?

Mr. DIRKSEN. So far as the Senate conferees are concerned, that expression by majority vote becomes a binding instruction on the Senate conferees and they have no choice. The Senate can, if it desires, put anything within reason in the instruction to the conferees.

Mr. GOLDWATER. In other words, if the House at the same time could act, under their rules, they could, let us say, accept the Kennedy-Ervin bill and we at the same time would have accepted the Landrum-Griffin bill, in substance.

Mr. DIRKSEN. The matter is still in disagreement.

Mr. JOHNSON of Texas. I yield first to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I have some rather farfetched ideas about what might happen and what might not happen.

I cannot conceive that the conferees of the House are going to walk out immediately and surrender the House position. I think they will contend for it, and if the Senate conferees and the House conferees are unable to agree, we certainly will be able to get a report to that effect. No secret can be kept from this body or from anyone in this body as to how the conferees are getting along. We will know. Certainly there is no obligation on the part of the conferees not to let it be known what progress is being made, and I know we can rely upon the Senator from Massachusetts to advise the Senate as to what any Senator wants to know, as to what progress is being made, and if at any point, whether it is in 2 days, 5 days, 6 days, 8 days, after they have been attempting in conference to resolve this problem, if they have not been able to agree and it looks as if there is no such prospect, then a resolution will be submitted and the resolution, I can well foresee, would be to instruct the Senate conferees to agree to the House amendment. Is that correct?

Mr. JOHNSON of Texas. I agree.

Mr. McCLELLAN. Such a resolution can be submitted.

I say to the Senate that as of this moment I favor the House amendment over the Senate bill. I would vote for it. As between the two, I shall support it to the very end.

But I say again that the conferees have the opportunity to bring in a better bill than either one of the measures adopted in the respective bodies. They may not do it. But certainly the matter should go to conference, in my judgment, and the orderly procedure should be followed, and if at any time it appears that the conferees cannot and will not be able to reach an agreement, and we have the assurance of the majority leader that we will stay here until Christmas to get a bill, then, Mr. Presidnet, I am going to join with those who submit a resolution. I shall support it with all my strength, either to discharge the conferees and accept and adopt the Landrum-Griffin bill, or to instruct the conferees to accept the Landrum-Griffin bill.

Whichever is the most practical and will likely obtain the result, I do not know. Either one of the two could do it, in my opinion. If there is no way for the conferees to agree, if they get hopelessly deadlocked and that fact is reported then I shall use my utmost effort toward enacting the Landrum-Griffin bill. I make this statement for the RECORD. But I do favor trying to proceed in the orderly way.

Mr. JOHNSON of Texas. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, does the Senator from Texas not feel that instructions of the Senate to the conferees, are binding whether they be definite instructions or just an expression of opinion and if so will the conferees not be obliged to press for the Senate version of the Kennedy-Ervin bill?

Mr. JOHNSON of Texas. First of all, I do not visualize the Senate instructing the conferees. If the Senate wants to do that, it can start amending the bill this morning. That is the next to the highest preferential motion.

I think that if the Senate conferees are unable to agree, the chairman of the conference will come back to the Senate in a reasonable time, without too much

delay, and say, "I am convinced that we cannot reach an agreement and I would like to report that to the Senate, and let the Senate take such action as the Senate may desire to take."

I cannot pass judgment on what action the Senate would take. The only thing I can say is that I agree with the minority leader and the chairman of the Labor and Public Welfare Committee and the chairman of the subcommittee, that if agreement cannot be reached in conference, that I would join with them in offering a resolution to discharge the conferees and permit the majority of the Senate to work its will.

Now, it can do that. It can do it today. One of the most preferential motions, even preferential to a motion to concur, is to start amending the bill, and the Senate can do it.

I think we can save time by sending it to conference, where the Senator from Arizona [Mr. GOLDWATER], the Senator from Massachusetts [Mr. KENNEDY], and others who think they can get an agreement and who hope they can and who are willing to try, will have an opportunity to, and I would like for them to be using this time right now in the conference committee. Then if they come in and say to me, "We have not made any progress," then I am prepared to ask that they be discharged and the entire Senate act as a committee of the whole on it and take whatever action the majority in its wisdom might decide to take.

I said earlier that my limited knowledge in this field indicates that the first five titles of the Senate bill are stronger and more effective than the House bill, that there are some provisions of the House bill that are stronger and more effective than the Senate bill.

When reasonable men get together in conference, there is always a possibility that we can have a more effective bill than either the House or the Senate bill. All I want to do is give them a reasonable opportunity. That is customary. If the Senate wants them to have that try at it, then they should have it, and I would hope that we would do the normal thing, the ordinary thing, because I think the conservatives of this country have a great deal to lose when they start abolishing the committee system and when they start shortcircuiting the committee system. When they start to make motions which will embrace 80 amendments which were adopted in the other body, none of which was discussed, none of which the Senators understand, we will at one fell swoop undo everything we have done over a period of years.

Some of these provisions have a great deal of appeal to me, as I know some of the provisions of the House bill have a great deal of appeal to a good many Members of the Senate.

I think we ought to let the Senate follow its normal, natural course. Let the committee make its recommendations without a pistol at its head. After a reasonable time, if reasonable men cannot agree on a reasonable course of action, then the Senate can take action by a majority vote of this body, and that is what we must always remember.

I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, what bothers me about the action that is being proposed here today, as I read the motion of the Senator from Texas, is this: First, the Senate disagrees with the House amendments, which means that the Senate disagrees with the Landrum-Griffin bill, and, second, the conferees would be appointed and the conferees would go to this conference with at least implied instructions to insist not upon the House bill, but to insist upon the Kennedy-Ervin bill as it passed the Senate. That is the effect of the Johnson motion.

That is what we are doing here. If we follow the procedure of the Senator from Texas, we are rejecting the bill as it passed the House. That is number one. Then we are asking for conferees to be appointed to go to the conference instructed to insist upon the Senate bill. Let us not forget that when we passed the Senate bill the Senate by a rollcall vote both this year and last year rejected several of those major provisions which are in the Landrum-Griffin bill, amendments which I think are very important and which many people over the country think are important. I would much prefer accepting the House bill without a conference.

Mr. JOHNSON of Texas. I would answer that question by saying we are not passing in toto on the House bill or the Senate provision. We are disagreeing, as is the usual procedure, to the House course. There are over 80 amendments in that bill, I think, 80 of them that were not even considered by a committee. Some of those amendments we may want to agree to. Some of those amendments I would agree to now. Some of them I would reject.

I cannot see that any Senator who is familiar with the first six titles would say that the antiracketeering provisions of the Senate bill are weaker than the antiracketeering provisions of the House bill.

I am informed that the penalties in the Senate bill have been materially reduced by the House bill. Certainly we would want to disagree to those amendments. That is a customary action for us to take. It may be that in conference, instead of a fine of $10,000, as provided in the Senate bill, or a fine of $1,000, as provided in the House bill, the conferees will want to agree on a sum which is more acceptable, as the Senator from Arizona [Mr. GOLDWATER] has said. We might get a more effective bill than either the House bill or the Senate bill. That frequently happens. But we cannot do that if we say we have got to have all or nothing.

We have read in the newspapers that the House passed a bill and added 80 amendments. Do we want to say that we will not even allow that bill to come into the same room with our bill, because we cannot trust our experts on both sides of the aisle; that we cannot trust our leaders; that we must vote it up or down? Do Senators want to do that? It can be done, but I do not think it is the better part of wisdom.

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

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I wish to propound a parliamentary inquiry. Perhaps we can remove one cause of irritation.

My question is whether it is necessary, as a condition precedent to appointing conferees, to include in the motion that the Senate disagrees with the House amendments? Can we not simply authorize the Chair to appoint conferees without putting the Senate in the embarrassing position of voting against the Landrum-Griffin bill?

Mr. JOHNSON of Texas. There is nothing embarrassing to me about voting to disagree with the House.

Mr. MUNDT. There is to me.

Mr. JOHNSON of Texas. The Senate bill's provisions on antiracketeering are stronger than those in the bill which the House passed.

Mr. MUNDT. The procedure is that the Senate must indicate its disagreement with the House and appoint conferees for the purpose of holding a conference?

Mr. JOHNSON of Texas. Six titles out of seven in the Senate bill contain stronger antiracketeering provisions than does the House amendment. Also, the penalties in the Senate bill are heavier.

Mr. MUNDT. May I get the ruling of the Chair?

Mr. JOHNSON of Texas. The Chair has ruled.

Mr. MUNDT. Do I understand correctly the ruling of the Chair to be that the only way in which conferees can be appointed is to use the pro forma language of disagreeing with the House? There is no other avenue open?

The VICE PRESIDENT. The Senator from South Dakota is correct.

Mr. MUNDT. It seems to me that while the majority leader and the Senator who will be the chairman of the conference are in the Chamber, it should be possible for us to rub out this area of uncertainty, which, unless it is rubbed out, will put us in a position of forgoing the one clear opportunity we have to vote for the Landrum-Griffin bill. We should have assurances which are clear-cut and positive that we will have a chance to do that again despite the parliamentary situation whereby a formal disagreement among the conferees necessitates the House's acting first. We short circuit any chance of voting on Landrum-Griffin, provided the conference committee disagrees, so that either half of the conference simply by remaining obdurate and refusing to disagree can force the House to take another vote, and this vote would be on the question, "Do you favor substantially the Kennedy-Ervin bill or the Landrum-Griffin bill?" That is quite a different issue from what the House had before it on Thursday in that highly significant and crucial vote, when the issue was: "Do you favor the Landrum-Griffin bill or the watered-down, labor-boss-dictated Elliott bill?"

If there is sentiment in the Senate and in the country, as I hope there is, to write a bill which is stronger than the Kennedy-Ervin bill, either we must manifest that sentiment by voting here today for Landrum-Griffin or by getting

assurances which are positive that we will have a chance to vote for that measure if the conference does not agree before the House forever slams the door of opportunity in our face.

I am not trying to have included any "fancy Dan" language, I am not trying to have any particular parliamentary procedure adopted; I simply want some definite gentlemanly commitments from men whom I trust that out of the action we take today we will not be permanently, forever and a day, foreclosed from the opportunity to vote for a bill which is stronger than the Kennedy-Ervin bill. That is as simply as I can put it.

Mr. JOHNSON of Texas. I have given that assurance time and time again this morning in the 2 hours we have discussed the matter. I gave it to the minority leader. I have told Senators on both sides of the aisle that I thought we should follow orderly procedure. We should have a conference committee. I have said that if the conference committee were unable to agree, then the chairman of the Senate conferees should come back here and lay the matter before the Senate; and that if he did not do that, the chairman of the Rackets Committee and the minority and majority leaders would do so. I reiterate that statement. I have gone through this procedure every time a labor bill has been before the Senate. I realize it is necessary. I was very desirous to have the Kennedy-Ives bill brought up last year. I assured Senators we would call it up on motion. We did, and we had a vote.

This year I assured Senators again. I am as interested in this measure as they are, and tried to contribute as much as I could to it.

I assure the Senator from South Dakota of my intentions again, and I hope for the last time. If he does not trust the leadership, and if he does not trust us when we say that we think we ought to try to reconcile the differences and get an agreement, and if we are unable to do so, we will bring the matter back for the Senate to act on it, and I think the majority of the Senate will support it. Then the Senate can, in its wisdom, take whatever action it wishes to take.

Mr. MUNDT. I trust the majority leader so implicitly that if he will give me a direct and positive answer to my question, I will be willing to subside. This now is right down in the middle of the coconut, where we are reaching for the meat. Here is the question:

Will the majority leader assure the Senate that before, through the normal procedures of Congress, a point of disagreement results in the House's voting on the labor measure first, the Senate will be given an opportunity to vote to instruct its conferees? That is a simple question. If I get a direct "yes" answer, I will feel much happier than I feel after all these evasive statements.

Mr. JOHNSON of Texas. I cannot give a direct answer "yes" or "no," because that would involve the action of the other body. The Senator from Texas will not pledge what the other body will do.

Mr. MUNDT. Perhaps I can rephrase the question so as to eliminate the other body.

Mr. JOHNSON of Texas. I have said that when the chairman and the ranking minority member of the Senate conferees have had a reasonable time in which to work their will in conference, and the minority leader and I have concluded that a reasonable time has elapsed, we anticipate that the Senator who will be the leader of the Senate conferees will come back to the Senate and say, "We are unable to reach an agreement. It is up to the Senate to decide. We cannot do anything about it."

That is what I expect will happen. If for some reason that should not happen, then the minority leader, the Senator from Arkansas, and I will be prepared to offer a resolution to discharge the Senate conferees and to put the matter right where it is this morning. Only a few days will have elapsed.

But I am in no hurry to get home. I think we must have a strong, effective antiracketeering bill passed at this session of Congress. I said so before this session of Congress met. I have done everything I could to see that that was brought about. I shall ask the Senate to stay here until it is done. Beyond that, I cannot know what the House will vote on, when it will vote, or what it will do. Since all but five Members of the other body voted on the labor bill, I do not believe there will be any great change of sentiment in the House.

I am rather shocked that presumably conservative Members of this body would want to bypass a committee of conference against the advice of the Senator from Arkansas [Mr. McCLELLAN] and the Senator from Arizona [Mr. GOLDWATER], who were among those who handled this bill, and would want to act on 80 amendments which the Senate has not had a chance to see. If they want to do that, we can set everything else aside and start considering those amendments, one by one, because the first motion to be made is to refer the bill to the Committee on Labor and Public Welfare and let that committee start working on it, so that we will know what we are doing. That motion would be of the highest preference.

If the Senator does not wish to do that, he can move to have the Senate take up the bill and start amending it. But I would not think that would be desirable, if there is any hope that the conferees will agree. The Senator from Arizona [Mr. GOLDWATER], the Senator from Massachusetts [Mr. KENNEDY], and all the other Members who have studied this substitute have expressed the hope that the conference committee will agree; and, so far as I am concerned, I should like to give it an opportunity to agree.

Mr. MUNDT. Mr. President, will the Senator from Texas yield again to me?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I am prepared to offer an amendment to the Senator's motion; and I think my amendment will wipe out the ambiguity. I know it is difficult to agree, here in this goldfish bowl, on the simple matter of giving a "yes" or "no" answer to a specific question.

Mr. JOHNSON of Texas. Does not the Senator from South Dakota want the conference committee to have a real chance to work its will freely and fairly?

Mr. MUNDT. Yes.

Will the Senator from Texas permit me, in the time available to him, to offer this amendment to his motion? I think the amendment will fairly solve the problem to the satisfaction of the Senate.

Mr. JOHNSON of Texas. I should like to have the Senate have an opportunity to work its will.

Mr. MUNDT. I think this amendment will do that.

Mr. President, to the pending motion of the Senator from Texas, I offer the following amendment: That the Senate conferees be instructed, before a disagreement, to report back to the Senate for further instructions.

That will avoid the pitfall which I think we might encounter otherwise. That will express the will of the Senate, if that be its will.

So I offer that amendment.

Mr. JOHNSON of Texas. I hope the Senator will not offer the amendment seriously. Instead, I hope he will rely on the assurances which have been given.

Mr. MUNDT. If they are specifically given, I shall.

Mr. JOHNSON of Texas. I believe the majority of the Senate will express its will at an earlier date and more effectively if we allow the normal procedures to be followed, instead of putting a pistol at the head of the conferees. If the Senator from South Dakota favors the latter, that in his responsibility.

Mr. MUNDT. My amendment amounts to only a small pistol. My amendment will spell out the matter in a way the majority of the Senate can understand, as compared with the assurances which I am unable to obtain specifically from the majority leader and from the Senator from Massachusetts [Mr. KENNEDY]. The replies I have obtained from them involve the use of a great many words, but not the use of the monosyllabic "yes" which all of us can best understand.

Certainly this issue is a very important one. We had it before us last year, and again this year.

I seek to make sure that the Senate is not short-circuited from having an opportunity to vote in favor of the Landrum-Griffin bill, if it wishes to do so, in the event the conferees cannot agree.

Mr. JOHNSON of Texas. Again I assure the Senator from South Dakota that the Senate will not be short-circuited in that way. Time and time again I have assured the Senator that I favor permitting the conferees to have a reasonable time in which to agree; but that if they do not agree, we shall ask that the matter be brought back to the Senate.

I cannot say that the Senate will act on the Senator's motion before the House will act, because, so far as I know, the House may be acting at this very moment to vitiate the action it previously took—although I do not anticipate that the House will do so.

Mr. MUNDT. Let me repeat my amendment of the motion of the Senator from Texas——

The VICE PRESIDENT. Let the Chair state that the proper procedure is, first, to consider the motion of the Senator from Texas. If the motion is agreed to, it will then be in order for the Senator from South Dakota to move to instruct the conferees.

Mr. MUNDT. Is it impossible to amend the motion, so that we shall be able to wrap everything into one package? I do not like the installment procedure; sometimes the second installment is hard to come by.

The VICE PRESIDENT. The Chair is simply stating the procedure under the rule. The procedure is—and the Senator from South Dakota can accomplish his objective by means of it—first to consider the motion of the Senator from Texas. If the motion is adopted, the rule provides that any Senator who desires to move to instruct the conferees, before the Chair appoints the conferees, will then be able to do so, inasmuch as such a motion will then be in order.

Mr. MUNDT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. MUNDT. Is it impossible, under the Senate rule, to amend, in any way, shape, or form, such a motion as the one the Senator from Texas now has at the desk?

The VICE PRESIDENT. Let the Chair read the rule:

> It is in order to instruct conferees, and the resolution of instruction should be offered after the House has voted to insist and ask a conference and before the conferees have been appointed.

Mr. MUNDT. Then my amendment is in order, and comes at exactly the proper time.

The VICE PRESIDENT. The Chair has tried to explain that such a motion by the Senator from South Dakota will be in order before the Chair appoints the conferees.

Mr. MUNDT. Before the Chair appoints the conferees?

The VICE PRESIDENT. Yes.

Mr. MUNDT. Then perhaps the Senator from Texas and I can agree on the procedure.

Mr. JOHNSON of Texas. I do not believe we can agree with the Senator from South Dakota. We have gone over this point every time this matter has been before us. The Senator from South Dakota has explained his position, and I understand it. I have given him all the assurance I am able to give, and I did so before we came to the Chamber today. So this debate is nothing but repetition, and it does not extract anything from any Member, even though the debate may create the impression that something is being extracted.

The proper procedure is to send the matter to conference; and then, in order to protect all Senators who desire to have an effective bill enacted into law, after a resonable time for the conferees to agree has elapsed, if no agreement can be reached, to bring back the matter to this body, and place it in the lap of the Senate.

The chairman of the committee gave us the assurance that that would happen. This morning I told the Senator that the chairman had given that assurance, and that the Senator from Arizona [Mr. GOLDWATER], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Illinois [Mr. DIRKSEN], and I had agreed that if the conferees did not agree and if the chairman did not return and report the situation to us, we would submit a resolution to bring the measure back to the Senate.

I cannot give any assurance about what the other body will do. So far as I know, at this very moment it may be trying to vitiate the action it took on Friday—although certainly that is an extreme illustration. But it would be improper for me to try to give assurances as to what the other body will do, and I am not going to try to tie its hands.

In the second place, I am not willing to be punched around on the floor of the Senate in an attempt to influence the action to be taken by the conferees. If the Senate wishes to accept the Landrum-Griffin bill in toto, with its 80 amendments which Senators have not seen or discussed, I am sure Senators will have an opportunity to hear about them and to discuss them.

Rather than put the Senate conferees into a straitjacket, where they could not freely bargain with the House conferees, I would be willing to have the Senate vote promptly on this matter, although I believe that would be unwise.

In light of the assurance given, I think we can expect the conference committee to consider the matter for a few days. If it does not then agree, both sides can proceed to take whatever action they prefer. But I am not going to agree to do anything that will bind the other body. I will not give any assurance that will bind the other body. I knew nothing about the suggestion the Senator made earlier today until he made it.

I want the conferees to have an opportunity to agree. If they cannot agree, then I will favor having the Senate proceed by majority vote. But, certainly, first the conferees should have that opportunity.

I cannot give assurance that the House will not take action in the meantime. The House can take action tomorrow, if it wishes, just as the Senate can. For instance, on tomorrow the Senator from Connecticut [Mr. BUSH] could submit a resolution directing the Senate conferees to do thus and so; and the only thing that would prevent such a resolution from being adopted would be a contrary vote by a majority of the Senate.

So why cannot we, who have worked together so well, and, I believe, so effectively in regard to a good many matters, rely on having the chairman of the conference make a good-faith effort—and without having a shotgun pointed at him—to find a middle ground on which the conferees can agree, and which will be satisfactory to both Houses.

The Members of the Senate who have spent years in this field tell me that beyond peradventure of doubt the bill the Senate passed is considerably stronger and contains provision for more severe penalties, and that the House by its action has actually watered down the first six titles of the Senate bill. I do not know that, but that is what I am told. They also tell me that there are some very appealing provisions in title 7 of the House bill.

So why cannot we have the matter go to conference, where the conferees can bargain collectively and can exchange views?

In view of the lateness in the session, I believe we must have some deadline. So, in that connection, we have attempted to allow a reasonable period of time for the conferees to reach agreement.

I have always found the minority leader to be a reasonable man; neither have I ever had any difficulty with the distinguished chairman of the subcommittee, the Senator from Massachusetts [Mr. KENNEDY]. I have found him, too, to be very reasonable. He does not want his committee discharged. He does not want the matter taken away from him. He would rather come back to the Senate and say, "We cannot reach an agreement. It is up to you Members to settle the matter." I think if we have just a little faith in each other we can probably bring about a more effective and a more prompt solution of the whole problem.

Mr. President, I would hope we could get action on my motion. If the Senator wants to offer an amendment to require in writing what, in effect, the Senate has said to the conferees, he can offer the motion, and the Senate can act to table it, let the majority have its way, and let the motion have whatever influence it may have on the conferees. I would prefer not to lobby with him at this point. I would prefer to have the conference committee, which is made up of honorable men, go down the hallway, meet with the House conferees, and try to reach an agreement in a few days. If they cannot, then I will support the request for action of the Senator from Massachusetts, the Senator from Arkansas, or other Senators.

Mr. MUNDT. Why cannot we agree on commitments now and send it to conference? The Senator has said we must have faith in the leadership. I have faith in the leadership, but neither faith, hope, nor charity can change the rules of Congress, and the rules of Congress provide that in the event of a disagreement in conference—and this I think every American should understand today before we have this crucial vote—the Senate is through, we have had it, and we are never going to have an opportunity to vote on the Landrum-Griffin bill. If the Senator believes in his view he is the lone subscriber to this opinion, that if the bill is sent back to the House and they are given a chance to choose as between the Landrum-Griffin bill and the Kennedy-Ervin bill, they are going to take the Landrum-Griffin bill. Such a vote would provide the House with an

escape hatch in which running room would be at a great premium.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MUNDT. The Senator has yielded to me. Let me finish.

Mr. JOHNSON of Texas. I would like to comment on that statement. I think we have the right to do what we wish to do, and that the other body has the right to do what it desires. Regardless of what assurances are given, the other body is going to preserve the right to do what a majority of that body wants done. If the Senator has any question about it, he can try to do whatever he thinks is necessary to instruct them, but I have enough faith in the other body to know it is going to do whatever its Members think it ought to do. This is not a unicameral Congress. The other body has a right to exercise its right to do what it wishes to do, and I am not going to take steps to interfere with that right. I am sorry the suggestion was ever made.

Mr. MUNDT. All the Senator from South Dakota is trying to do, in the segments of time between the majority leader's comments and the time he yields——

Mr. JOHNSON of Texas. I have been very generous in yielding time to the Senator.

Mr. MUNDT. That is right, but if necessary, I can get time on my own. I will then be glad to yield to the majority leader.

We ought to know what we are doing. We are all agreed on that. This is pretty important legislation. This is probably the most important bill we are going to vote on this year. I do not want Houdini to roll over in his grave and say "I never thought I would see a surprise such as has happened in that parliamentary legerdemain in Congress."

Let us examine the contingencies. I am concerned with one contingency. If the conferees can get together, I know they can find some happy meeting place on which we can vote. But if the conferees do not get together, I do not want to stand here as a Senator who knows enough about the rules at least to know how to make a preferential motion or to make a motion to adjourn and conduct myself so as to preclude myself from voting for a labor bill stronger than the Kennedy-Ervin bill. The Senator is asking me and all other Senators to do that in the absence of assurances to the contrary.

May I try to get an assurance from the chairman of the Senate conferees on this point? Perhaps the majority leader cannot give the assurance because he is not a conferee. May I address this question to the chairman of the Senate conferees? May we have the assurance, Senator KENNEDY, before we vote, before we resort to preferential motions and other matters which I prefer not to do, that before the conference committee breaks up in such formal disagreement that, under the rules of Congress, the House is obliged to act first, the Senator from Massachusetts will bring the bill back to the Senate for further instructions? If the Senator can say "Yes," I honor his word, and I am sure he will do it. That will settle this matter.

Mr. KENNEDY. Let me ask the Senator from South Dakota a question. Is it his understanding of the rules of the Senate that any member of the conference can give such an assurance, or does he think it must be the chairman?

Mr. MUNDT. I think the Senator could do it in this instance, with the support of the Republicans. If he so assures me, that will be good enough for me.

Mr. KENNEDY. The Senator from Arizona will be a member of the conference, and—is it not possible that any member of the conference, or, in fact, any Member of the Senate, can return after 1 day or 2 or 3 or 4 days, and state that, having discussed the matter for that length of time and the conferees not being able to get together, he moves to discharge the Senate conferees?

Mr. MUNDT. As the Senator has said, that is the prerogative of any Senator, but, as a conservative, I should like to have the assurance that it would be done. The Senator's word is good enough for me.

Mr. KENNEDY. I personally would not consider it as a breach of the Senate rules, but, rather, in accordance with the rules, if at any time any member of the conference submitted such a resolution.

Mr. JOHNSON of Texas. Mr. President, I may point out that any Senator is within his rights in doing it now, tomorrow, or next week. I have said I would be prepared to do it on my own responsibility after a reasonable time for reasonable men. But I do not intend to get into a footrace with the other body. It is not necessary. I think it is ridiculous to do so. I think the Senator from Arizona and the Senator from Massachusetts will both be able to conclude what is a reasonable time, at the conclusion of which they will be able to tell their colleagues, and I presume they will tell the majority leader and minority leader. Once their conclusion is reached that there has been a reasonable time for reasonable men to discuss the matter, I shall be prepared to take action.

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

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I would like to ask the chairman of the Senate conferees a question.

Mr. GOLDWATER. The Senator from Texas has yielded to me.

Mr. MUNDT. I have been interrupted so often, I sometimes wonder if we are talking about the same subject. Did the Senator yield to the Senator from Arizona?

Mr. JOHNSON of Texas. I yielded to the Senator from Arizona while the Senator from South Dakota was having a private conversation, but I will yield to the Senator from South Dakota.

Mr. MUNDT. I should like to ask the Senator from Massachusetts if we may have his assurance that in the event the Senate is called upon to give instructions to the conferees he will then, as a member of the conference committee, feel obligated to have those instructions implemented there, or come back to the Senate for further instructions, before the House acts.

Mr. KENNEDY. To the first part of the question I would say "Yes." In other words, I would be acting as the agent of the Senate. I could give no assurance that we would do that before the House would act.

Mr. MUNDT. Yes, the Senator could. I wish other members of the conference committee were former Members of the House. I would much dislike to see the Senate do something which would absolutely vitiate effective labor legislation, if we believe the Kennedy-Ervin bill is not sufficiently effective, which is what I believe.

The procedure suggested would result in cutting off an opportunity forever for the Senate to vote on the Landrum-Griffin bill, as a result of the parliamentary situation. This is difficult to explain at home. This is difficult to explain on the floor of the Senate, but it should be as clear as black and white.

Let me show why I asked the second part of the question. Let us assume that we proceed, that we do not have a preferential motion, and that we send the bill to the conference committee. Let us assume that the conferees try to get together and that they fail. Then let us assume that the Senator from Arizona [Mr. GOLDWATER] comes back to the Senate and says, "I understand that the conference committee is unable to get together. I sat in the conference. The majority leader said that he would help get a vote of the Senate for further instructions. I therefore move that we instruct the Senate conferees to take the Landrum-Griffin bill. The majority leader is a man of his word. He will give us a chance to vote on this matter within 48 hours, I am sure."

Then let us assume we vote on the matter, and we agree to follow that procedure. We send the conferees back to the conference committee. The Senator has said, as a gentleman and as a Member of the Senate, that he would feel definitely obligated to fight until the hot place froze over for that position, has he not?

Mr. KENNEDY. I will say to the Senator from South Dakota, if the House, as it already has, votes for the Landrum-Griffin bill, and if the Senate votes for the Landrum-Griffin bill, no conference will be necessary.

Mr. MUNDT. But the Senate could do that as a further instruction to the conferees.

Mr. KENNEDY. If the Senate votes to instruct the conferees, then I would think the conferees would follow instructions. First, let me make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KENNEDY. What is the degree to which the conferees are bound, if the Senate votes to instruct the conferees?

Mr. MUNDT. They must try to do their best.

The VICE PRESIDENT. It depends upon the character of the instructions which the Senate might adopt, in any particular case. The Senate can instruct its conferees categorically on a

specific matter, or it can make its instructions more general in character.

Mr. KENNEDY. If the Senate instructs the conferees categorically, then the conferees are compelled to carry out the instructions, are they not?

The VICE PRESIDENT. The conferees in that instance would carry out the will of the Senate.

Mr. KENNEDY. I think that answers the Senator's question.

Mr. MUNDT. The conferees would not have any option in that case. Suppose, however, we go through the normal procedure. We seldom instruct our conferees categorically. We usually instruct the conferees to do their best. Of course, that is a question of procedure.

That helps some in the understanding of the situation, but let us get back to the original question. How shall we get a chance to instruct our Senate conferees before the House knocks us out of the ring?

Mr. GOLDWATER. Mr. President, will the Senator yield at that point?

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. GOLDWATER. I understand the position of the distinguished Senator from South Dakota. I will be frank to admit that I was much tempted to go along the same line. In fact, we have been discussing the matter for almost a month.

I am convinced, however, after reading the Landrum-Griffin bill, that this matter should go to conference. I honestly feel there are parts of the Kennedy-Ervin bill, contained in the first five titles, which should be made a part of the law to be enacted, in order to give to the American people the type of legislation we need and can get. I shall be equally frank in saying that should we do that I think we then shall have taken only a substantial step in the direction of ultimate labor reform.

I am not going to allow my long-range desires to have any bearing on my actions in the conference. I think we should be given a chance to try. I do not think we should stand on the floor of the Senate and assume that seven men of this body cannot get together. I will admit that we have three areas, wrapped up in the secondary boycott, organizational picketing, and States rights, which are going to be controversial, but I cannot for the life of me believe that the seven of us, who labored so long on these bills in the committee and who labored so long with respect to this matter on the floor of the Senate, are going to disagree a great deal over the points which are better in the Kennedy-Ervin bill, in our efforts to come up with a total bill which will be good for all the people.

I will give the Senator from South Dakota my assurance, and I think he knows me well enough to know that I will do what I say, that I will request action after we have proceeded for a reasonable time. I will put a time limit on that; and will say that if after 1 week, which is not a legislative week but is 7 days, I feel in my heart that we have not made any progress, or any substantial progress, I, as one Republican, minority member of the conference committee, will come to this body and will offer a resolution to discharge the conferees. I will ask that the Senate proceed to consideration of the proposal. I cannot speak for the Senator from Illinois [Mr. DIRKSEN] and the Senator from Vermont [Mr. PROUTY], my colleagues on the conference committee, but I can speak for myself. I have discussed this matter with the Senator from Massachusetts. He knows that I will do what I have stated. I do not think the Senator from Massachusetts will try to stand in my way, because in spite of our political differences, I have found the Senator to be a man of honesty and a man who is not going to put his personal ambitions in the way of the enactment of an effective labor law this year.

I give my friend from South Dakota the assurance, for what it is worth, from one member of the conference committee who has already decided that a reasonable time is 1 week, and that if then we have not reached what in my opinion are compromises or agreements which constitute real progress, I intend to come before this body and to ask for action.

Mr. MUNDT. I deeply appreciate that assurance. I think we are making progress. We are now one-seventh of the way home. We do not have to get any further than one more one-seventh, if the Senator from Massachusetts, who will be the chairman of the Senate conferees will give us a similar assurance, I think we can go ahead and have our vote.

I am not unalterably against sending the bill to a conference committee. If I simply did not want to send the bill to conference, I would offer a preferential motion.

I understand that some of my good friends from the South would rather vote for the Landrum-Griffin bill, but would rather vote for it at some other time and in some other way. I am agreeable to that procedure. I am simply trying to figure out some safeguard, so that we will not miss forever an opportunity which I think the American public expects us to accept, and a responsibility we should assume; namely, to vote for something better and more effective than the Kennedy-Ervin bill now that we have that clear-cut, and long sought-after opportunity.

What the Senator from Arizona [Mr. GOLDWATER] has said will accomplish the purpose, provided the distinguished Senator from Massachusetts, who will be the chairman of the Senate conferees, will say two little words, "me, too."

Mr. KENNEDY. I will say "me, too," so far as my understanding of what the Senator from Arizona is going to do is concerned. I am not saying "Me, too," in the sense that I am going to associate myself necessarily, on next Monday, with the resolution or the motion.

Mr. MUNDT. I would not want to pin down a date.

Mr. KENNEDY. But I will say, as I have said to the Senator from Arizona, his position is very clear. If we are not making any progress it is my understanding—and the Senator from Arizona has clearly indicated this to the Senate—that the Senator from Arizona will come to the Senate next Monday to state that in his opinion the conferees ought to be discharged. If the Senator from South Dakota feels that at that time the House will then vote to take the Kennedy-Ervin bill, it is the Senator's privilege to have his own view.

It seems to me that the position is very fair. If the Senator does not want to accept it the way it is, I think this is as much as we can agree on.

It is my understanding that the Senator from Arizona is going to come before the Senate next Monday, if in his opinion he feels the conference committee is not making progress—next Monday or next Tuesday, whichever he considers to be the 7 days. At that time the Senator from Arizona will make a motion to discharge the conferees. That is very clear. I accept that that is the action the Senator from Arizona is going to take.

Mr. MUNDT. And the Senator from Massachusetts is not going to resist it?

Mr. KENNEDY. I will do whatever in my opinion is what I consider proper in the situation. I am not saying that the view of the Senator from Arizona would be my view as well. However, I understand the Senator's position.

Mr. MUNDT. I am simply trying to inquire whether the Senator will not resist the motion?

Mr. KENNEDY. I cannot commit myself on that.

Mr. MUNDT. Let me restate the question. The Senator from Massachusetts will not resist providing the Senate with an opportunity to vote its will? I do not expect the Senator to support the motion, necessarily. If that situation eventuates on Monday, next, are we going to have a great phalanx of opposition to the effort to instruct our conferees? I will ask the Senator, will the Senator resist the opportunity to do something?

Mr. KENNEDY. I will make a parliamentary inquiry.

If the Senator from Arizona does what he states he will do on next Monday or Tuesday, and moves to discharge the conferees, what action could be taken by any Member of the Senate to prevent that motion from coming to a vote?

The VICE PRESIDENT. The Senator could make a motion to lay the motion on the table. Of course, the Senator could vote against the motion.

Mr. MUNDT. What is the answer to my question?

Mr. KENNEDY. Then there will be a vote, I will say to the Senator.

Mr. MUNDT. Do we have an assurance that no effort will be made by the Senator to prevent the Senate at that time from having an opportunity to voice its will?

Mr. KENNEDY. I will say to the Senator that I am not sure what my parliamentary rights would be under those conditions, but I intend to maintain whatever those rights would be.

Mr. MUNDT. Then we are back where we started. The Senator from Arizona [Mr. GOLDWATER] says, "I will make the effort." And the Senator from Massachusetts says, "I will do everything I can,

within my parliamentary rights, to prevent it."

That is what I understood the Senator to say.

Mr. KENNEDY. I do not understand what the Senator wants me to assure him. It really comes down to a question of the judgment of the Senate.

The Presiding Officer has stated that after the Senator has made his motion there could be a motion to table, and there could be an immediate vote on the motion of the Senator from Arizona. I do not know whether I will agree or disagree.

Mr. MUNDT. That would be a vote on the motion to table, which is something altogether different.

Mr. KENNEDY. The Senator is trying to get me to state that I will agree with the Senator from Arizona, whatever his position would be, and I do not think I can.

Mr. MUNDT. Not at all. I am simply asking the Senator to agree that the Senator from Arizona will next week have the opportunity of bringing this matter before the Senate and that there will be a chance to vote on instructions for the conferees. I want to have the Senator agree that at that time he will not come before the Senate to say, "Do not do that to me. I am the chairman of the Senate conferees." I do not want to have the Senator from Texas [Mr. JOHNSON] come before the Senate to say, "Do not do that to me. I am the majority leader. We have to have orderly procedure. We are in control of the Congress, and we do not think Senators ought to do that." If we can iron out some of these points in advance, I am confident that the Senate will be able to take whatever action is needed. If necessary, it can work its will and instruct the Senate conferees.

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

Mr. JOHNSON of Texas. I yield.

Mr. KENNEDY. I will say to the Senator from South Dakota that I have no doubt that the Senator from Arizona [Mr. GOLDWATER] and I will be able to agree within 7 days whether or not progress is being made. We may disagree as to the action the Senate should take, but I have no doubt that we can agree on whether or not progress is being made.

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

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. GOLDWATER. I wish to make a comment relating to what the Senator from Massachusetts has said.

When I came to the floor of the Senate today I discussed with him what I thought was a reasonable time. Personally I felt that by Friday of this week we should be able to tell whether or not we were making progress. The Senator from Massachusetts said that was too soon. He felt that possibly by Monday or Tuesday of next week we should be able to make the determination.

I am not attempting to hold the Senator from Massachusetts to any commitment. The statement I have referred to was not a commitment. I have always found him to be a reasonable man. I believe my Republican colleagues would probably support me in the statement I am about to make. However, it is their right to differ if they so desire. I am satisfied that if I felt that we were not making progress I could go to my chairman and say so, and tell him that I intended to come to the floor with a resolution, and I believe he would support me.

Furthermore, I have the assurance of the majority leader, repeated many times, that he would support me or any other Member in such a resolution; and I have the assurances of the minority leader. So, as one who has felt for many days that we should take the action which the Senator from South Dakota is suggesting, I am hopeful that we can send the bill to conference quickly, so that we can build out of this bill a really effective piece of legislation.

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

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. Mr. President, I should like first to make clear what the Senator from South Dakota is trying to do. He is not trying to prevent the bill from going to conference. At any time during the past hour or so I could have submitted a resolution, and the Senate would have voted upon it. It would have been a preferential resolution.

I am trying to prevent this one very unhappy eventuality, namely, a situation in which the Senate, after today, may never have another opportunity to vote on a more effective piece of labor legislation than the Kennedy-Ervin bill. That can happen unless we can get the differences pretty well ironed out today or accept our existing opportunity to vote on the Landrum-Griffin bill.

There are people in the galleries who are planning to have such a thing happen. There is no plot on the part of Members of the Senate. This could become a "cute" maneuver to bring about a disagreement, because under the rules the bill must then go back to the House for a vote first. I believe that no Member of the Senate will dispute my prediction that if it goes back to the House we can say, "Good night, Landrum-Griffin. You died without ever being heard in the Senate." The House will then vote to accept the Kennedy-Ervin substitute. That courageous but slim majority of only 28 votes on that historic and memorable rollcall could disappear faster than the clerk could call the roll. One way to prevent that is to have the vote today on Landrum-Griffin. Another way is to get an understanding in this RECORD here and now that the Senate can have another opportunity to work its will on labor legislation before the issue returns to the House.

I respect the desire of Senators for orderly procedure. I have always gotten along pretty well with the majority leader. I have never engaged in obstructive tactics of any kind. I have never engaged in a filibuster. I have never objected to a unanimous-consent request. I have not occupied more than my share of time in speaking on the floor of the Senate. But after working for over 24 months as a member of the McClellan Labor Rackets Committee to improve the Kennedy-Ives bill and failing, and after the Kennedy-Ervin bill surrender, I do not wish to be dealt a death blow by a parliamentary maneuver which I know is "in the sack." By reaching acceptable understandings today we can avoid that fate.

Mr. JOHNSON of Texas. Understandings were reached before the Senator entered the Chamber.

Mr. MUNDT. I believe they were, in a very general way. They are even not yet very specific. They are still not as sharply defined as they might be. One could not shave a beard with an edge like that.

Mr. JOHNSON of Texas. Of course, we cannot commit the other body. However, we have assured the Senate that, if necessary, after a reasonable time we will bring back to the Senate a report that the conferees are in disagreement, and ask for instructions. The chairman of the subcommittee [Mr. KENNEDY] gave that assurance. The minority leader gave that assurance, and I gave it. The Senate has not moved one peg further with all its conversation.

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

Mr. JOHNSON of Texas. I yield.

Mr. GORE. I cannot permit to go unchallenged the description by the Senator from South Dakota of the regular parliamentary procedure as being a cute procedure, as he described it a few moments ago. It is the regular procedure which has been followed for 170 years. There is no cute maneuver or sleight-of-hand maneuver or sleight-of-hand trick involved.

It seems to me, from what I have heard, that the Senator from South Dakota wishes to obligate the Senate conferees somehow to misrepresent the position of the Senate, or in some way to tie the hands of the conferees representing the other body; and he can do neither. Under the Rules of the Congress, the first obligation of Senate conferees is, in good faith, to represent the position of the U.S. Senate, determined in this case by a yea and nay vote of 90 to 1. I would not want to go unchallenged any intimation that the Senate conferees will be excused from their obligation. Their primary obligation is to represent the position of the Senate. If they are unable to have the Senate position prevail in conference, it is presumed that there will be negotiations looking toward an amelioration and mitigation of the differences. But I would not want it to go unsaid that the first obligation of the Senate conferees is to represent the position of the Senate.

Nor would I want any implication to go unchallenged that any motion or any move whatsoever would deny, or could deny, to the conferees on the part of the other body the opportunity to express their disagreement and report it promptly to the other body.

That is not a cute procedure. That procedure has been followed for 170 years. It is found in "Jefferson's Manual."

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

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I have no desire to engage in any exercise of semantics involving the use of the word "cute." I am afraid the results would not be "cute." The proposed procedure is orderly. It is also an orderly procedure to submit a preferential motion. Some procedures are more customary than others, but any number of procedures may be perfectly proper and orderly and each is held proper and appropriate in our Senate Book of Rules.

Mr. President, I have no desire to detain the Senate longer on this point. I may not have done all I could to try to bring about a recognition of the pitfalls which are involved in this action, and the problems we confront. However, as an individual Senator I have done all I am going to do. I will not offer a preferential motion. I believe that this discussion has been wholesome, clarifying, and informative. I hope it has been instructive, so far as the conferees and the operations of the Senate on this matter are concerned. We have certainly made much progress toward receiving assurances governing the future.

In subsiding without offering a preferential motion, I express the sincere hope that we may not wind up facing the ugly sequence of events which becomes a possibility as we enter upon this chain of action. I hope that out of these assurances—specific, general, and bipartisan—we have reached a state of understanding which, among gentlemen, will give the U.S. Senate an opportunity to vote, in the event the conferees disagree, on legislation stronger than the Kennedy-Ervin bill before the issue reverts to the House. If not, we shall have capitulated to a circumstance, which I am afraid we may frequently have cause to regret.

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

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names.

Aiken	Goldwater	Martin
Anderson	Gore	Monroney
Bartlett	Green	Morse
Beall	Gruening	Morton
Bennett	Hart	Moss
Bible	Hartke	Mundt
Bridges	Hayden	Murray
Bush	Hennings	Muskie
Butler	Hickenlooper	Neuberger
Byrd, Va.	Hill	Pastore
Byrd, W.Va.	Holland	Prouty
Cannon	Hruska	Proxmire
Capehart	Humphrey	Randolph
Carlson	Jackson	Robertson
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Church	Johnston, S.C.	Scott
Clark	Keating	Smathers
Cooper	Kefauver	Smith
Cotton	Kennedy	Sparkman
Curtis	Kerr	Stennis
Dirksen	Kuchel	Talmadge
Dodd	Langer	Thurmond
Douglas	Lausche	Wiley
Dworshak	Long	Williams, N.J.
Eastland	McCarthy	Williams, Del.
Ellender	McClellan	Yarborough
Engle	McGee	Young, N. Dak.
Ervin	McNamara	Young, Ohio
Frear	Magnuson	
Fulbright	Mansfield	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The VICE PRESIDENT. A quorum is present. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

Mr. COOPER. Mr. President, the Senate will take proper action in sending S. 1555, popularly known as the Landrum-Griffin bill, which has passed the House, to a conference of Senate and House members of the Labor Committees of the two Houses.

I am aware of the vote by which the bill passed the House. Perhaps the true test came on the first rollcall on last Thursday when the House substituted the Landrum-Griffin bill for the House committee bill by a vote of 229 to 201. But last Friday on the final vote the House passed S. 1555 by a vote of 303 to 125.

I know also of the wide and compelling interest among the people of the United States for an adequate and fair labor reform law. For 2 years the Senate Committee on Labor, of which I am a member, spent months in the development of a labor reform bill prior to any legislative action in the House. The Senate passed a bill in 1958, but the House refused to act. And again in April of this year, the Senate passed by a vote of 90 to 1, S. 1555, the Kennedy-Ervin bill, which has now been amended in the House. While many may disagree with the Kennedy-Ervin bill, I am familiar with its provisions, because with other members of the Labor Committee I worked on it for weeks. It marked the first step toward labor reform legislation, and it had many valuable features.

There are several reasons why the House bill should be sent to a Senate-House conference.

First, to send to conference is the orderly legislative procedure of the Senate. The House had the opportunity to study and consider the Landrum-Griffin bill in the House Committee on Labor, as well as in debate on the House floor. The Senate has not had a similar opportunity for committee action and the conference will give opportunity for the Senate's representatives to study carefully the bill. From my experience of over 6 years as a member of the Senate Labor Committee, I know it is almost impossible to write a labor bill on the floor of the Senate.

Second, there is a more important reason which requires this usual legislative consideration by a conference. It is to give to the country the assurance that the fullest and fairest consideration has been given to this legislation, perhaps the most important that has come before the Congress during this session. Legislation must have wide acceptance if it is to be truly effective.

If the House bill were to be passed by the Senate without full consideration in the conference, it would give opportunity to those who do not want any bill passed to charge that the legislation had not been fully considered in the Senate, or did not represent the thoughtful judgment of the Senate. It would be charged that the bill had been railroaded through the Senate and that it was actually an antilabor bill.

Both the majority leader, the Senator from Texas [Mr. JOHNSON], and my own leader, the Senator from Illinois [Mr. DIRKSEN], as well as all the members of the Senate Committee on Labor, favor sending this bill to the conference. The leadership on both sides have given assurance that the bill will be reported back to the Senate for action. I am certain that an effective and fair bill will be reported out of conference to the Senate and House, and that it will receive the vote of a large majority in the Senate. I believe that a large majority of the Members of the Senate will vote for it regardless of political affiliation because they will be satisfied that it does represent the best possible judgment of the Congress, made after proper consideration and not by shortcut action.

I was a Member of the Senate when the Taft-Hartley Act was passed, and I voted for it. For years after, it was resented deeply by the membership of labor unions.

We must remember that the offenses against which this labor reform bill, S. 1555, is directed were not committed by the rank and file of the 16 million members of labor unions. They were not committed by the large majority of labor officials. These working men and women and honest labor officials have the right, as American citizens, to know that this bill has had full consideration in the Senate and that they too have a fair deal—and by sending it to conference, we can give them that assurance. Unfortunately, there is enough bad feeling between labor and management without exaggerating and increasing it by giving the impression that we are acting arbitrarily.

The Senate is taking proper legislative action. And in a much more important sense, it is taking the thorough and fair action that this most important legislation deserves.

Mr. MURRAY. Mr. President, I think it will be acknowledged by my distinguished colleagues, including my respected friend from Arizona, that I have had a certain amount of experience in the field of labor-management legislation.

We all know very well that here in the Senate, and perhaps to an even greater degree in the other House, the measure we are now considering has been the subject of great passions on both sides, and of the most severe pressures, by interested parties, upon the Members of the Congress.

Mr. President, we in the Senate are better able than our distinguished as-

sociates at the other end of the Hill to take what might be called the long view. We can see that the question, the dispute, with regard to this legislation is not one of reform within the existing framework of our labor laws. On that question there is no dispute whatever, except as to relatively unimportant details.

The dispute revolves around another question entirely—whether reform can be achieved without certain basic changes in the framework of our basic labor laws. That, I submit, is the question we are facing.

Our Senate bill takes one approach. It does make some basic changes, but not drastic ones, and only in those areas where abuses have been shown by the select committee.

The House bill goes much further. It contains—inadvertently, perhaps—provisions that would drastically affect the day-to-day operations of the honest trade-union movement.

We in the Senate know, because we read the newspapers and listen to the radio and television programs, that the House bill came out of a political crucible, boiling hot, on a narrow political division. The bill sent to us has never been before a committee at all; it was adopted on the floor of the House in toto.

Yet we are now asked to accept this bill as written and to forgo our own patient efforts to cope with the same issue.

Mr. President, out of my years of experience on such matters, I say that this is the wrong approach. The better way to justice is through the considered operation of our legislative processes. And this is the way, the traditional and time-tested way, to write good legislation in any field.

Yes, this will mean some delay—but not as much delay as has already been caused by the refusal of the House, a year ago, to act on this issue at all.

I say let this matter go to conference, where the wisdom of both Houses will, I pray, produce a result in the best interests of the Nation.

Mr. WILLIAMS of Delaware. Mr. President, I should like to make the statement that I think we are making a mistake if we accept this motion. Instead I think the Senate should accept the Landrum-Griffin bill today. This is the best and perhaps the only chance we will have to vote for strong labor reform legislation. There is plenty of precedent for the Senate to accept House bills without sending them to conference. It has been done time and time again.

I am very fearful that if we send this bill to conference this will be the last chance we will get in the Senate to vote on the Landrum-Griffin bill which passed the House. I hope that I am in error in that conclusion. I shall vote against the motion of the Senator from Texas to send this bill to conference. If there are enough of us who feel that the Senate should accept the Landrum-Griffin bill all we have to do is to defeat the motion of the Senator from Texas, and the next motion would be to accept the bill as it passed the House. The members of the labor unions, employers, and the American people in general are entitled to this legislation.

Mr. JAVITS subsequently said: Mr. President, I believe that the resolution of the differences between the Senate bill, S. 1555, and the form of bill enacted by the other body must go to conference in order that the Congress may adequately fulfill its constitutional duty of mature deliberation as a bicameral body.

It is only through conference that the differences between the forms of bill adopted by the two Houses can be resolved in a way appropriate to the gravity of the subject matter. That is true with respect to the fundamental questions of the method of enforcement of the rights of individual members, whether by suit by the Secretary of Labor or by the individual, and of hot cargo and the secondary boycott, and the extent to which recognition or organizational picketing shall be regulated; as well as a number of minor issues such as the circumstances under which prehiring contracts shall be allowed in the construction industry and the issue of voting by economic strikers.

From the point of view of the fundamental structure of our Federal system, it is especially important that the so-called "no man's land" issue be carefully worked out in conference rather than by action on the Senate floor.

Under the provisions of section 701 of the bill as adopted by the Senate, a State agency other than a court may exercise jurisdiction over all cases over which the National Labor Relations Board has jurisdiction but has declined to assert jurisdiction. Under the form of bill adopted by the other body, section 701 provides that any agency, or the courts of any State or Territory, may assume jurisdiction over disputes over which the National Labor Relations Board declines to assert jurisdiction.

Under the form of bill adopted by the Senate, the State or Territory agency must apply and be governed solely by Federal law. Under the bill adopted by the other body, no such restriction is imposed, and the State courts or agencies are free to apply State law.

Mr. President, let us take a deliberate look at the fundamental differences between these two points of view, as expressed in the two bills. The Senate bill commits the entire no man's land area to Federal law, which would govern it in the normal course if jurisdiction were exercised by the National Labor Relations Board. It provides that among those States which have administrative agencies comparable to the National Labor Relations Board, some 10 in all, these administrative agencies may deal with problems in no man's land according to Federal law and may bring to them the flexibility and expedition, as well as the expert knowledge, which are the special characteristics of the administrative process. Many of us believe, as I do, that the adoption of this plan will stimulate the creation of such administrative bodies among States which do not now have them. Under the bill adopted by the other body, it is not only State agencies but local courts as well which may deal with situations in the no man's land area. State laws on union recognition, procedures on union representation and collective bargaining differ so widely as to endanger our whole system of jurisdiction in labor relations cases. Certainly this subject alone deserves close study and should be resolved deliberately rather than by a quick vote on the floor. Hence I believe sending the bill to conference is essential.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas, that the Senate disagree to the amendment of the House to the bill, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. KENNEDY, Mr. MCNAMARA, Mr. MORSE, Mr. RANDOLPH, Mr. GOLDWATER, Mr. DIRKSEN, and Mr. PROUTY conferees on the part of the Senate.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PUBLIC WORKS APPROPRIATION BILL, 1960—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 14, 1959, p. 15898, CONGRESSIONAL RECORD.)

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

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSON of Texas. Mr. President, I am told that we will have a very brief presentation on this important appropriation bill, and then we can proceed to consider it.

I ask unanimous consent that we have another hour for the morning hour, so that Members may make insertions and statements as soon as the Senator from Louisiana has made his brief statement.

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

Mr. JOHNSON of Texas. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I ask unanimous consent that Lyman Brownfield, General Counsel of the Housing and Home Finance Agency, be permitted access to the floor during debate on the housing bill.

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

Mr. JOHNSON of Texas. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, the committee of conference met for only 3 days. I believe the Senate conferees did good work in maintaining or sustaining most of the projects which the Senate provided for during the consideration of the bill.

All legislation must be the result of adjusting the differences in a bill as passed by the two Houses of Congress. The conference bill does not provide all that I personally feel that we should be doing to develop the water resources of this country. I would have liked to see the House agree to the Senate amendments. On the other hand, the House felt that they sent us a good bill and we should have accepted their bill. I must agree that they did send us a pretty good bill this year which, for the Corps of Engineers, included 33 new starts under "Construction, general" and two new starts under "Mississippi River and tributaries." Their new starts were good projects and I believe that the Senate committee would have recommended most of them if the House committee had not included them. The Senate added an additional 25 new starts under "Construction, general" and one new start under "Mississippi River and tributaries."

The conferees agreed on 13 of the 25 new starts recommended by the Senate under "Construction, general" and 1 new start under "Mississippi River and tributaries."

The conference report provides an appropriation of $1,206,748,549 which is $50,087,751 below the amount approved by the Senate, of which $13 million is a reduction for savings and slippages, and $29,571,549 above the amount approved by the House.

Attached is a summary of the bill showing how the money is to be distributed among titles I, II, and III.

Title I covers "Civil functions, Department of the Army." Title II covers certain agencies of the Department of the Interior. Title III covers the Tennessee Valley Authority.

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

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

Summary table—Public works appropriation bill, fiscal year 1960

	Estimates, 1960	House allowance	Senate allowance	Conference allowance
TITLE I				
CIVIL FUNCTIONS, DEPARTMENT OF THE ARMY				
Quartermaster Corps, cemeterial expenses	$9,000,000	$9,194,000	$9,194,000	$9,194,000
Corps of Engineers:				
General investigations	9,000,000	9,518,400	11,938,200	10,750,000
Construction	660,000,000	658,800,100	710,034,100	678,314,100
Operation and maintenance	113,500,000	114,382,000	122,382,000	117,882,000
General expenses	12,640,000	12,640,000	12,640,000	12,640,000
Mississippi River and tributaries	68,000,000	68,560,000	75,434,500	70,839,500
St. Lawrence Joint Board of Engineers	40,000	40,000	40,000	40,000
Total, Corps of Engineers	863,180,000	863,940,500	932,468,800	890,465,600
Total, title I	872,180,000	873,134,500	941,662,800	899,659,600
TITLE II				
DEPARTMENT OF THE INTERIOR				
Bureau of Reclamation:				
General investigations	5,000,000	4,349,261	5,390,000	4,788,710
Construction and rehabilitation	135,410,000	128,473,239	142,346,000	135,862,739
Operation and maintenance	29,131,000	29,131,000	29,131,000	29,131,000
Loan program	220,000	7,237,000	6,236,500	6,236,500
General administrative expenses	4,400,000	4,400,000	4,400,000	4,400,000
Upper Colorado River Basin fund	77,035,000	79,819,000	76,369,000	76,369,000
Total, Bureau of Reclamation	251,196,000	253,409,500	263,872,500	256,787,949
Office of the Secretary, Southeastern Power Administration, operation and maintenance	735,000	735,000	735,000	735,000
Southwestern Power Administration:				
Construction	880,000	880,000	880,000	880,000
Operation and maintenance	1,150,000	1,150,000	1,150,000	1,150,000
Continuing fund [1]	(*5,000,000*)	(*5,000,000*)	(5,000,000)	(5,000,000)
Total, Southwestern Power Administration	2,030,000	2,030,000	2,030,000	2,030,000
Bonneville Power Administration:				
Construction	25,000,000	22,332,000	22,000,000	22,000,000
Operation and maintenance	10,250,000	10,250,000	10,250,000	10,250,000
Total	35,250,000	32,582,000	32,250,000	32,250,000
Total title II	289,211,000	288,756,500	298,887,500	291,802,949
TITLE III				
INDEPENDENT OFFICES				
Tennessee Valley Authority	15,286,000	15,286,000	16,286,000	15,286,000
Grand total	1,176,677,000	1,177,177,000	1,256,836,300	1,206,748,549

[1] Includes $4,203,000 in the Supplemental Appropriation Act, 1959.

Mr. ELLENDER. Mr. President, the conferees had to take quite a cut on general investigations. It will be recalled that the Senate provided $11,938,400 for that purpose. The House had provided $9,518,000. The conferees agreed to $10,750,000.

I may advise the Senate that most of the surveys can be undertaken by the Corps of Engineers with the exception of two eliminated by the conferees and the best of those projects will, of course, be selected by the engineers. We are not earmarking any money for any particular projects, but it is my hope that the amount of money which has been provided will take care of many of the most urgent studies.

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

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

General investigations, fiscal year 1960

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

Item (1)	Approved budget estimate for fiscal year 1960 (2)	House allowance (3)	Senate allowance (4)	Conference allowance (5)
GENERAL INVESTIGATIONS				
1. Examinations and surveys:				
(a) *Senate Resolution 148*			$100,000	
(b) *Navigation studies*	$600,000	$709,500	1,185,800	$1,050,000
(c) *Flood control studies*	2,100,000	2,459,900	3,331,400	3,101,000
(d) *Beach erosion cooperative studies*	75,000	75,000	100,000	75,000
(e) Special studies:				
(1) *San Francisco Bay survey*	400,000	400,000	750,000	500,000
(2) *Ohio River Basin review*	400,000	400,000	500,000	400,000
(3) *Great Lakes Harbor survey*	260,000	260,000	367,000	260,000
(4) *Coordination studies with other agencies*	150,000	110,000	150,000	110,000
(5) Delaware River comprehensive survey	330,000	330,000	330,000	330,000
(6) Hurricane studies	950,000	950,000	950,000	950,000
(7) Hudson River (siltation) studies		114,000	114,000	114,000
(8) Potomac River review	500,000	400,000	400,000	400,000
(9) *Colorado River, Tex*	75,000	75,000	100,000	75,000
(10) *Trinity River*	200,000	200,000	300,000	250,000
(11) *Great Lakes water levels*			75,000	
(12) *Rampart Canyon, Alaska*			100,000	50,000
Subtotal, examinations and surveys	6,040,000	6,483,400	8,853,200	7,665,000
2. Collection and study of basic data:				
(a) Stream gaging (U.S. Geological Survey)	225,000	225,000	225,000	225,000
(b) Precipitation studies (U.S. Weather Bureau)	330,000	330,000	330,000	330,000
(c) *Fish and wildlife studies (U.S. Fish and Wildlife Service)*			50,000	50,000
(d) International water studies	50,000	50,000	50,000	50,000
Subtotal collection and study of basic data	605,000	605,000	655,000	655,000
3. Research and development:				
(a) Beach erosion development studies	200,000	200,000	200,000	200,000
(b) Hydrologic studies	150,000	150,000	150,000	150,000
(c) Civil works investigations	1,200,000	1,200,000	1,200,000	1,200,000
(d) Mississippi Basin model:				
(1) Construction	700,000	700,000	700,000	700,000
(2) Mississippi River comprehensive study	105,000	105,000	105,000	105,000
Subtotal, research and development	2,355,000	2,355,000	2,355,000	2,355,000
4. Alaska pierhead lines survey				
5. Arkansas-Red River pollution		75,000	75,000	75,000
Total, general investigations	9,000,000	9,518,400	11,938,200	10,750,000

Mr. ELLENDER. Mr. President, on construction, general, the conferees provided for 83 new starts. For construction planning, it will be recalled that as between the House and the Senate we have provided for 102 projects.

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

Mr. ELLENDER. I yield.

Mr. KEFAUVER. I realize that the Senate conferees did the best they could in trying to sustain the Senate's position to keep projects contained in the Senate bill. I was disappointed that planning money for the Cordell Hull Dam at Carthage, on the Cumberland River, where money had been previously spent for advance planning, was omitted and was stricken in conference, and, also money for the construction of a dam at Melton Hill, in the TVA area. But it is my understanding that $200,000 will complete the study of the Melton Hill Dam, and that the project will be in a different situation next year.

Mr. ELLENDER. The objection raised by the House to the Cordell Hull Dam was its low benefit-cost ratio. The cost ratio was 1 to 1.104, which is very low. But it is my hope that it will be possible to make a further study of this project in the light of the present conditions which probably will result in an increase in the benefit-cost ratio.

As to the Melton Hill Dam to which the Senator referred, the House took the position that since the money which was to be provided will complete the planning, it might be better to accomplish that, first, and then next year seek funds for construction.

Mr. KEFAUVER. The Senator refers to the Melton Hill Dam construction?

Mr. ELLENDER. Yes.

Mr. KEFAUVER. With reference to the proposed Cordell Hull Dam, it is my information that the increased traffic will exist as a result of a more recent study and also certain other flood control features, and will thus increase the benefit-cost ratio in connection with the Cordell Hull Dam.

Mr. ELLENDER. Yes. As suggested, though, one of the best methods to follow would be to study the project in the light of what has already been accomplished in the area.

If the project is considered with others in the basin, it may be that the benefit-cost ratio will be increased considerably.

Mr. KEFAUVER. This is on the Cumberland River.

Mr. ELLENDER. Yes; I understand that.

Mr. CARLSON. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. I appreciate very much the problems which confronted the conferees. We in Kansas had five unbudgeted items. I notice from the report that we received approval of two projects, $50,000 planning money for Frankfort, and $500,000 in construction money for the Wilson Dam.

Mr. ELLENDER. The Senator is correct.

Mr. CARLSON. I would be less than frank if I did not state that we were disappointed that we did not get the $400,000 construction money for Elk City Reservoir; $25,000 planning money for Cedar Point; and $250,000 for the Kansas Cities, which is a joint project as between Kansas City, Kans., and Kansas City, Mo. I sincerely hope that next year we may be able to convince the Senate, the House, and the conferees that these are important projects.

I appreciate the report.

Mr. ELLENDER. The Senator from Kansas may remember that during the last 3 or 4 years we added quite a few projects which are now in the process of construction in Kansas. As I recall, frequently the first year we had to give in. This year we added four unbudgeted projects for Kansas. The conferees allowed two of them. I thought the batting average was pretty good.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the Public Works appropriation bill conference report.

The yeas and nays were ordered.

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

Mr. ELLENDER. I yield.

Mr. MANSFIELD. Mr. President, I would like to comment briefly about this conference report. First of all, I wish to compliment the distinguished chairmen of the Senate Committee on

Appropriations and the Subcommittee on Public Works, Senators HAYDEN and ELLENDER, for presenting a sound, well-rounded program of developing our natural resources. This money bill contains funds to continue construction on existing projects, there are some new starts and there are sufficient funds to continue necessary field studies and surveys.

All of this has been done without busting the budget. It is not a spenders program but it is a forward looking program which will develop and conserve our resources for the benefit of all.

I am especially pleased about the $1 million that was included to start work on the East Bench Unit in the vicinity of Dillon, Mont. It was essential that work be started on this irrigation project this year. If this project had been delayed another year it would have thrown the cost ratio out of balance and it would have never been constructed. Again, I want to say how pleased I am that the Senate conferees accepted the appropriation of funds for the East Bench Unit.

Now I turn briefly to the more unpleasant aspect of this public works appropriation bill—what it does not contain, namely, construction money for Yellowtail Dam and Reservoir in southeastern Montana.

Since the time when I came to the Senate in 1953, this project has held forth great promise, it is an excellent project from every conceivable point of view, its benefits are multipurpose in nature and it would have tremendous influence on the economy of eastern Montana. My distinguished senior colleague, Senator MURRAY, has been working on this project for many more years than I. Each year some obstacle precluded the construction of the project. When an agreement was finally reached with the Crow Indians about the transfer of lands at the dam site, the final obstacle was removed. I thought that fiscal year 1960 would be the year that a start could be made on Yellowtail. The Senate recognized the need for this project in approving an appropriation of $3 million to start work on Yellowtail, however, the administration's policy of no starts on such large projects has prevailed and we will have to wait another year.

Yellowtail Dam cost estimates are something slightly in excess of $100 million and I realize that when the construction of the project is at its peak large appropriations will be needed and it would then have a great influence on the cost of our annual reclamation program. But at the same time we cannot continue to postpone construction on all large projects with benefits in hydroelectric power, flood control, irrigation, conservation, and recreation. The byproducts of Yellowtail Dam can never be supplied by a variety of smaller projects.

I sincerely hope that the administration will come forward with recommendations in their budget for fiscal year 1961 to start work on Yellowtail Dam. I am confident that there will be great support for the project in the Congress. Yellowtail Dam is needed in Montana and its benefits will be realized throughout the Northwest.

Mr. President, my colleague, the distinguished senior Senator from Montana [Mr. MURRAY], and I are very much pleased with the fact that the East Bench project is included in this year's public works appropriation bill. We were happy when the Senate committee, under the chairmanship of the Senator from Louisiana, included $3 million for Yellowtail Dam. Naturally, we were disappointed that this amount was not held in conference. But we understand that the Senator from Louisiana and our Senate colleagues on the committee of conference made every effort to keep the item in the bill.

I hope that next year there will be a better possibility to secure this project, which means much for Montana, the Great Plains, and the western area of the country in general.

I hope the Senator from Louisiana will be as sympathetic to this project next year as he has been this year, because it is urgently needed.

Mr. ELLENDER. The Senator from Arizona [Mr. HAYDEN] handled that part of the bill. I will let him respond to the Senator from Montana.

Mr. HAYDEN. With respect to the Yellowtail unit of the Missouri River Basin project and the Curecanti project the opposition of the House conferees was to future fund commitments required for these projects. It was their view that the initiation of these projects in fiscal 1960 would result in fund requirements in fiscal 1961 and 1962 that would tend to throw the construction program of the Bureau out of balance. I want to make it clear that their opposition was not to the merits of the projects.

Mr. MANSFIELD. Does that mean that next year the prospects for the construction of Yellowtail Dam will be more encouraging?

Mr. HAYDEN. Certainly, because other projects which are now under construction will be that much further along.

Mr. MANSFIELD. I thank the Senator from Arizona, who has been a good friend of the natural resource development of the West, and especially of Montana; and on behalf of my colleague [Mr. MURRAY] and myself, I express the hope that next year we shall be able to achieve better results for the Yellowtail Dam and Reservoir.

Mr. MURRAY. Mr. President, I regret that an allocation for the initiation of construction of Yellowtail Dam, Missouri River Basin project, was eliminated from the public works appropriation bill in conference.

The Congress has cleared the right-of-way problem with the Crow Indians for Yellowtail Dam and the Indians have received the funds for this purpose.

The Bureau of Reclamation has expended $2 million or more in preliminary work and designs for Yellowtail Dam. The Montana congressional delegation proposes to press for funds to start construction of this vital multiple purpose project next year. We are extremely disappointed at the absence of an allocation for Yellowtail Dam for fiscal year 1960. Construction of Yellowtail Dam is a must for next year.

Mr. COOPER. Mr. President, I should like to express my appreciation and, I am sure, the appreciation of all the people of Kentucky for the cooperation and helpfulness of the distinguished Senator from Louisiana [Mr. ELLENDER] and his subcommittee, which heard the testimony of all of us in connection with flood control and river development projects in Kentucky.

I know that both the subcommittee and the full committee made every effort to act fairly and objectively on the evidence which was presented.

The Senator from Louisiana will remember that in the last 2 years many of us from Kentucky—and I have talked to him dozens of times in this connection—have manifested our great interest in flood protection for the Big Sandy Valley. We appreciate that provision has been made in this bill for Pound Reservoir in Virginia which will provide part protection for the people of the Big Sandy River Valley. In addition your subcommittee fixed an appropriation of $400,000 to complete planning of Fishtrap Reservoir. The conference committee reduced the appropriation to $200,000, which was the House figure. We hope that next year the committee will again give its sympathetic consideration to this project and appropriate sufficient funds to finish planning. We also will ask next year that appropriations be made to begin construction of Fishtrap Reservoir.

So I submit these matters to my friend, the Senator from Louisiana [Mr. ELLENDER], who has been most sympathetic to the needs of all the people of the Big Sandy area and, in fact, to the needs of all the people of Kentucky.

Mr. ELLENDER. Mr. President, I assure the Senator from Kentucky that the Senate conferees exerted every effort to retain the additional amount, over and above the budgeted amount. But the House conferees would not go along with us.

As the Senator from Kentucky has stated, the Pound Reservoir has been allowed $2,500,000, to commence construction.

I feel confident that with the $200,000 provided in this bill for continuing the planning for the Fishtrap Reservoir, the plans will advance to a point so that next year we can provide funds for completion of planning and for initiation of construction of that reservoir. I will do all I can in that connection, because I believe the Big Sandy is one of the key rivers in that area which should be controlled, in order to stop the floods.

Mr. COOPER. We also hope that with the assistance of the Senator from Louisiana, plans will go forward, each year, for the further development of the Ohio River.

Mr. ELLENDER. The Senator from Kentucky will recall that the Senate voted appropriations for both Belleville lock and dam and Cannelton lock and dam; but the Senate conferees had to give in as regards Cannelton, because that item had not been authorized. But we shall try to have it included next year.

Mr. AIKEN. Although there was an increase in the amount of $1,750,000 above the amount of the budget request,

the conference committee disapproved the sum of $10,000, which had been unanimously approved by the Senate, to complete the general survey of the Hudson-Champlain Waterway. Can the Senator from Louisiana inform us of the circumstances in that connection?

Mr. ELLENDER. Two items were left out, and one of them was the one to which the Senator from Vermont has referred. We delayed taking action on those two appropriations until the very last minute, in the hope that the House conferees would change their minds. But they were adamant.

I asked Representative TABER, one of the conferees who was responsible for that position, whether he was the one who should be given credit for eliminating those two items. He said "I am the one who wants to have them taken out." And they were taken out.

Mr. AIKEN. I was quite amazed at that.

Mr. ELLENDER. So was I. The Senate committee included both of them, and they were budgeted.

Mr. AIKEN. This waterway is one of the principal waterways that is increasing in use. Its use increased greatly this year; and when the waterway is completed, it will shorten the water transportation distance between New York and the lake ports by 1,400 miles. Only $10,000 will be needed to complete the survey. So I was tremendously surprised to find any Member of Congress from New York opposing this item, because it is officially supported by the States of New Jersey, New York, and Vermont.

So I want the responsibility placed where it belongs.

Mr. ELLENDER. I have undertaken to do so for the RECORD.

Mr. SCHOEPPEL. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. SCHOEPPEL. I appreciate very much the effort the Senator from Louisiana has made in connection with the problems confronting him, especially in connection with the new starts which were before the conferees.

I wish to join my colleague [Mr. CARLSON] in saying that we are very much disappointed that we did not succeed in having included some of the projects in which we are very much interested, especially the Elk City Reservoir. But I know the Senator from Louisiana and his subcommittee made every effort in that connection.

I hope next year the items which were rejected this year will receive favorable consideration, and that, in addition, favorable consideration will also be given to some other projects which we desire to present to the committee, because we believe they are very important.

Mr. ELLENDER. I have no doubt that we may be able to have provision made, next year, for the two which were rejected this year, and may be able to have that provision "stick."

Mr. SCHOEPPEL. I thank the Senator from Louisiana.

Mr. LAUSCHE. Mr. President, can the Senator from Louisiana tell me by what amount the conferees reduced the total appropriations the Senate voted?

Mr. ELLENDER. The total voted by the Senate was approximately $80 million above the amount of the budget estimates, when the bill went to conference. The conferees ended with a figure approximately $30 million above the budget estimates.

Mr. LAUSCHE. So approximately $50 million worth of either construction or planning funds was eliminated?

Mr. ELLENDER. That is correct. Of course, we had to give in to the extent of $13 million in connection with the item for savings and slippages, which affects the construction of many projects.

Mr. LAUSCHE. So the amounts now authorized by the conference report, if it is enacted into law, will be $30 million in excess of the amounts recommended by the President, but will be $50 million less than the amounts voted by the Senate; is that correct?

Mr. ELLENDER. That is correct.

Mr. LAUSCHE. The Senator from Louisiana will recall my correspondence with him, in which I stated that if the President's budget estimates were exceeded, I wanted certain Ohio projects included. Of course, the Senate version of the bill included an item of $200,000 in Cuyahoga County.

Mr. ELLENDER. Yes, for the bridge.

Mr. LAUSCHE. Yes, for planning.

Mr. ELLENDER. That is correct. But the House conferees opposed it vigorously, and the Senate conferees had to give in.

Mr. LAUSCHE. I so understand.

Mr. ELLENDER. However, provision was included for the Belleville locks and dam on the Ohio River.

Mr. LAUSCHE. Yes; at my request.

Mr. ELLENDER. Yes; and provision was also made for the Muskingum River reservoirs. That item, also, is included in the conference agreement.

Mr. LAUSCHE. Yes.

Mr. ELLENDER. The only one on which we had to give in was the bridge item.

Mr. LAUSCHE. Yes; the $200,000 item.

Mr. ELLENDER. Yes.

Mr. LAUSCHE. That is the $200,000 item for the Erie Railroad bridge over the Cuyahoga River; it is one of the items which has been eliminated.

Mr. ELLENDER. That is correct.

Mr. LAUSCHE. In addition, $48,500,000 for other projects was eliminated, was it not?

Mr. ELLENDER. Yes.

Mr. LAUSCHE. Undoubtedly next year we shall ask for inclusion of the $200,000 item; and I feel quite certain that next year, as well as this year, the Senator from Louisiana will do all he can for us in that connection.

Mr. ELLENDER. I can give the Senator from Ohio that assurance, because I think all of those projects were good ones.

I am also particularly anxious to include provision for the Cannelton lock. That item was eliminated by the House because it was not authorized. If it had been authorized, I am sure we could have had planning money for it included, also.

Mr. LAUSCHE. Let me ask about the location of the projects which were affected by the elimination of the $50 million. Are those projects generally distributed?

Mr. ELLENDER. They are generally distributed all over the country. For instance, one is in Alabama—the Millers Ferry lock and dam. Others were in California. I think very few States escaped some elimination of appropriation funds for either planning or construction.

Mr. LAUSCHE. What is the total amount involved now?

Mr. ELLENDER. Altogether, $1,206,748,549.

Mr. LAUSCHE. I thank the Senator very much.

Mr. ELLENDER. Mr. President, I append a tabulation showing a breakdown of the construction and planning items as passed by the Senate and as agreed to in conference.

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

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

Corps of Engineers, construction, general, fiscal year 1960

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House a mount are the same]

	Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Alabama:								
	Aquatic plant control. (See Louisiana.)								
(N)	Columbia lock and dam, Alabama and Georgia	$1,000,000		$1,000,000		$1,000,000		$1,000,000	
(N)	Holt lock and dam				$150,000		$150,000		$150,000
(N)	Jackson lock and dam	8,150,000		8,000,000		8,000,000		8,000,000	
(P)	*Millers Ferry lock and dam*						200,000		
(FC)	Montgomery		$63,000		63,000		63,000		63,000
(P)	Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia	14,900,000		14,900,000		14,900,000		14,900,000	

Corps of Engineers, construction, general, fiscal year 1960—Continued

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

	Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Alaska:								
(N)	*Dillingham Harbor*					$406,000		$406,000	
(N)	*Naknek River*					[1] (21,000)		[1] (21,000)	
(N)	Seldovia Harbor:								
	(a) *Channel work*					[1] (245,000)		[1] (245,000)	
	Arizona:								
(FC)	Alamo Reservoir		$65,000		$65,000		$65,000		$65,000
(FC)	*Gila River*		30,000		30,000		50,000		50,000
(FC)	Painted Rock Reservoir	$5,171,000		$5,171,000		5,171,000		5,171,000	
(FC)	Whitlow Ranch Reservoir	1,903,000							
	Arkansas:								
(N)	Arkansas River and tributaries, Arkansas and Oklahoma:								
	(a) Emergency bank stabilization	4,000,000		4,000,000		4,000,000		5,000,000	
	(b) *Other bank stabilization*					4,000,000			
(N)	Arkansas River and tributaries, Arkansas and Oklahoma (general studies)		900,000		900,000		900,000		900,000
(P)(H)	Beaver Reservoir			1,500,000		1,500,000		1,500,000	
(P)	Bull Shoals Reservoir, Ark. and Mo. (additions of units Nos. 5 and 6)	1,200,000		1,200,000		1,200,000		1,200,000	
(FC)	*Clarksville*					[1] (259,000)		[1] (259,000)	
(P)	Dardanelle lock and dam	5,000,000		3,400,000		3,400,000		3,400,000	
(P)	*DeGray Reservoir*						150,000		150,000
(FC)(H)	Gillham Reservoir				80,000		80,000		80,000
(P)	Greers Ferry Reservoir	11,130,000		11,130,000		11,130,000		11,130,000	
(FC)	McKinney Bayou and Barkman Creek, Ark. and Tex	600,000		600,000		600,000		600,000	
(FC)	Millwood Reservoir		172,000		172,000		172,000		172,000
(FC)	*Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex*	700,000		400,000		700,000		700,000	
	Table Rock Reservoir, Ark. and Mo. (See Missouri.)								
	California:								
(FC)	Black Butte Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Carbon Canyon Dam and Channel	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Devil East Twin Warm and Lytle Creeks	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Eel River	508,000		508,000		508,000		508,000	
(N)	Halfmoon Bay Harbor	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Los Angeles County drainage area	15,500,000		15,500,000		15,500,000		15,500,000	
(FC)	Lower San Joaquin River and tributaries	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Middle Creek	650,000		650,000		650,000		650,000	
(FC)(H)	Mill Creek levees			500,000		500,000		500,000	
(FC)(H)	New Hogan Reservoir			1,500,000		1,500,000		1,500,000	
(FC)	Oroville Reservoir		30,000		30,000		30,000		30,000
(FC)	Pine Flat Reservoir	75,000		75,000		75,000		75,000	
(N)	Playa Del Rey Inlet and Basin	500,000		500,000		500,000		500,000	
(N)	Port Hueneme Harbor	3,000,000		3,000,000		3,000,000		3,000,000	
(N)(H)	Redwood City Harbor: 30-foot depth San Bruno Shoal entrance and Redwood Creek channels			1,378,000		1,378,000		1,378,000	
(FC)	Russian River Reservoir	250,000		250,000		250,000		250,000	
(FC)	Sacramento River	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	Sacramento River and major and minor tributaries	1,100,000		1,100,000		1,100,000		1,100,000	
(FC)	*Sacramento River, Chico Landing to Red Bluff*						50,000		
(N)	*Sacramento River deepwater ship channel*	7,500,000		6,500,000		7,500,000		6,500,000	
(FC)	San Antonio and Chino Creeks	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)	*San Jacinto River and Bautista Creek*					225,000		225,000	
(N)	San Joaquin River-Stockton deepwater channel	250,000		250,000		250,000		250,000	
(FC)	San Lorenzo Creek	1,700,000		1,700,000		1,700,000		1,700,000	
(FC)	San Lorenzo River	274,000		274,000		274,000		274,000	
(FC)	Santa Clara River	1,300,000		1,300,000		1,300,000		1,300,000	
(N)	*Santa Cruz Harbor*					400,000			
(FC)	Santa Maria Valley levees	2,200,000		2,200,000		2,200,000		2,200,000	
(FC)	Stewart Canyon Basin		62,000		62,000		62,000		62,000
(FC)	Success Reservoir	4,000,000		4,000,000		4,000,000		4,000,000	
(FC)	Terminus Reservoir	5,500,000		5,500,000		5,500,000		5,500,000	
	Truckee River and tributaries, California and Nevada. (See Nevada.)								
(FC)	Tuolumne River Reservoirs (New Don Pedro)		25,000		25,000		25,000		25,000
	Colorado:								
(FC)	Trinidad Reservoir		75,000		75,000		75,000		75,000
	Connecticut:								
(FC)	*East Branch Reservoir*						75,000		
(FC)(H)	Hall Meadow Brook Reservoir		75,000	250,000		250,000		250,000	
(FC)(H)	Mad River Reservoir		75,000	275,000		275,000		275,000	
(FC)	Thomaston Reservoir	4,800,000		4,800,000		4,800,000		4,800,000	
	Delaware:								
(N)	Inland waterway, Delaware River to Chesapeake Bay, Delaware and Maryland:								
	(a) Canal improvement		180,000		180,000		180,000		180,000
	(b) Summit Bridge	3,090,000		3,090,000		3,090,000		3,090,000	
	Florida:								
(N)	Apalachicola Bay:								
(H)	(a) Channel at East Point: Reimbursement			39,100		39,100		39,100	
(H)	(b) St. George Island: Reimbursement			43,000		43,000		43,000	
	Aquatic plant control. (See Louisiana.)								
(FC)	Central and Southern Florida	9,000,000		9,000,000		9,000,000		9,000,000	
(N)	*Escambia River*					[1] (88,000)		[1] (88,000)	
(N)	*Intracostal Waterway, Caloosahatchee River to Anclote River.*					1,000,000		600,000	
(N)	*Intracoastal Waterway, Jacksonville to Miami*	1,130,000		20,000		1,130,000		1,130,000	
(N)	St. Joseph Bay, Port St. Joe Harbor	1,183,000		1,000,000		1,000,000		1,000,000	
(N)	Tampa Harbor: Deepening of Tampa Harbor Channel	3,672,000		3,672,000		3,672,000		3,672,000	
	Georgia:								
	Aquatic plant control. (See Louisiana.)								
(N)	Brunswick Harbor	1,150,000		1,150,000		1,150,000		1,150,000	
	Columbia lock and dam, Alabama and Georgia. (See Alabama.)								
(P)	Hartwell Reservoir, Ga. and S.C	26,400,000		26,400,000		26,400,000		26,400,000	

See footnotes at end of table.

Corps of Engineers, construction, general, fiscal year 1960—Continued

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Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Georgia—Continued								
(N) Savannah River below Augusta	$950,000		$950,000		$950,000		$950,000	
Walter F. George (Fort Gaines) lock and dam, Alabama and Georgia. (See Alabama.)								
Hawaii:								
(N) Honolulu Harbor	1,720,000		1,720,000		1,720,000		1,720,000	
(N) *Kahului Harbor* [2]					140,000		140,000	
(FC) Wailoa Stream		$28,000		$28,000		$28,000		$28,000
Idaho:								
(P) Bruces Eddy Reservoir (construction not yet authorized)		770,000		770,000		770,000		770,000
(FC) Columbia River local protection:								
(a) Boise Valley		41,000		41,000		41,000		41,000
(b) Heise-Roberts extension		75,000		75,000		75,000		75,000
Illinois:								
(FC) Beardstown	688,000		688,000		688,000		688,000	
(FC) Carlyle Reservoir	2,640,000		2,640,000		2,640,000		2,640,000	
(BA) Chicago, Burlington & Quincy RR. bridge, including channel change	2,064,000		2,064,000		2,064,000		2,064,000	
(FC) Clear Creek Drainage and Levee District	200,000		200,000		200,000		200,000	
(N) Dam 27, Mississippi River between St. Louis and lock and dam 26	1,758,000		1,758,000		1,758,000		1,758,000	
(FC)(H) Drury Drainage District			540,000		540,000		540,000	
(FC) East St. Louis and vicinity	2,300,000		2,300,000		2,300,000		2,300,000	
(FC)(H) Henderson River: Diversion unit			550,000		550,000		550,000	
(FC)(H) Hunt Drainage District and Lima Lake Drainage District			1,000,000		1,000,000		1,000,000	
(N) *Illinois Waterway, Calumet-Sag Channel, part I*	8,600,000		7,670,000		8,600,000		7,670,000	
(N) Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo.: Regulating works	1,500,000		1,500,000		1,500,000		1,500,000	
(N) Mississippi River between the Missouri River and Minneapolis, Minn.: Rectification of damages	65,000		65,000		65,000		65,000	
(FC) Shelbyville Reservoir		50,000		50,000		50,000		50,000
(FC) *Subdistrict No. 1 of Drainage Union No. 1 and Bay Island Drainage and Levee District No. 1*						50,000		50,000
(FC) The Sny Basin	1,000,000		1,000,000		1,000,000		1,000,000	
(BA) Wabash RR. bridges at Meredosia and Valley City	528,000		528,000		528,000		528,000	
(FC) Wilson and Wenkel and Prairie Du Pont Drainage and Levee District	327,000		327,000		327,000		327,000	
(FC) Wood River Drainage and Levee District	1,100,000		1,100,000		1,100,000		1,100,000	
Indiana:								
(N) *Cannelton locks and dam, Indiana and Kentucky*						150,000		
(FC) *Clinton (deferred for restudy)*						5,000		5,000
(FC) Evansville	430,000		430,000		430,000		430,000	
(FC) Huntington Reservoir		25,000		25,000		25,000		25,000
(FC) *Levee Unit No. 5, Wabash River*						25,000		
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)								
(FC) Mansfield Reservoir	1,663,000		1,663,000		1,663,000		1,663,000	
(FC) Mason J. Niblack levee		54,000		54,000		54,000		54,000
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)								
(FC) Mississinewa Reservoir		150,000		150,000		150,000		150,000
(FC) Monroe Reservoir		75,000		75,000		75,000		75,000
(FC) Salamonie Reservoir		150,000		150,000		150,000		150,000
(FC) *Sugar Creek levee*						15,000		15,000
(FC) *Terre Haute-Conover levee (deferred for restudy)*						2,000		2,000
(FC) Vincennes	200,000		200,000		200,000		200,000	
(FC) *West Terre Haute*						30,000		30,000
Iowa:								
(FC) Floyd River and tributaries		100,000		100,000		100,000		100,000
(FC) *Green Bay Levee and Drainage District No. 2*						75,000		75,000
(FC) Iowa River-Flint Creek Levee District No. 16		100,000		100,000		100,000		100,000
(FC) Little Sioux River	2,500,000		2,500,000		2,500,000		2,500,000	
(N) Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska:								
(a) *Sioux City, Iowa, to Omaha, Nebr*	6,420,000		5,600,000		6,420,000		5,600,000	
(b) Omaha, Nebr., to Kansas City	2,800,000		2,800,000		2,800,000		2,800,000	
(c) Kansas City to the mouth	3,475,000		3,475,000		3,475,000		3,475,000	
(FC) Muscatine Island Levee District and Muscatine Louisa County Drainage District No. 13	860,000		860,000		860,000		860,000	
(FC)(H) Red Rock Reservoir		113,000	1,113,000		1,113,000		1,113,000	
(FC)(H) Saylorville Reservoir				200,000		200,000		200,000
Kansas:								
(FC) Abilene	338,000		338,000		338,000		338,000	
(FC) *Cedar Point Reservoir*						25,000		
(FC)(H) Council Grove Reservoir			300,000		300,000		300,000	
(FC) *Elk City Reservoir*					400,000			
(FC) *Frankfort*						50,000		50,000
(FC) John Redmond (Strawn) Reservoir	1,300,000		1,300,000		1,300,000		1,300,000	
(FC) *Kansas Citys, Kans. and Mo.*					250,000			
(FC) Manhattan	450,000		450,000		450,000		450,000	
(FC)(H) Marion Reservoir				25,000		25,000		25,000
(FC) Marysville		26,000		26,000		26,000		26,000
(FC) Milford Reservoir		170,000		170,000		170,000		170,000
Missouri River channel stabilization, Iowa, Kansas, Missouri and Nebraska. (See Iowa.)								
(FC) Ottawa	1,400,000		1,400,000		1,400,000		1,400,000	
(FC) Perry Reservoir		125,000		125,000		125,000		125,000
(FC) Pomona Reservoir	1,400,000		1,400,000		1,400,000		1,400,000	
(FC) Salina	2,030,000		2,030,000		2,030,000		2,030,000	
(FC) Topeka	2,500,000		2,500,000		2,500,000		2,500,000	
(FC) Tuttle Creek Reservoir	18,345,000		18,345,000		18,345,000		18,345,000	
(FC) *Wilson Reservoir*		161,000		161,000	500,000	161,000	500,000	161,000
Kentucky:								
(P) Barkley Dam (lower Cumberland lock and dam), Kentucky and Tennessee	19,000,000		19,000,000		19,000,000		19,000,000	
(FC) Buckhorn Reservoir	3,527,000		3,027,000		3,027,000		3,027,000	
Cannelton locks and dam, Indian aand Kentucky. (See Indiana.)								

Corps of Engineers, construction, general, fiscal year 1960—Continued

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Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Kentucky—Continued								
(FC) *Fishtrap Reservoir*		$200,000		$200,000		$400,000		$200,000
(N) Greenup locks and dam, Kentucky and Ohio	$10,265,000		$9,265,000		$9,265,000		$9,265,000	
(N) Lock and dam 41, Indiana and Kentucky	10,300,000		10,300,000		10,300,000		10,300,000	
(N) Markland locks and dam, Indiana, Kentucky, and Ohio	11,627,000		9,827,000		9,827,000		9,827,000	
(N) New Richmond locks and dam, Kentucky and Ohio	9,300,000		9,300,000		9,300,000		9,300,000	
(FC) Nolin Reservoir	1,800,000		1,800,000		1,800,000		1,800,000	
(FC)(H) No. 2 Barren Reservoir			1,000,000		1,000,000		1,000,000	
(FC) *No. 2 Green Reservoir*						50,000		50,000
(FC) Rough River Reservoir and channels	2,315,000		2,315,000		2,315,000		2,315,000	
Louisiana:								
(FC) Amite River and tributaries	1,204,000		1,204,000		1,204,000		1,204,000	
(N) Aquatic plant control, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas.	500,000		500,000		500,000		500,000	
(N) *Barataria Bay*					1,000,000		1,000,000	
(FC) Bayou Chevreuil		42,000		42,000		42,000		42,000
(N) Gulf Intracoastal Waterway:								
(H) (a) Algiers Cutoff, Jefferson-Plaquemine Drainage District			1,420,000		1,402,000		1,420,000	
(b) Plaquemine-Morgan City alternate route	5,951,000		5,951,000		5,951,000		5,951,000	
(N) Mississippi River, Baton Rouge to the Gulf of Mexico	900,000		900,000		900,000		900,000	
(N) Mississippi River gulf outlet	5,900,000		5,900,000		5,900,000		5,900,000	
(FC) Mooringsport Reservoir, La. and Tex		100,000		100,000		100,000		100,000
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)								
Maryland:								
(N) *Baltimore Harbor and channels*					1,500,000			
Inland waterway, Delaware River to Chesapeake Bay, Del. and Md. (See Delaware.)								
Massachusetts:								
(N) Boston Harbor:								
(a) 40-foot anchorage and 35-foot area	853,000		853,000		853,000		853,000	
(H) (b) 35-foot reserved channel			825,000		825,000		825,000	
(FC) East Brimfield Reservoir	1,102,000		1,102,000		1,102,000		1,102,000	
(FC) Littleville Reservoir		100,000		100,000		100,000		100,000
(FC) New Bedford-Fairhaven and Acushnet		120,000		120,000		120,000		120,000
(FC) North Adams	2,930,000		2,930,000		2,930,000		2,930,000	
(N) *Provincetown Harbor*					600,000			
(FC) West Hill Reservoir	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)(H) Westville Reservoir			1,800,000		1,800,000		1,800,000	
(N) Weymouth Fore River	3,085,000		3,085,000		3,085,000		3,085,000	
Michigan:								
(FC) Battle Creek	1,548,000		1,548,000		1,548,000		1,548,000	
(N)(H) Grand Marais Harbor			300,000		300,000		300,000	
(N) Great Lakes connecting channels	27,000,000		27,000,000		27,000,000		27,000,000	
(N)(H) Hammond Bay Harbor				20,000		20,000		20,000
(N) Harrisville Harbor	532,000		532,000		532,000		532,000	
(BA) Houghton-Hancock Bridge	2,640,000		2,640,000		2,640,000		2,640,000	
(N) *Little Lake Harbor*					300,000			
(FC) *Saginaw River*		100,000		100,000		250,000		100,000
(N) St. Marys River:								
(a) Improvement of South Canal	2,543,000		2,543,000		2,543,000		2,543,000	
(b) New Poe lock		367,000		367,000		367,000		367,000
Minnesota:								
(FC) Mankato and North Mankato		47,000		47,000		47,000		47,000
(N) Minnesota River 9-foot channel		67,000		67,000		67,000		67,000
Mississippi River between Missouri River and Minneapolis, Minn.: Rectification of damages. (See Illinois.)								
(FC) Red River of the North, Minn. and N. Dak	386,000		386,000		386,000		386,000	
(FC) Ruffy Brook and Lost River	300,000		300,000		300,000		300,000	
(N) St. Anthony Falls	2,440,000		2,440,000		2,440,000		2,440,000	
(FC) St. Paul and South St. Paul		163,000		163,000		163,000		163,000
Mississippi:								
Aquatic plant control. (See Louisiana.)								
(N)(H) Pascagoula Harbor			1,242,000		1,242,000		1,242,000	
Missouri:								
(FC) Bear Creek Reservoir	1,032,000		1,032,000		1,032,000		1,032,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)								
(FC) Canton	720,000		720,000		720,000		720,000	
(FC) Cape Girardeau and vicinity (reach No. 2 only)	157,000		157,000		157,000		157,000	
(FC)(H) Des Moines and Mississippi Levee District No. 1			500,000		500,000		500,000	
(FC) Fabius River Drainage District	500,000		500,000		500,000		500,000	
(FC) Joanna Reservoir		60,000						
Kansas Citys, Kans. and Mo. (See Kansas.)								
(FC) Kasinger Bluff Reservoir		150,000		150,000		150,000		150,000
(FC)(H) Marion County Drainage District				73,000		73,000		73,000
(FC) *Meramec River Reservoirs-Cedar Hill, Meramec Park and Union (deferred for restudy).*						100,000		
Mississippi River between the Ohio and Missouri Rivers, Ill. and Mo. (See Illinois.)								
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
(FC) Pomme de Terre Reservoir	4,000,000		4,000,000		4,000,000		4,000,000	
(FC) St. Louis	4,200,000		4,200,000		4,200,000		4,200,000	
(P) Stockton Reservoir		150,000		150,000		150,000		150,000
(P) Table Rock Reservoir, Ark. and Mo	2,000,000		2,000,000		2,000,000		2,000,000	
Montana:								
(P) Fort Peck Dam (2d powerplant)	8,250,000		8,250,000		8,250,000		8,250,000	
Nebraska:								
(FC)(H) Gering and Mitchell Valleys		50,000	350,000		350,000		350,000	
Missouri River channel stabilization, Iowa, Kansas, Missouri, and Nebraska. (See Iowa.)								
(FC) Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebraska, and South Dakota	900,000		900,000		900,000		900,000	
(FC) *Salt Creek and tributaries*		90,000		90,000	310,000	90,000		90,000

Corps of Engineers, construction, general, fiscal year 1960—Continued

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Nevada:								
(FC) Truckee River and tributaries, California nd Nevada	$550,000		$550,000		$550,000		$550,000	
New Hampshire:								
(FC) Hopkinton-Everett Reservoirs	5,568,000		5,568,000		5,568,000		5,568,000	
New Jersey:								
(N) Delaware River, Philadelphia Naval Base to Trenton, N.J. and Pa	13,500,000		12,500,000		12,500,000		12,500,000	
(N) *Newark Bay, Hackensack, and Passaic Rivers*					600,000			
(N) New York and New Jersey channels. New York and New Jersey	2,790,000		2,790,000		2,790,000		2,790,000	
Staten Island Rapid Transit Bridge, New York and New Jersey. (See New York.)								
New Mexico:								
(FC) Abiquiu Reservoir	3,300,000		3,300,000		3,300,000		3,300,000	
(FC) Carlsbad		$75,000						
(FC) *Rio Grande Floodway, Cochiti to Rio Puerco*					800,000		800,000	
(FC) Socorro		75,000		$75,000		$75,000		$75,000
(FC)(H) Two Rivers Reservoir			75,000		75,000		75,000	
New York:								
Allegheny River Reservoir, Pa. and N.Y. (See Pennsylvania.)								
(N) Barcelona Harbor	506,000		506,000		506,000		506,000	
(N) Buffalo Harbor, north entrance	2,150,000		2,150,000		2,150,000		2,150,000	
(N) *Buttermilk Channel*					1,500,000		1,500,000	
(FC) Endicott, Johnson City, and Vestal	1,700,000		1,700,000		1,700,000		1,700,000	
(SP) Fire Island Inlet	450,000		220,000		220,000		220,000	
(N) Great Lakes to Hudson River Waterway	730,000		730,000		730,000		730,000	
(FC) *Herkimer*						48,000		48,000
(N)(H) Hudson River, New York City to Albany 32-foot channel			500,000		500,000		500,000	
(N) *Irondequoit Bay*	129,000				129,000			
New York and New Jersey channels, New York and New Jersey. (See New Jersey.)								
(N) *New York Harbor-New Jersey pierhead line*					500,000		500,000	
(N) *New York Harbor, 35-foot channel from ocean to New York Bayside Channel*					350,000			
(FC) Nichols		40,000		40,000		40,000		40,000
(BA)(H) Ohio Street Bridge, Buffalo River			2,000,000		2,000,000		2,000,000	
(N) Oswego Harbor	657,000		657,000		657,000		657,000	
(BA) Staten Island Rapid Transit bridge, New York and New Jersey	2,000,000		2,000,000		2,000,000		2,000,000	
North Carolina:								
Aquatic plant control. (See Louisiana.)								
(N) *Morehead City Harbor*					600,000		600,000	
(FC) Pantego and Cucklers Creek		40,000		51,000		51,000		51,000
(FC)(H) Wilkesboro Reservoir			1,000,000		1,000,000		1,000,000	
North Dakota:								
(P) Garrison Reservoir	5,050,000		5,050,000		5,050,000		5,050,000	
(FC) Lower Heart River	800,000		800,000		800,000		800,000	
Red River of the North, Minn. and N. Dak. (See Minnesota.)								
Ohio:								
(N) *Belleville locks and dam, Ohio and West Virginia*						125,000		125,000
(N) Cleveland Harbor:								
(a) *Bridge replacements widening Cuyahoga and Old Rivers, deepen channel in east basin of outer harbor*						200,000		
(b) Bridge replacements and dredging of Cuyahoga and Old Rivers to 23 feet	400,000		400,000		400,000		400,000	
(FC) Dillon Reservoir	5,160,000		5,160,000		5,160,000		5,160,000	
Greenup locks and dam, Kentucky and Ohio. (See Kentucky.)								
Markland lock and dam, Indiana, Kentucky, and Ohio. (See Kentucky.)								
(FC) *Muskingum River Reservoirs*					500,000		500,000	
(N) New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia	6,800,000		6,800,000		6,800,000		6,800,000	
New Richmond locks and dam, Kentucky and Ohio. (See Kentucky.)								
(N) Pike Island locks and dam, Ohio and West Virginia	3,500,000		3,500,000		3,500,000		3,500,000	
(FC) Roseville	284,000		284,000		284,000		284,000	
Shenango River Reservoir, Pa. and Ohio. (See Pennsylvania.)								
(FC)(H) West Branch Mahoning River Reservoir		229,000	525,000		525,000		525,000	
Oklahoma:								
Arkansas River and triburaries, Arkansas and Oklahoma: Bank stabilization. (See Arkansas.)								
Arkansas River and tributaries, Arkansas and Oklahoma (general studies). (See Arkansas.)								
(FC) Broken Bow Reservoir		134,000		134,000		134,000		134,000
Denison Reservoir, Tex. and Okla. (See Texas.)								
(FC) Enid	600,000		600,000		600,000		600,000	
(P) Eufaula Reservoir	13,400,000		13,400,000		13,400,000		13,400,000	
(FC) Keystone Reservoir	10,000,000		10,000,000		10,000,000		10,000,000	
(FC) *Lukfata Reservoir*						50,000		50,000
(FC) Oologah Reservoir	12,500,000		12,500,000		12,500,000		12,500,000	
(FC)(H) Pine Creek Reservoir				80,000		80,000		80,000
Oregon:								
(FC) Blue River Reservoir		105,000		105,000		105,000		105,000
(N) Columbia River between Vancouver, Wash., and The Dalles, Oreg:								
(a) 27-foot channel	1,611,000		1,611,000		1,611,000		1,611,000	
(b) *Hood River small boat basin*						18,000		
(FC) Columbia River local protection:								
Malheur River, Vale unit					250,000		250,000	
(N) *Coos and Millicoma Rivers*						23,000		
(P) Cougar Reservoir	9,700,000		9,000,000		9,000,000		9,000,000	
(FC) Fall Creek Reservoir		202,000		202,000		202,000		202,000
(P) *Green Peter Reservoir*					1,500,000			

Corps of Engineers, construction, general, fiscal year 1960—Continued

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same]

	Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Oregon—Continued								
(P)	Hills Creek Reservoir	$8,300,000		$8,300,000		$8,300,000		$8,300,000	
(BA)	Interstate Bridge, Oreg. and Wash	1,130,000		1,130,000		1,130,000		1,130,000	
(P)	John Day lock and dam, Oregon and Washington	20,000,000		20,000,000		20,000,000		20,000,000	
(FC)	Lower Columbia River improvement to existing works:								
	(a) *Clatsop County Diking District No. 6*					[1](55,000)		[1](55,000)	
	(b) Multnomah County Drainage District	703,000		203,000		203,000		203,100	
	(c) *Woodson Drainage District*					[1](81,000)		[1](81,000)	
(N)	Rogue River Harbor at Gold Beach	1,500,000		1,500,000		1,500,000		1,500,000	
(P)	The Dalles lock and dam, Oregon and Washington	7,000,000		7,000,000		7,000,000		7,000,000	
(FC)	Willamette River Basin bank protection	500,000		500,000		500,000		500,000	
(FC)	Willamette River Basin channel improvement and major drainage: *Coyote and Spencer Creek*						$50,000		$50,000
(N)(H)	Yaquina Bay and Harbor				$100,000		100,000		100,000
	Pennsylvania:								
(FC)	*Allegheny River Reservoir, Pa. and N.Y.*					1,400,000		1,400,000	
(FC)	Allentown	680,000		680,000		680,000		680,000	
(FC)	Bear Creek Reservoir	3,400,000		3,400,000		3,400,000		3,400,000	
(FC)	Bethlehem	1,050,000		600,000		600,000		600,000	
(FC)	Bradford	2,400,000		2,400,000		2,400,000		2,400,000	
(FC)(H)	Brookville		$73,000	500,000		500,000		500,000	
(FC)	Curwensville Reservoir		200,000		200,000		200,000		200,000
(N)	Dam 8, Monongahela River, Pa. and W. Va	725,000		725,000		725,000		725,000	
	Delaware River, Philadelphia Naval Base to Trenton, New Jersey and Pennsylvania. (See New Jersey.)								
(FC)	Dyberry Reservoir	390,000		390,000		390,000		390,000	
(FC)	Kettle Creek Reservoir	2,500,000		1,900,000		1,900,000		1,900,000	
(N)	*Maxwell locks and dam, Monongahela River*		95,000		95,000	500,000	95,000		95,000
	New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)								
(FC)	Prompton Reservoir	1,120,000		1,120,000		1,120,000		1,120,000	
(FC)	Ridgway		25,000		25,000		25,000		25,000
(FC)	St. Marys		38,000		38,000		38,000		38,000
(FC)(H)	Shenango River Reservoir, Pa. and Ohio		150,000	500,000		500,000		500,000	
(FC)	Stillwater Reservoir	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	*Turtle Creek*						25,000		25,000
(FC)	Tyrone		85,000		85,000		85,000		85,000
(FC)	Washington, Chartiers Creek		78,000		78,000		78,000		78,000
	Puerto Rico:								
(N)	*San Juan Harbor*						50,000		
	Rhode Island:								
(FC)	Fox Point barrier, Narragansett Bay		200,000		200,000		200,000		200,000
(FC)	Woonsocket	370,000		370,000		370,000		370,000	
	South Carolina:								
	Aquatic plant control. (See Louisiana.)								
	Hartwell Reservoir, Ga. and S.C. (See Georgia.)								
	South Dakota:								
(P)	Big Bend Reservoir	2,600,000		2,000,000		2,000,000		2,000,000	
(P)	Fort Randall Reservoir	1,150,000		1,150,000		1,150,000		1,150,000	
(P)	Oahe Reservoir	43,500,000		43,500,00		43,500,000		43,500,000	
(FC)	Sioux Falls	1,252,000		1,252,000		1,252,000		1,252,000	
	Tennessee:								
	Barkley Dam, Ky. and Tenn. (See Kentucky.)								
(P)	*Cordell Hull (Carthage) Dam*						200,000		
	Texas:								
	Aquatic plant control. (See Louisiana.)								
(N)	Brazos Island Harbor	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	Buffalo Bayou and tributaries	1,650,000		1,650,000		1,650,000		1,650,000	
(FC)	Canyon Reservoir	2,000,000		2,000,000		2,000,000		2,000,000	
(FC)	Cooper Reservoir and channels	1,300,000		1,300,000		1,300,000		1,300,000	
(BA)	Corpus Christi Bridge	486,000		486,000		486,000		486,000	
(P)	Denison Reservoir, Tex. and Okla.: Highway bridge at Willis Ferry site	700,000		700,000		700,000		700,000	
(N)	Galveston Harbor and channel, seawall	2,000,000		2,000,000		2,000,000		2,000,000	
(N)	Gulf Intracoastal Waterway:								
	(a) *Channel to Port Mansfield* [2]					150,000		150,000	
	(b) *Colorado River channel*					400,000		400,000	
	(c) Guadalupe River channel to Victoria	600,000		600,000		600,000		600,000	
	(d) Realined route, vicinity Aransas Pass	962,000		962,000		962,000		962,000	
(N)	Houston ship channel:								
	(a) 36-foot channel and widening	1,150,000		1,400,000		1,400,000		1,400,000	
	(b) *40-foot project*					1,500,000			
(FC)	Lampasas Reservoir		125,000		125,000		125,000		125,000
(N)	Matagorda ship channel:								
(H)	36-foot channel				150,000		150,000		150,000
(P)	McGee Bend Dam	5,800,000		5,800,000		5,800,000		5,800,000	
	McKinney Bayou and Barkman Creek, Ark. and Tex. (See Arkansas.)								
	Mooringsport Reservoir, La. and Tex. (See Louisiana.)								
(FC)	Navarro Mills Reservoir	1,000,000		1,000,000		1,000,000		1,000,000	
(FC)	Pecos		50,000		50,000		50,000		50,000
(N)	Port Aransas-Corpus Christi Waterway:								
	(a) 36-foot channel and realinement at bascule bridge	1,300,000		1,300,000		1,300,000		1,300,000	
(H)	(b) Channel to La Quinta (reimbursement)			954,000		954,000		954,000	
(FC)(H)	Proctor Reservoir			300,000		300,000		300,000	
	Red River levees and bank stabilization below Denison Dam, Ark., La., and Tex. (See Arkansas.)								
(N)	Sabine-Neches Waterway	1,500,000		1,500,000		1,500,000		1,500,000	
(FC)	San Antonio Channel	800,000		800,000		800,000		800,000	
(FC)	Somerville Reservoir		85,000		85,000		85,000		85,000
(N)	Texas City Channel	913,000		913,000		913,000		913,000	
(FC)	Texas City, Galveston Bay		125,000		125,000		125,000		125,000
(FC)	Waco Reservoir	4,000,000		4,000,000		4,000,000		4,000,000	

See footnotes at end of table.

Corps of Engineers, construction, general, fiscal year 1960—Continued

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	Construction, general, State and project	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
		Construction	Planning	Construction	Planning	Construction	Planning	Construction	Planning
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Utah:								
(FC)	Salt Lake City	$1,339,000		$1,339,000		$1,339,000		$1,339,000	
	Vermont:								
(FC)	Ball Mountain Reservoir	2,560,000		2,560,000		2,560,000		2,560,000	
(FC)	North Hartland Reservoir	2,571,000		2,571,000		2,571,000		2,571,000	
(FC)	North Springfield Reservoir	2,040,000		2,040,000		2,040,000		2,040,000	
(FC)	Townshend Reservoir	2,500,000		2,500,000		2,500,000		2,500,000	
(FC)	*Victory Reservoir*						$65,000		
	Virgin Islands:								
(N)	*Christiansted Harbor (inactive)*						3,000		$3,000
	Virginia:								
(N)	Norfolk Harbor: Widen 40-foot channel and Craney Island anchorages	3,654,000		3,654,000		3,654,000		3,654,000	
(FC)(H)	Pound Reservoir		$194,000	2,500,000		2,500,000		2,500,000	
	Washington:								
(P)	Chief Joseph Dam	1,100,000		1,100,000		1,100,000		1,100,000	
(N)	Columbia River between Vancouver, Wash., and The Dalles, Oreg.:								
	(a) 27-foot Channel, Oregon and Washington. (See Oregon.)								
	(b) *Bingen Barge Channel*						10,000		10,000
(FC)	Howard A. Hanson (Eagle Gorge) Reservoir	6,000,000		6,000,000		6,000,000		6,000,000	
(P)	Ice Harbor lock and dam	32,000,000		32,000,000		32,000,000		32,000,000	
	Interstate Bridge, Oregon and Washington. (See Oregon.)								
	John Day lock and dam, Oregon and Washington. (See Oregon.)								
(P)(H)	Little Goose lock and dam				$450,000		450,000		450,000
(FC)	Lower Columbia River improvement to existing works: Wahkiakum County Consolidated Diking District No. 1		25,000		25,000		25,000		25,000
(P)	*Lower Granite lock and dam*						200,000		
(P)	Lower Monumental lock and dam		800,000		800,000		800,000		800,000
	The Dalles Dam, Oreg. and Wash. (See Oregon.)								
	West Virginia:								
	Belleville locks and dam, Ohio and West Virginia. (See Ohio.)								
	Dam 8, Monongahela River, Pa. and W. Va. (See Pennsylvania.)								
(FC)(H)	East Rainelle			500,000		500,000		500,000	
(N)	Hildebrand lock and dam	1,278,000		1,278,000		1,278,000		1,278,000	
	New Cumberland locks and dam, Ohio, Pennsylvania, and West Virginia. (See Ohio.)								
(N)	*Opekiska locks and dam*					500,000			
	Pike Island locks and dam, Ohio and West Virginia. (See Ohio.)								
(FC)	*Princeton*					500,000		500,000	
(FC)(H)	Summersville Reservoir			2,000,000		2,000,000		2,000,000	
(FC)	Sutton Reservoir	4,417,000		3,417,000		3,417,000		3,417,000	
(FC)	Williamson		71,000		71,000		71,000		71,000
	Wisconsin:								
(FC)	Bad River:								
	(a) *Mellen Channel*						25,000		25,000
	(b) *Odanah, moving village and raising school*						25,000		25,000
(N)	Bayfield Harbor	131,000		131,000		131,000		131,000	
(FC)	*Eau Galle River*						75,000		75,000
(N)(H)	Saxon Harbor				31,000		31,000		31,000
(N)	*Two Rivers Harbor*					[1] (74,000)		[1] (74,000)	
	Wyoming:								
(FC)	Jackson Hole	650,000		650,000		650,000		650,000	
(FC)	Sheridan	300,000		300,000		300,000		300,000	
(FC)	*Local protection projects not requiring specific legislation*					4,000,000		3,000,000	
(FC)	Snagging and clearing	600,000		600,000		600,000		600,000	
	Projects deferred for restudy		10,000		10,000		10,000		10,000
	Recreation facilities completed projects	1,250,000		1,250,000		2,500,000		2,500,000	
	Small authorized projects					3,000,000		2,000,000	
	Reduction for anticipated savings and slippages	−30,000,000		−43,000,000		−30,000,000		−43,000,000	
	Total	649,700,000	9,100,000	648,224,100	9,376,000	696,344,100	11,990,000	666,389,100	10,225,000
	Lower Columbia River fish sanctuary program, Fish and Wildlife Service	1,200,000		1,200,000		1,200,000		1,200,000	
	Coordination Act studies, Fish and Wildlife					500,000		500,000	
	Grand total, construction, general	650,900,000 (660,000,000)	9,100,000	649,424,100 (658,800,100)	9,376,000	698,044,100 (710,034,100)	11,990,000	668,089,100 (678,314,100)	10,225,000

[1] Eligible for selection under a lump-sum appropriation for small authorized projects. [2] Not yet authorized.

Mr. ELLENDER. Mr. President, on the item of operation and maintenance, I shall also ask that a table be printed in the RECORD. I am very sorry to announce that we had to give in by a little over $4 million on deferred maintenance. The Senate committee has always taken the position that it seems foolish for the Government to construct projects and then not properly maintain them. For the past few years we have been providing a minimum of $10 million in order to take care of deferred maintenance. However, the House insisted that we cut the Senate increase from $8 million to $3½ million.

Mr. President, on the item operation and maintenance the only item that was in disagreement was a Senate increase of $8 million for deferred maintenance. The conferees agreed on $3½ million.

I append a tabulation showing a breakdown of the items as passed by the Senate and as agreed to in conference.

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

There being no objection, the table was ordered to be printed in the RECORD.

Operation and maintenance

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same.]

Item (1)	Approved budget estimate for fiscal year 1960 (2)	House allowance (3)	Senate allowance (4)	Conference allowance (5)
OPERATION AND MAINTENANCE, GENERAL				
1. Navigation:				
(a) Channels and harbors	$54, 600, 000	$55, 440, 000	$55, 440, 000	$55, 440, 000
(b) Locks, dams, and canals	23, 650, 000	23, 692, 000	23, 692, 000	23, 692, 000
(c) Surveys of northern and northwestern lakes	550, 000	550, 000	550, 000	550, 000
(d) Prevention of obstructions and injurious deposits	600, 000	600, 000	600, 000	600, 000
2. Flood control:				
(a) Reservoirs	5, 170, 000	5, 170, 000	5, 170, 000	5, 170, 000
(b) Other (including channel improvement projects, miscellaneous maintenance items, and inspections)	830, 000	830, 000	830, 000	830, 000
3. Multiple purpose projects, including power	18, 780, 000	18, 780, 000	18, 780, 000	18, 780, 000
4. Lower Columbia River fish sanctuary program (U.S. Fish and Wildlife Service)	1, 750, 000	1, 750, 000	1, 750, 000	1, 750, 000
5. Niagara remedial works	70, 000	70, 000	70, 000	70, 000
6. Emergency operations:				
(a) Removing sunken vessels and other obstructions to navigation	450, 000	450, 000	450, 000	450, 000
(b) Protecting, clearing, straightening channels of navigable waters not specifically authorized by Congress (work under sec. 3, River and Harbor Act, Mar. 2, 1945)	50, 000	50, 000	50, 000	50, 000
(c) Flood control emergencies, repair and flood fighting and rescue work	7, 000, 000	7, 000, 000	7, 000, 000	7, 000, 000
7. *Deferred maintenance*			8, 000, 000	3, 500, 000
Total, operation and maintenance, general	113, 500, 000	114, 382, 000	122, 382, 000	117, 882, 000

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

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I merely want to commend the Senator from Louisiana for his diligent work in the civil functions field of our public-works program. I am grateful that as many of the items have been kept in the bill as are contained in the conference report. We all recognize there is a determined effort to limit Government expenditures. It is to the credit of the Senator from Louisiana, and his subcommittee, and, indeed, the full committee, that as many items have been retained at so little over the budget estimate.

Mr. ELLENDER. Just about $30 million.

Mr. HUMPHREY. The funds made available are sound investments. I would hope they would be looked upon as investments rather than as mere expenditures.

Mr. ELLENDER. May I say to the distinguished Senator from Minnesota we should also be thankful to the House committee for having included 35 new starts, which we in this body sustained. All in all, the bill is a good bill. Some of us would have provided for other projects, but we had to give way in a spirit of compromise.

Mr. President, on the Mississippi River and tributaries, the conferees agreed on $70,839,500, which is $4,595,000 below the amount approved by the Senate, of which $1,500,000 is a reduction for savings and slippages, and $2,279,500 more than the amount allowed by the House.

I have a tabulation showing a breakdown of the items as passed by the Senate and as agreed to in conference.

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

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

Flood control, Mississippi River and tributaries, fiscal year 1960

[Projects shown in italic are projects in which the House and Senate are not in agreement. Projects shown in regular type are projects in which the Senate and House amounts are the same.]

Projects (1)	Approved budget estimate for fiscal year 1960		House allowance		Senate allowance		Conference allowance	
	Construction (2)	Planning (3)	Construction (4)	Planning (5)	Construction (6)	Planning (7)	Construction (8)	Planning (9)
1. General investigations:								
(a) *Examinations and surveys*	$60, 000		$60, 000		$67, 500		$67, 500	
(b) Collection and study of basic data	50, 000		50, 000		50, 000		50, 000	
Subtotal, general investigations	110, 000		110, 000		117, 500		117, 500	
2. Construction and planning:								
Mississippi River levees [1]	$2, 500, 000		$2, 500, 000		$3, 000, 000		$2, 750, 000	
Channel improvement	22, 500, 000		22, 500, 000		25, 000, 000		23, 710, 000	
Memphis Harbor	500, 000		500, 000		500, 000		500, 000	
(H) Greenville Harbor	0			$60, 000		$60, 000		$60, 000
Vicksburg Harbor	1, 500, 000		1, 500, 000		1, 500, 000		1, 500, 000	
Old River control	9, 500, 000		9, 500, 000		9, 500, 000		9, 500, 000	
St. Francis Basin	3, 500, 000		3, 500, 000		4, 070, 000		4, 070, 000	
Lower White River [2]	0					107, 000		107, 000
(H) West Tennessee tributaries	0		200, 000		200, 000		200, 000	
(H) Wolf River and tributaries	0		300, 000		300, 000		300, 000	
Lower Arkansas	550, 000		550, 000		550, 000		550, 000	
Tensas Basin;								
Boeufand Tensas Rivers, etc. [2]	920, 000		920, 000		1, 000, 000		1, 000, 000	
Red River backwater	80, 000		80, 000		80, 000		80, 000	
Yazoo Basin:								
Sardis Reservoir	50, 000		50, 000		50, 000		50, 000	
Enid Reservoir	50, 000		50, 000		50, 000		50, 000	
Arkabutla Reservoir	70, 000		70, 000		70, 000		70, 000	
Grenada Reservoir	30, 000		30, 000		30, 000		30, 000	
Auxiliary channels	1, 075, 000		1, 075, 000		1, 275, 000		1, 175, 000	
Main stem	750, 000		750, 000		750, 000		750, 000	
Tributaries	125, 000		125, 000		125, 000		125, 000	
Big Sunflower River, etc	1, 400, 000		1, 400, 000		1, 400, 000		1, 400, 000	
Yazoo backwater	0				100, 000		50, 000	
Atchafalaya Basin	5, 290, 000		5, 290, 000		6, 900, 000		6, 095, 000	
Lake Pontchartrain	500, 000		500, 000		700, 000		600, 000	
Reduction for anticipated savings and slippages							−1, 500, 000	
Total, construction and planning	50, 890, 000		51, 390, 000	60, 000	57, 150, 000	167, 000	53, 055, 000	167, 000
3. *Maintenance*	17, 000, 000		17, 000, 000		18, 000, 000		17, 500, 000	
4. Flood control emergencies	0							
Grand total	68, 000, 000		68, 560, 000		75, 434, 500		70, 839, 500	

[1] Includes new Madrid floodgate.
[2] Modifications authorized by the act of July 3, 1958, are included in the cost estimates.

Mr. ELLENDER. Mr. President, the item for the St. Lawrence Joint Board of Engineers was not in conference.

With respect to title II, the conference bill provides $256,787,949 which is $7,084,551 below the amount allowed by the Senate and $3,378,449 more than the amount allowed by the House.

For general investigations of the Bureau of Reclamation the conference bill provides $4,788,710, which is $601,290 below the amount approved by the Senate and $449,449 more than the amount allowed by the House.

For "Construction and rehabilitation" the conference report provides $135,862,739, which is $6,483,261 below the amount approved by the Senate and $7,389,500 more than the amount allowed by the House. I attach a tabulation showing a breakdown of the "construction and rehabilitation" items as passed by the Senate and as agreed to in conference.

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

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

Bureau of Reclamation construction program for the fiscal year ending June 30, 1960

State and project	Budget program	House program	Senate program	Conference program
Arizona:				
Gila project	$1,139,000	$1,139,000	$3,449,000	$3,449,000
Colorado River front work and levee system			450,000	450,000
Parker-Davis project	400,000	400,000	400,000	400,000
Boulder Canyon project	2,900,000	2,900,000	2,900,000	2,900,000
California:				
Central Valley project	42,500,000	42,150,000	44,565,000	44,565,000
Klamath project. (See Oregon.)				
Parker-Davis projects (See Arizona.)				
Solano project	307,000	307,000	307,000	307,000
Ventura River project	392,000	392,000	392,000	292,000
Washoe project. (See Nevada.)				
Colorado: Collbran project	4,500,000	4,500,000	4,500,000	4,500,000
Idaho:				
Little Wood River project	673,618	673,618	673,618	673,612
Minidoka project, north side pump division	850,000	850,000	850,000	850,000
Palisades project, Burns Creek Dam and powerplant			500,000	500,000
Montana: Fort Peck project	2,902,000	2,902,000	2,902,000	2,902,000
Nevada:				
Boulder Canyon project. (See Arizona.)				
Parker-Davis project. (See Arizona.)				
Washoe project	1,600,000		1,000,000	1,000,000
New Mexico:				
McMillan Delta project	100,000	100,000	100,000	100,000
Middle Rio Grande project	1,400,000	1,400,000	1,800,000	1,800,000
North Dakota: Fort Peck project. (See Montana.)				
Oklahoma: Washita Basin project	10,100,000	10,100,000	10,100,000	10,100,000
Oregon:				
Crooked River project	2,833,000	2,833,000	2,833,000	2,833,000
Klamath project	522,000	522,000	522,000	522,000
Rogue River Basin project, Talent division	2,747,788	2,747,788	2,747,788	2,747,788
Wapinitia project, Juniper division	39,700	39,700	39,700	39,700
Texas:				
Lower Rio Grande project, Mercedes division	1,500,000	1,500,000	1,500,000	1,500,000
San Angelo project	4,000,000	4,000,000	4,000,000	4,000,000
Utah:				
Provo River project	632,000	632,000	632,000	632,000
Weber Basin project	5,835,000	5,835,000	5,835,000	5,835,000
Washington:				
Columbia Basin project	8,000,000	8,000,000	8,000,000	8,000,000
Chief Joseph Dam, Greater Wenatchee division		724,000	500,000	500,000
Wyoming: Shoshone project	$110,000	$110,000	$110,000	$110,000
Drainage and minor construction	937,000	937,000	962,000	962,000
Rehabilitation and betterment of existing projects	3,500,000	3,500,000	3,500,000	3,500,000
Total (exclusive of Missouri River Basin)	100,420,106	99,194,106	106,070,106	106,070,106
MISSOURI RIVER BASIN PROJECT				
Kansas:				
Bostwick division. (See Nebraska.)				
Cedar Bluff unit		700,000	400,000	400,000
Webster unit	3,115,000	3,115,000	3,115,000	3,115,000
Montana:				
East Bench unit		1,000,000		1,000,000
Helena Valley unit	2,182,000	2,182,000	2,182,000	2,182,000
Yellowtail Dam (Hardin unit)			3,000,000	
Nebraska:				
Ainsworth unit	2,000,000		1,000,000	
Bostwick division	2,338,000	2,338,000	2,338,000	2,338,000
Farwell unit	3,000,000	3,000,000	3,000,000	3,000,000
Frenchman-Cambridge division	4,076,035	4,601,035	4,601,035	4,601,035
Red Willow Dam and Reservoir (included in Frenchman-Cambridge division)		(525,000)	(525,000)	(525,000)
Wyoming:				
Glendo unit	2,118,000	2,118,000	2,118,000	2,118,000
Owl Creek unit	1,007,859	1,007,859	1,007,859	1,007,859
Transmission division	15,508,000	14,953,000	15,334,000	15,334,000
Drainage and minor construction	645,000	645,000	645,000	645,000
Investigations	2,000,000	1,750,000	2,000,000	1,875,000
Other Department of the Interior agencies	3,000,000	2,385,000	3,000,000	2,692,500
Subtotal, Missouri River Basin project	40,989,894	39,794,894	43,740,894	40,308,394
Grand total, construction and rehabilitation	141,410,000	138,989,000	149,811,000	146,378,500
Less anticipated savings and slippage	−6,000,000	−10,515,761	7,465,000	−10,515,761
Total appropriation construction and rehabilitation	135,410,000	128,473,239	143,346,000	135,862,739

UPPER COLORADO RIVER BASIN FUND

COLORADO RIVER STORAGE PROJECT				
Arizona: Glen Canyon unit	$47,367,000	$47,367,000	$47,367,000	$47,367,000
Colorado: Curecanti			1,000,000	
New Mexico: Navajo unit	9,945,000	9,945,000	9,945,000	9,945,000
Utah:				
Flaming Gorge unit	13,000,000	13,000,000	13,000,000	13,000,000
Glen Canyon unit. (See Arizona.)				
Transmission division	720,000	720,000	720,000	720,000
PARTICIPATING PROJECTS				
Colorado:				
Paonia project	3,185,000	3,185,000	3,185,000	3,185,000
Smith Fork project		730,000	500,000	500,000
Participating projects—Con.				
New Mexico: Hammond project		$500,000	$500,000	$500,000
Utah: Central Utah project, Vernal unit	$2,000,000	2,000,000	2,000,000	2,000,000
Wyoming: Seedskadee project		1,554,000	1,354,000	1,354,000
Advance planning	818,000	818,000	818,000	818,000
Total, Upper Colorado River Basin fund	77,035,000	79,819,000	80,389,000	79,389,000
Less anticipated savings and slippage			4,020,000	3,020,000
Appropriation	77,035,000	79,819,000	76,369,000	76,369,000

Senator ELLENDER. Mr. President, the amount for "Operation and maintenance" was $29,131,000 as passed by the House and the Senate so this item was not in conference.

With respect to the loan program the House agreed to the Senate amendment.

The amount for "General administrative expenses" was $4,400,000 as passed by the House and Senate so this item was not in conference.

On the Upper Colorado River Basin fund the House agreed to the Senate amendment.

The items for the "Power marketing agencies" of the Department of the Interior were not in conference except for "Construction, Bonneville Power Administration," where the House allowed $22,332,000 and the Senate allowed

$22 million. The conferees agreed on the Senate amount.

With respect to title III the Senate bill provided $1 million for initiation of the Melton Hill multiple-purpose project. The House would not agree to this amendment so the conference bill provides the House amount of $15,286,000 for the Tennessee Valley Authority.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The question is on agreeing to the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. ALLOTT] is absent on official business, and if present and voting would vote "yea."

The Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—yeas 82, nays 9, as follows:

YEAS—82

Aiken	Green	Monroney
Anderson	Gruening	Morse
Bartlett	Hart	Morton
Beall	Hartke	Moss
Bennett	Hayden	Mundt
Bible	Hennings	Murray
Bush	Hickenlooper	Muskie
Butler	Hill	Neuberger
Byrd, Va.	Holland	Pastore
Byrd, W. Va.	Hruska	Prouty
Cannon	Humphrey	Proxmire
Capehart	Jackson	Randolph
Carlson	Johnson, Tex.	Robertson
Carroll	Johnston, S.C.	Saltonstall
Church	Kefauver	Schoeppel
Clark	Kennedy	Scott
Cooper	Kerr	Smathers
Curtis	Kuchel	Smith
Dodd	Langer	Sparkman
Douglas	Lausche	Stennis
Dworshak	Long	Talmadge
Eastland	McCarthy	Wiley
Ellender	McClellan	Williams, N.J.
Engle	McGee	Yarborough
Ervin	McNamara	Young, N. Dak.
Frear	Magnuson	Young, Ohio
Fulbright	Mansfield	
Gore	Martin	

NAYS—9

Bridges	Dirksen	Keating
Case, N.J.	Goldwater	Thurmond
Cotton	Javits	Williams, Del.

NOT VOTING—7

Allott	Jordan	Russell
Case, S. Dak.	O'Mahoney	Symington
Chavez		

So the report was agreed to.

Mr. ELLENDER. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7509, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S., *August 14, 1959.*

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 10, and 13 to the bill (H.R. 7509) entitled "An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes", and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 15, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: ": *Provided,* That any contract under the Act of July 4, 1955 (69 Stat. 244), as amended, not yet executed by the Secretary, which calls for the making of loans beyond the fiscal year in which the contract is entered into shall be made only on the same conditions as those prescribed in section 12 of the Act of August 4, 1939 (53 Stat. 1187, 1197)".

Mr. ELLENDER. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 15.

The motion was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, notwithstanding the fact that the hour of 12 o'clock has passed, I ask unanimous consent that the Senate continue to transact routine morning business as in the morning hour.

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

RESOURCES AND CONSERVATION ACT OF 1960

Mr. MURRAY. Mr. President, I am today introducing a bill designated as the Resources and Conservation Act of 1960. It is gratifying that so many Senators have already joined as cosponsors. Because I have received additional expressions of interest from Senators who have not had time to examine the bill, I ask that it lie on the desk for 3 days to permit additional Senators to join as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk for 3 days, as requested by the Senator from Montana.

The bill (S. 2549) to declare a national policy on conservation, development, and utilization of natural resources, and for other purposes, introduced by Mr. MURRAY (for himself and Senators BARTLETT, BIBLE, BYRD of West Virginia, CANNON, CARROLL, CHURCH, CLARK, DODD, DOUGLAS, ENGLE, GRUENING, HART, HENNINGS, HUMPHREY, JOHNSON of Texas, LANGER, MAGNUSON, MANSFIELD, MCCARTHY, MCGEE, MORSE, MOSS, NEUBERGER, RANDOLPH, SPARKMAN, SYMINGTON, YARBOROUGH, and YOUNG of North Dakota), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. MURRAY. Mr. President, this proposed legislation is directed to keeping development and conservation of natural resources at a level commensurate with the needs of the Nation. There is urgent need for such legislation because all aspects of natural resource programs lag far behind the requirements for them. With respect to some resources, our condition is critical, and underdevelopment of virtually all resources threatens the national security and the welfare and prosperity of the Nation.

This critical condition exists not because of a lack of resources, but because of a lack of attention and action. In the United States, even after the drain of two World Wars, we still are blessed with abundance of virtually all of the basic raw materials we need. Within our borders there are still forests and rangelands, fertile farms, minerals, fuels, and the waters of our rivers and lakes. Properly developed and wisely conserved, these natural resources can be adequate for a growing population and for an expanded economy.

The present problem and the impending crisis are due not to scarcity but to neglect, underdevelopment, and despoilment. For too many years we have avoided resource problems and denied our responsibility as steward of the national resources wealth. For the past 7 years, the administration has been looking the other way and living by the rule of "no new starts" no matter how urgently they were needed. While natural resource programs have been suspended, natural resources have been dissipated. The administration's policy of "no new starts" represents lost income and lost production and, most serious of all, it represents lost time and lost opportunities that may never be regained.

Even a brief review of natural resource programs reveals neglect and deficiency. Take, for example, water resource development, which everyone recognizes as an indispensable requirement. The Department of Commerce recently has reported that, in order to keep up with requirements, Federal water resource expenditures of at least $50 billion are needed in the next 15 years. In contrast with this need, actual Federal expenditures for water resources are barely $1 billion a year. Thus, we are doing less than a third of this essential water resources job. Current Federal budgets for these activities provide for hardly one-half as much work as was provided in 1950. In that year, the expenditures for water resource activities were 2½ percent of the total budget, but in 1960 they are only 1½ percent of the budget. This is the evidence of the neglect that I mentioned.

Let us look briefly at forest resources, especially those within national forests for which there is express Federal responsibility. A recent report of the Secretary of Agriculture estimates that national forests need over $1½ billion of improvement work. This is the cost of facilities for timber management, fire

protection, recreation, and like programs to protect the forests and to make them usable. Responsive to congressional urging, a start has been made on the program for the national forests, but it is a saddeningly slow start. This is the lost time and lost opportunities that I mentioned.

In the field of soil and moisture conservation, 2 million farmers and ranchers cooperate in the program, but hardly one-fourth of the needed treatments have been installed to protect the half-billion acres of agricultural land. In addition, there are over 6,000 small watersheds that need conservation treatment, but work has been started on only 3 percent of them.

Each year sees our streams and rivers increasingly loaded with pollution, the quality of their water degraded below tolerable limits, and their burden of waste materials clogging sanitation plants or washed up on the shores of parks and beaches. Sewage plants are needed to handle the waste discharge of 48 million people, and it will cost $4½ billion to build them, but the Federal budget for this is only $30 million per year. Municipalities spend 10 times as much as the amount of the Federal contribution for pollution control; but, although this is a severe burden on local finances, it is far short of keeping up with municipal growth.

So we might inventory each of the other natural resources—minerals, hydroelectric power, recreation, and wildlife. For each of them, the sad story is the same—too little, too late.

The neglect and deficiencies of the Federal activities are doubly hurtful because, to a major degree, Federal programs pace the non-Federal activities. When Federal programs are delayed and deficient, State and private activities fall behind. The pollution of the Potomac River at the very steps of the Capitol is an example. With timely and appropriate Federal assistance, the States, the municipalities, and the industries might have minimized the problem largely by their own efforts. Lacking Federal encouragement and initiative, control of Potomac River pollution has been so long delayed that its cure may not be possible within the foreseeable future.

In conservation and development of most of the natural resources, the Federal Government has participated jointly with States and private interests. This has been true for reclamation, rural electrification, soil conservation, and wildlife management almost from their start. The past half century has clearly established that the Federal responsibility to provide for the national security and to promote the general welfare includes conservation and development of natural resources. To this end, the Congress seeks to assist and work in concert with the States and local governments and private interests. But in meeting this responsibility, how well do we now measure up to the forward-looking standards set by the Senate in 1807 when it instituted an inquiry into the improvement of inland waterways? I fear that we may not measure up very well.

On this question, let us again examine water resources: Between now and 1975, about $50 billion will have to be spent for plants and equipment to provide water and sewage services to the growing urban population. The consensus is that municipalities do not have the financial resources to raise any such amount of money. We know, for example, that since 1952, State and local government debt has increased 100 percent, and there is very little leeway under State constitutions to issue bonds in the amounts needed for such a huge program. How, then, will the job get done, to whom will they turn, and what sort of assistance might be available? Comparable questions face us for all of the natural resources—how much needs to be done by the Federal, State, local governments, and by private industry? What means do they have for accomplishing their share of the total job, and what forms of assistance can most effectively be provided?

In 1945, when millions of men and women were released from the Armed Forces and when production of arms and munitions released more millions of workers, we faced grave and complex problems of how 60 million workers could find jobs, and how the economy could finance such expansion of peacetime production. At that time, it was my privilege, joined by the Senator from Wyoming [Mr. O'MAHONEY], former Senator Wagner, and former Senator Thomas, of Utah, to introduce Senate bill 380 of the 79th Congress, and on February 20, 1946, to see it enacted as the Employment Act of 1946.

The measure that I have introduced today, the Resources and Conservation Act of 1960, is comparable in form and structure with the Employment Act. It seeks for natural resources answers to problems comparable with the employment and economic problems dealt with in the 1946 act. Our experience with that act assures that the method is workable. It demonstrates that the combination of the Council of Economic Advisers in the White House and the Joint Committee in the Congress can be effective in developing answers for complex problems of national concern, and that the combination is effective in implementing the answers with legislative and executive action.

Even with the advantage of the 1946 act as a model for this one, it is far from being the final form. Many improvements will be made in the bill as a result of hearings and committee discussions. I hope that there will be full hearings, including field hearings. These should bring to the committee the thinking of all interests concerned in natural resource conservation and development. What we are striving for, in my view, is to establish a permanent mechanism in Government that will give continuous attention to the entire range of natural resources, and that will periodically advise the President and the Congress what is needed and how to attain it.

Recent sessions of Congress have generated a series of commissions and committees to evaluate and recommend regarding certain natural resource problems. Outstanding among these special bodies is the Commission on Outdoor Recreational Resources and the Select Committee on National Water Resources. These two bodies are marked by the high caliber of their distinguished membership. Their reports will, I am confident, contribute significantly to understanding of the subjects.

These recent special bodies unfortunately are limited, as were ones that preceded them—the Paley Commission and the Cooke Commission. These two Commissions are, in my judgment, outstanding in delineating the problems and in pointing to the solutions for major natural resource problems. They have inaugurated a new era in public policy on natural resources. Unfortunately, the Paley Commission and the Cooke Commission, like the Hoover Commissions and other previous and current resource commissions, are transitory. Their reports, containing much sound thinking and meritorious proposals, all too soon became library items rather than charters of action. Our experience with commission reports is that they generate very little action after the dissolution of the commission that authored them.

In contrast, the Council of Economic Advisers and the Joint Economic Committee are continuing arms of Government. Neither of them administer any programs; they do not issue regulations or operate facilities. They are effective because, in the executive branch and in the Congress, there are continuing expert bodies that appraise, evaluate, and recommend. The importance of this is exemplified by the valuable contributions and leadership provided by the Joint Economic Committee.

Faced with the same kind of grave and complex questions in all of our natural resources, we need similar continuing bodies in the Congress and in the executive branch. It is important for us to recognize that the grave and complex resource problems facing us now will continue to face us for a long time.

This need for continuing appraisal of natural resource conditions and problems was recognized in the reports of the special Commissions just mentioned. Mr. William S. Paley has called to my attention the final recommendation of the President's Materials Policy Commission of which he was Chairman:

> That the National Security Resources Board be directed, and provided with adequate funds, to collect in one place the facts, analyses, and program plans of other agencies on materials and energy problems and related technological and special security problems; to evaluate materials programs and policies in all these fields; to recommend appropriate action for the guidance of the President, the Congress, and the executive agencies; and to report annually to the President on the long-term outlook for materials with emphasis on significant new problems that emerge, major changes in outlook, and modifications of policy or program that appear necessary.

Although this recommendation was deficient in provision for congressional participation, its general objectives parallels closely the purpose of the proposed Resources and Conservation Act.

This recommendation carries weight because of the high competence of the Materials Policy Commission and the acknowledged excellence of the report. The bill that I have introduced, in many respects, has the same objectives as this Commission proposal.

These considerations are important now because the United States is on the threshold of enormous population and economic growth. All Senators, I am sure, are familiar with the estimates of a 25-percent increase in population during the next 15 years, a 60-percent increase in gross national product, and a 100-percent increase in the index of manufactures. I shall not elaborate on these forecasts other than to express my belief that they are too conservative, that national growth actually will exceed these estimates. Whatever figures are chosen, it is plain that, in the years ahead, the requirements for resources and the pressures on them will continue to mount, that competition for all resources will intensify, and that there will be increasing need for examination, appraisal, and recommendations of the Resources and Conservation Council and joint committee.

In the face of this increasing requirement for, and pressure on, natural resources, I am not fearful that we shall fail to meet the Nation's needs. Certainly the United States will have the economic and financial ability for the tasks involved, and we have the skills and competence.

We have learned, however, that there are two other essential elements. One of these is that our action must be timely—if we overlook or delay needed measures we may greatly increase the problems, or even defeat the possibility of their solution. The continuing appraisal and the periodic reports of the joint committee will assure such timely attention.

The other essential element is that our actions must be considered ones—in dealing with natural resources, our actions must take account of the close interrelations and interdependence of all of the resources. Utilization of timber or water or mineral resources affects many other uses; often recreation and wildlife values may be either enhanced or destroyed depending on how other resources are handled. In some cases, a careful appraisal may show that preservation of certain resources yields greater benefits than would their exploitation.

Recognizing the interrelationships of the various factors, this proposed legislation provides that all resources shall be considered in the findings and recommendations of the Council and Joint Committee. This becomes increasingly important as requirements increase and as pressures mount. With that certain prospect, it becomes ever more essential that all resources be considered in their relations to each other as well as to the economy as a whole.

These very matters are recognized in the 1959 Joint Economic Report. I commend the Joint Economic Committee and its distinguished chairman [Mr. DOUGLAS] for the cogent and well-founded comment in the report. Most especially, I commend and endorse the statement of the Joint Economic Committee that it would be fiscally irresponsible to refuse, on budget-balancing considerations, to increase Federal outlays on developing our natural resources. In order that this excellent statement on "Developing Resources" may be available to Senators, I ask unanimous consent that it be printed at the conclusion of my remarks.

Mr. President, I have touched on many points, but much more consideration of them is necessary because of the tremendous importance of natural resources to the welfare and prosperity of the Nation and to the national security. In order that Senators may have ready access to the matter, I ask unanimous consent that the text of the bill and the explanatory statement be printed at the conclusion of my remarks.

There being no objection, the excerpt, text of bill, and explanation were ordered to be printed in the RECORD, as follows:

DEVELOPING RESOURCES

(Excerpt from 1959 Joint Economic Report—Report of the Joint Economic Committee, Congress of the United States—S. Rept. 98, 86th Cong., 1st sess.)

Federal programs to expand the Nation's natural resource base should be carefully reviewed in the light of the future demands of an expanding economy. As the Subcommittee on Fiscal Policy observed in its report, "Federal Expenditure Policies for Economic Growth and Stability":

"Such programs long ago were established as appropriate activities of the Federal Government where their objective is to eliminate barriers or to provide the stimulus for fuller, more effective resource use and where the means required for realizing these objectives exceed the financial capacity of immediate beneficiaries. Whether any specific project is to be undertaken * * * should be determined by appraisal of measurable economic benefits in comparison with the project's cost."

Following this principle precludes, except under extraordinary circumstances, a flat proscription, such as that in the budget for fiscal 1960, of any new starts in this area. What is called for, instead, is the closest possible examination of present and prospective programs to determine those promising the greatest net yields. If the results of such a survey call for increasing Federal outlays on developing our natural resources, it would be fiscally irresponsible to refuse their undertaking on the basis of narrow budget-balancing considerations.

At the present time, moreover, there are numerous opportunities for expansion of economically sound natural resource development and public works projects in areas of high and persistent unemployment. These projects can serve the dual purpose of improving the conditions for longrun economic growth and of spurring recovery over the next 18 months.

A BILL TO DECLARE A NATIONAL POLICY ON CONSERVATION, DEVELOPMENT, AND UTILIZATION OF NATURAL RESOURCES, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Resources and Conservation Act of 1960."

DECLARATION POLICY

SEC. 2. The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government with the assistance and cooperation of industry, agriculture, labor, conservationists, State and local governments, and private property owners, to use all practicable means including coordination and utilization of all its plans, functions, and facilities, for the purpose of creating and maintaining, in a manner calculated to foster and promote the general welfare, conditions under which there will be conservation, development, and utilization of the natural resources of the Nation to meet human, economic, and national defense requirements, including recreational, wildlife, scenic, and scientific values and the enhancement of the national heritage for future generations.

RESOURCES AND CONSERVATION REPORT OF THE PRESIDENT

SEC. 3. (a) The President shall transmit to the Congress not later than January 20 of each year (commencing with the year following enactment of this Act) a conservation report (hereinafter called the "Resources and Conservation Report") setting forth (1) the condition of the soil, water, forest, grazing, wildlife, recreational, and other natural resources with particular reference to attainment of multiple purpose use; (2) current and foreseeable trends in management and utilization of the aforesaid natural resources; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation; (4) a review of the conservation programs and activities of the Federal Government, the State and local governments, and nongovernmental entities and individuals with particular reference to their effect on full conservation, development, and utilization of natural resources; (5) a program for carrying out the policy declared in section 2, together with such recommendations for legislation as he may deem necessary or desirable.

(b) The President may transmit from time to time to the Congress reports supplementary to the Resources and Conservation Reports, each of which shall include such supplementary or revised recommendations as he may deem necessary or desirable to achieve the policy declared in section 2.

(c) The Resources and Conservation Report, and all supplementary reports transmitted under subsection (b), shall, when transmitted to Congress, be referred to the joint committee created by section 5.

COUNCIL OF RESOURCES AND CONSERVATION ADVISERS TO THE PRESIDENT

SEC. 4. (a) There is hereby created in the Executive Office of the President a Council of Resources and Conservation Advisers (hereinafter called the "Council"). The Council shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret natural resource policy, to appraise programs and activities of the Government in the light of the policy declared in section 2, and to formulate and recommend national resource policy to promote conservation, development, and utilization of natural resources. Each member of the Council shall receive compensation at the rate of $ per annum. The President shall designate one of the members of the Council as Chairman and one as Vice Chairman, who shall act as Chairman in the absence of the Chairman.

(b) The Council is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this Act, without regard to the civil service laws and the Classification Act of 1923, as amended, and is authorized, sub-

ject, to the civil service laws, to employ such other officers and employees as may be necessary for carrying out its functions under this Act, and fix their compensation in accordance with the Classification Act of 1923, as amended.

(c) It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Resources and Conservation Report;

(2) to gather timely and authoritative information concerning natural resource conservation and development trends, both current and prospective, to analyze and interpret such information in the light of the policy declared in section 2 for the purpose of determining whether such development and trends are interfering, or are likely to interfere, with the achievement of such policy, and to compile and submit to the President studies relating to such development and trends;

(3) to appraise the various programs and activities of the Federal Government in the light of the policy declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote conservation, development, and utilization of the natural resources of the Nation to meet human and economic requirements, including recreational, wildlife, and scenic values.

(5) to make and furnish such studies, reports thereon, and recommendations with respect to matters of Federal resource policy and legislation as the President may request.

(d) The Council shall make an annual report to the President in December of each year.

(e) In exercising its powers, functions, and duties under this Act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, conservationists, State and local government, and other groups, as it deems advisable;

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided.

(f) To enable the Council to exercise its powers, functions, and duties under this Act, there are authorized to be appropriated (except for the salaries of the members and the salaries of officers and employees of the Council) such sums as may be necessary. For the salaries of the members and the salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding $ in the aggregate for each fiscal year.

JOINT COMMITTEE ON RESOURCES AND CONSERVATION

SEC. 5. (a) There is hereby established a Joint Committee on Resources and Conservation, to be composed of eight Members of the Senate, to be appointed by the President of the Senate, and eight Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible to reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of matters relating to the Resources and Conservation Report;

(2) to study means of coordinating programs in order to further the policy of this Act; and

(3) as a guide to the several committees of the Congress dealing with legislation relating to the Resources and Conservation Report, not later than May 1 of each year (beginning with the year following the enactment of this Act) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Resources and Conservation Report, and from time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed twenty-five cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

(e) There is hereby authorized to be appropriated for each fiscal year, the sum of $, or so much thereof as may be necessary, to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman or vice chairman.

EXPLANATION OF RESOURCES AND CONSERVATION OF 1960

Section 1: The title of the act, "Resources and Conservation Act of 1960," provides a ready reference that is fully descriptive of the subject matter of the act.

Section 2: The declaration of policy states explicitly the policy that has long been inherent in the acts of Congress that give effect to its constitutional responsibility "to provide for the common defense and general welfare." Policy is explicitly stated in some of the many acts dealing with natural resources, such as the 1935 Soil and Moisture Conservation Act, and the 1936 Flood Control Act. Hundreds of other acts, by their very nature and by their administration over many years, constitute a national policy on natural resources. This body of policy in its general application is summarized in section 2 of the bill.

Four important principles are stated in the policy. One of these is that there is a Federal responsibility and concern in the conservation, development, and utilization of natural resources which are means of providing for the general welfare and the national defense. A second principle is that the general program for natural resources will be developed in cooperation with State and local governments, and citizens, and with industry, agriculture, labor, conservationists, and private property owners. A third principle is that the objectives of conservation, development, and utilization are to meet human, economic, and national defense requirements, including those for recreational, wildlife, scientific, and scenic values, along with recognition of our obligations to preserve the natural resources inheritance for future generations. A fourth principle is that the Federal concern with natural resources pervades its manifold activities and requires their coordination in relation to natural resources.

Section 3: The Resources and Conservation Report of the President will be an annual appraisal of the condition of natural resources, and the progress in their conservation, development, and utilization. It will also bring to focus the problems and the needed action, with recommendations in the light of current and foreseeable future trends of management and utilization. This annual review will take account of the programs and activities of the Federal Government, and also those of the State and local governments and nongovernmental entities and individuals. The report deals with all of the natural resources—soil, water, forest, grazing, mineral, wildlife, and recreational resources—thus providing an integrated basis for interrelated programs and objectives.

The Resources and Conservation Report is the vehicle by which the President advises the Congress and the public of the views and recommendations of the executive branch on overall resources and conservation matters. Being an annual report, it can reflect current and changing conditions and concepts.

In addition, the President may make supplementary reports or revised recommendations as he deems appropriate.

Section 4: A Council of three resources and conservation advisors will advise and assist the President in the development of the comprehensive overall appraisal of natural resource programs and problems and in the formulation of his recommendations. The advisors will be appointed by the President, subject to confirmation by the Senate, and they are required to be qualified by training, experience, and attainments in the field of natural resources. The Council will be assisted by specialists and experts employed outside of the civil service, and by other employees subject to the civil service laws. The Council may establish advisory committees and consult with representatives of State and local governments, and citizens, and with industry, agriculture, labor, conservationists, and other groups, and it will utilize, to the fullest extent possible, the facilities and information of Government and private research agencies.

The Council of Advisors is fact finding and fact analyzing. It has no functions in the administration or execution of programs, these functions remaining the responsibilities of the regular executive agencies.

Section 5: The Joint Committee on Resources and Conservation is constituted of eight Members of the Senate and eight Members of the House of Representatives, with party representation proportional to the majority and minority parties in the Senate and the House of Representatives respectively.

This joint committee makes continuing study of the Resources and Conservation Report of the President, and of other means of coordinating resources and conservation programs in furtherance of the policies stated in section 2. Annually, the joint committee reports to the Senate and the House of Representatives its findings on the recommendations of the President and on such other resources and conservation matters as it deems advisable. The joint committee may hold hearings, and it may employ experts, consultants, and other staff.

The joint committee is advisory to the Senate and the House of Representatives. It has no legislative functions, these remaining the responsibilities of the established standing committees.

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

Mr. MURRAY. I yield.

Mr. McGEE. I commend to the attention of my colleagues in the Senate the importance of the measure which the senior Senator from Montana is introducing.

At a time when we in America are concerned about the economic growth of our country, we might well undertake this study of the promotion of the conservation of all the Nation's resources. I believe that America outran the rest of the world about 65 or 70 years ago by reason of our rapid accumulation of surplus capital. The reason for that surplus of capital, which turned out to be the difference between our economic growth and that of our competitors around the world, was the great abundance of American resources. These resources were used to the full benefit of the entire Nation.

I suggest, in pursuit of the proposal of the senior Senator from Montana today, that the time has come when our country can turn again to the development of our resources as the provider and creator of a new surplus capital which will enable us to maintain the pace which the burdens of world leadership now require.

We cannot do this with "no new starts," or without an understanding of the slow processes of developing new resources. We do not bring in new resources overnight. We do not bring in new resources because of an act of Congress. We bring them in only through foresight and careful planning.

The legislation proposed by the senior Senator from Montana demonstrates that kind of foresight. I commend it to the attention of all our colleagues in the Senate.

Mr. MURRAY. I thank the Senator from Wyoming.

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

Mr. MURRAY. I yield.

Mr. CHURCH. Mr. President, I should like to join in commending the distinguished senior Senator from Montana, the chairman of the Senate Committee on Interior and Insular Affairs, for having taken the leadership in fashioning and introducing this bill.

I believe this to be landmark legislation which will be looked upon in future years as of signal importance in promoting the wise conservation and development of the public resources of this country. I submit that in introducing this bill the distinguished senior Senator from Montana demonstrates once again the leadership he has always exhibited in this field, which has always been in the tradition of Theodore Roosevelt and Gifford Pinchot.

I am hopeful that the Senator will be successful in acquiring additional cosponsors, and that next year we shall see the bill reported favorably by the committee and acted upon favorably by the entire Senate.

Mr. MURRAY. I thank the Senator from Idaho for his generous expressions.

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

Mr. MURRAY. I yield.

Mr. YARBOROUGH. I am happy to have the privilege of being a cosponsor of this bill with the distinguished Senator from Montana.

As has been so well said by the junior Senator from Wyoming and the junior Senator from Idaho, this is a landmark bill, looking toward the conservation and development of the resources of the United States for the people of the United States as leaders of the free world.

When the Senate comes to consider this measure to establish a Resources Advisory Council, we should consider two other measures, passed within the past 2 years, which may have a profound influence on the way of life of all our people.

One of these measures was the weather modification bill of 1958. That bill was based upon scientific testimony that within the foreseeable future we shall be able to do something about modifying the weather in certain areas of the globe.

The other measure to which I refer, which has been passed, provides for the establishment of stations to study methods of taking salt out of sea water and salt water from underground wells. We are far along in that type of advance. We may soon see fresh water taken from the sea and from underground salt water supplies, at a cost which will make it practical for agricultural uses.

So with these two measures, the weather modification measure and the desalination measure, already written into law, we see clearly pointed out the need for developing all the resources of the Nation. I commend the Senator from Montana for his leadership in this important field.

Mr. MURRAY. I sincerely thank the Senator from Texas.

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

Mr. MURRAY. I yield.

Mr. MORSE. I congratulate the distinguished senior Senator from Montana for another great act of statesmanship in the field of natural resources development. I have checked his bill, and I consider it an honor to join with him as a cosponsor.

We are going through a rather interesting period in the Congress in connection with the development of natural resources. If we check back on the legislative history of natural resource development, we discover that it swings somewhat as a pendulum swings. Last year, and again this year, Congress has not lived up to its responsibilities in regard to natural resource development, with respect to protecting the interests of future generations.

We are trustees of the natural resources of this country, and we need to do a better job than Congress did last year, or has done thus far this year, in developing a natural resources program.

I believe that the objectives of the bill of the Senator from Montana will be very helpful in making the Congress more cognizant of its trusteeship obligations in regard to our natural resources.

Mr. MURRAY. I thank the Senator for his very kind and cogent remarks. I am very grateful to him for his expressions.

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

Mr. MURRAY. I yield.

Mr. MANSFIELD. I wish to join in what the distinguished senior Senator from Oregon and other colleagues in the Senate have said about the consistent leadership shown by the senior Senator from Montana, who has indicated on so many occasions that his thinking is not merely abreast of the times, but is ahead of the times. The facts have borne out his foresight over the years.

It is interesting to note that this subject was discussed at the conference of western Senators a week or so ago, at which there were present 23 western Senators. The proposal was unanimously approved by that conference, including Senators from Texas, Oklahoma, and Alaska.

This is another indication of the leadership which the senior Senator from Montana has consistently shown. I hope we shall be able to have action shortly on this important measure.

Mr. MURRAY. I thank my colleague very much.

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

Mr. MURRAY. I yield.

Mr. HART. Mr. President, as a freshman Senator, I welcome this opportunity to offer my appreciation to the senior Senator from Montana for his many years of great leadership in this body. Unfailingly and consistently he has recognized in advance the needs of this Nation and its people; he has offered imaginative, far-reaching measures designed to meet those needs.

It is my privilege to join today with Senator MURRAY in sponsoring the Resources and Conservation Act of 1960. On July 9 I stated on the Senate floor in connection with the TVA financing bill that it would be my policy to support measures for the economic growth of the Nation as a whole. The Resources and Conservation Act of 1960 is such a bill. I stated further that it would be my purpose to help obtain for the north central and northeastern areas of the country the water-resources programs so badly needed in these sections. The Resources and Conservation Act of 1960 provides just such opportunity.

The coordinating feature of this bill may well turn out to be its greatest contribution. It would enable the executive branch and the Congress to examine our resource and conservation needs, nationwide, as a whole; and it would enable us to plan to meet those needs in a coordinated fashion. The sewage, water supply, and recreational needs of the East would be considered alongside the reclamation and irrigation needs of the West. We would have presented to us for study and action the total picture in one piece.

Consider the present battery of Federal control centers: In the executive branch, there are 16 agencies spread around 6 Departments — Defense; Agriculture; Health, Education, and Welfare; State; Commerce; Interior—one independent corporation—TVA—and two international commissions — International Boundary and Water Commission, United States and Mexico, and the International Joint Commission, United States and Canada—charged with carrying out various Federal water policies,

and this excludes power and some specialized interests in water. In addition, of course, the Bureau of the Budget exercises its own particular authority in this field. The Senate too has four standing committees with major interest in resources and conservation. Clearly, we would all benefit from the overall look which this bill would provide.

Mr. President, every area of the country has its own particular needs in terms of resources and conservation. I welcome this evidence that the needs of the north central and northeastern sections will be considered together with the needs of the West and the South. And I particularly applaud the determination evidenced by this bill to wrap the Nation's development program into one package to which we can all address ourselves.

Again, I salute the senior Senator from Montana for this typical demonstration of concern for America and Americans in years ahead.

Mr. MURRAY. I thank the Senator from Michigan.

A NATIONAL POLICY ON CONSERVATION DEVELOPMENT IS DESIRABLE AND NECESSARY

Mr. RANDOLPH. Mr. President, more than a quarter of a century ago I had the privilege of meeting the senior Senator from Montana [Mr. MURRAY]. During the years my admiration for him has been strengthened. It is a privilege to join as a cosponsor of the legislation which is now under discussion. It is characteristic of Senator MURRAY's devotion to the national welfare that he would sponsor this program which looks to the benefit of generations yet unborn.

In its essence, Mr. President, this bill addresses the fundamental issue of whether we will adopt long-range planning as a means of sustaining our level of civilization. The American people have been singularly blessed with a continent rich in natural resources. For almost 300 years, with a growing but still relatively small population, we could afford to squander our resources. But that time has long since passed.

With the administration of President Theodore Roosevelt we first became aware as a nation of the need for the conservation of our resources. Since his death in 1919, more of the earth's mineral resources have been consumed than during man's entire previous existence. This is the measure of the problem we face.

It is estimated that, on the basis of present trends, by 1980 the United States will consume 50 percent more raw materials, 85 percent more nonferrous minerals, 97 percent more mineral fuels, and 133 percent more nonmetallic minerals. These figures are representative of our estimated consumption of all natural resources only two decades from now.

Our resources are not infinite. Nor is our national appetite. But the time is rapidly approaching, Mr. President, when our needs will outrun our resources if we fail to establish long-range planning for their wise utilization and development. I hope, therefore, that the resources and conservation bill introduced by Senator MURRAY will receive prompt consideration and passage. No Member of this body has been more creative and more courageous in carrying forward the purposes of conservation and development of natural resources than Senator MURRAY. It is a genuine privilege to join in this effort.

Mr. MURRAY. I thank the Senator from West Virginia. I yield the floor.

HERBLOCK CARTOON: SENATE RACKETS COMMITTEE

Mr. MUNDT. Mr. President, I am speaking in connection with a Herblock cartoon which appeared in the Washington Post for this morning. The heading of the cartoon says "Hurry Up and Find Some Democratic Racketeers—We Can't Hold This Shut Forever."

There is a picture of a door called the Senate Rackets Committee; under that a legend, "Closed Hearings"; under that a caricature of the Senator from Arizona [Mr. GOLDWATER] and the Senator from South Dakota now addressing the Chair.

My purpose for mentioning this, Mr. President, is that several other newspapers outside of Washington, as I understand, subscribe to the Herblock cartoon, and I am hopeful that the true facts in this connection will be carried by the wire services and the reporting agencies of the Capitol so that they will catch up with the picture cartoon as it appears in the paper.

It happens, Mr. President, that the first speech I ever gave in the Halls of Congress was about 20 years ago when I became engaged in a debate with a motion picture. I found that a rather strenuous exercise, but I did discuss the accuracy of that picture which Mr. Lowell Mellett had created, a motion picture called The Plough That Broke the Plains, which was a complete distortion and misrepresentation of my home State of South Dakota and of the general Midwest.

Having seen that picture one night at the Blair-Montgomery High School at a meeting I was addressing, I was so incensed I rushed down to the floor of the House the next morning and gave a speech, pointing out its errors and its misrepresentations, even though I was not inclined to intrude myself on the House at so early a time in my career as a new Member of Congress.

As a result of that we got "The Plough That Broke the Plains" withdrawn from circulation because it was demonstrably erroneous. That was one debate at least which I won.

This cartoon is also demonstrably erroneous, and I am not criticizing Mr. Block because I do not think he did it with malice. I think the lack of information that he possessed and that induced him to draw this cartoon came naturally from the fact that there was not any great amount of publicity about that which he here discusses or portrays. So I think some things need to be said on that same subject to set the record straight. I propose to say them for the record now.

Mr. Block is referring to the hearings now under way, Mr. President, involving certain officials of the United Automobile Workers. This procedure is not in the nature of the customary hearing we have held before our committee, but is a hearing in which Senator CURTIS and the minority counsel, Bob Manuel, operating under authority extended to them by the committee as a whole, are presenting to the full committee in executive hearings the evidence which has come to their attention and on which they have been working for several months in an effort to determine whether or not, as a result of that evidence, the committee as a whole decides that it is justified in conducting an expanded investigation and in having public hearings. It is the same type of thing that has been done repeatedly in our committee when the chairman and the committee counsel, Bob Kennedy, would call us into executive session to present some witnesses and some evidence, to have the committee judgment on whether or not a public hearing and further investigation were justified. So the hearing now proceeding is in strict conformity with that established precedent of the committee.

It is true, Mr. President, that on the morning that this executive hearing began some discussion arose, in the committee, which I am precluded by the rules of the executive session from repeating, as to whether or not at that juncture the hearings should be made public instead of going through with the original arrangement which had been in existence for several months. A vote was taken then.

Mr. Block is completely wrong respecting me, Mr. President, because I did not vote in favor of closed hearings. I voted "present," and I preceded that vote by saying to the members of the committee as far as I was concerned we could listen to this evidence in public or in private; I did not care. I had not heard it.

I wanted to know what Mr. CURTIS and Mr. Manuel had. I was open-minded about it. I said it seemed to me to be the wisest course of action was to hear it first in executive hearing, as we had heard other witnesses, and thus try to prevent certain innocent people from being smeared or slandered, and prevent some highly emotionalized witnesses from making unsupported statements in public, which we could screen out in private hearings.

Now, the record shows that I voted present, Mr. Block to the contrary notwithstanding. He is 100-percent wrong.

Mr. GOLDWATER. Will the Senator yield?

Mr. MUNDT. I yield to the Senator from Arizona.

Mr. GOLDWATER. As a member of the select committee I merely want to corroborate what my distinguished friend, the Senator from South Dakota, has been relating to the Senate; namely, that we did take a vote that morning. In fact, contrary to our desire to keep this vote secret, it leaked out. How, I do not know. So I am not disclosing anything that has not been disclosed in the public press when I say that the vote

was 5 to 2 in favor of conducting closed hearings, and the unrecorded vote was a vote of the Senator from South Dakota, who did vote present instead of voting.

Mr. MUNDT. It was not unrecorded. It was recorded that I voted present.

Mr. GOLDWATER. Yes. I want to say for my colleagues that this was a bipartisan vote, that others than Republicans voted that this should be a closed hearing.

But I will say this to my distinguished friend, in view of what I heard in executive session during the past week, if the opportunity to vote comes up again, the junior Senator from Arizona is strongly urged from what he has heard to vote for open hearings. I think some day the American public should hear what we have been hearing in private.

Mr. MUNDT. I appreciate what the Senator from Arizona has said. While I did not intend to allude to the future in correcting Mr. Block's miscomprehension, let me say this now. If the matter comes before us, as far as I am concerned, on the basis of the evidence we have heard by listening to several witnesses and spending several days at it, if this matter comes before the committee again I shall vote to have this hearing made public. I shall vote to have the secrecy stripped from the hearings we have held, to disclose what has taken place in the hearings during the past few days; or if a majority of the committee prefer, I shall vote to rehear the witnesses in public and let them reconsider their answers, and testify in public according to the designs of their conscience.

As far as I am concerned, I think the public should know and should hear what we have heard in executive session. I will be happy to do it either by voting to remove the secrecy from what we have heard and let the future investigation be in public, or to hear the witnesses in public.

I think the appropriate procedure is for us to continue on the standards of approved procedure and hear the remainder of the witnesses as they testify under the direction of Senator CURTIS and Mr. Manuel, presenting the facts to us, and at that time have the committee determine in its good judgment whether or not the investigation should be expanded and continued, as I think it should be, and as I shall vote to have it done, and whether or not we make it public, either by opening up the hearings that have been held, or by rehearing the witnesses. I shall support either proposal for making this evidence public.

So I have news for Mr. Block. He can just keep the original of this cartoon, Mr. President, just as it is, but be prepared to change the figures in front of the door and the names on those figures because after the next vote, if what we have heard in secret is not made public, there will be a couple of other people standing in front of that door other than GOLDWATER and MUNDT.

We have made our position clear here. In fact, I do not believe those figures will be Republicans at all. In fact, I hope there will not be any figures there at all so that he can show that door swinging wide open, and I will be that little fellow behind the door trying to push it open. Certainly we have gone far enough to indicate that Senator CURTIS and Mr. Manuel have produced evidence to which we ought to devote ourselves in making further investigation and to which the public is entitled, and to which the people who are charged with wrongdoing should have an opportunity in public to make their defenses under oath in sworn testimony, subject to the rules of perjury where the whole record will be open to the public so the court of public opinion can make its own verdict.

The PRESIDING OFFICER. The Chair reminds the Senate that the morning business has been resumed, and that the limitation of time is in effect.

Mr. MANSFIELD. Mr. President, I did not request a time limitation on the unanimous-consent request. I ask unanimous consent that the time for morning business be extended for another 20 minutes.

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

PROPOSED REMOVAL OF POLL TAXES

Mr. KEFAUVER. Mr. President, the Subcommittee on Constitutional Amendments of the Committee on the Judiciary is having a hearing this afternoon on Senate Joint Resolution 126, introduced by the Senator from Florida [Mr. HOLLAND] in connection with the removal of poll taxes as a prerequisite for voting.

I issued a press release stating that the hearings had been called at the request of Senator JAMES O. EASTLAND, of Mississippi, and several other Senators. I wish to make it clear that those Senators oppose the amendment, and that the hearings which I have called are to enable those who are in opposition to the measure to have an opportunity to be heard.

Mr. EASTLAND. I thank the Senator from Tennessee.

Mr. KEFAUVER. Does that correct the situation?

Mr. EASTLAND. Yes.

Mr. KEFAUVER. I made that clear in the statement which I made before the subcommittee this afternoon.

HAROLD CROSS'S PUBLIC SERVICE

Mrs. SMITH. Mr. President, in the past few days one of Maine's outstanding citizens, Harold L. Cross, died. One of the most appropriate, even if brief, editorial eulogies was that which appeared on the editorial pages of one of America's greatest newspapers—the St. Louis Post-Dispatch—on August 14, 1959.

I ask unanimous consent that this editorial be printed in the body of the RECORD, and I invite the attention of the Members to it.

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

HAROLD CROSS'S PUBLIC SERVICE

Back in the late 1940's the American Society of Newspaper Editors began to take notice of the extent to which meetings of public bodies were closed to representatives of the press. Councils, committees, bureaus, departments, commissions often held their sessions in tight secrecy. Relatively few editors knew their legal rights in such matters and so the A.S.N.E. engaged Harold L. Cross, a retired newspaper lawyer of Maine and New York, to make a thorough study of the laws of the States as to both the rights of officials and the rights of editors. The result was a monumental legal stocktaking in the newspaper field, "The People's Right To Know." To call Harold Cross's book, and the additions which he made to it, a landmark in the history of the press in the United States is not to exaggerate. Not only all editors and publishers, but newspaper readers as well, suffered a loss in his death. He performed a service to our self-governing democracy both valuable and distinctive.

THE STEEL STRIKE

Mr. JAVITS. Mr. President, the lack of progress toward a settlement of the steel strike has induced the distinguished Senator from Vermont [Mr. AIKEN] and me to issue, over the weekend, a statement which we should now like to share with our colleagues.

It seems to us that the lack of progress appears to be heading us in the direction of ultimately invoking the provisions of the Taft-Hartley law for a factfinding board and injunction—unless something happens to break the present stalemate.

An emergency brought on by our own inertia would certainly be hard to excuse; accordingly, it is essential to see what can be done in anticipation of the time when a shortage of steel may bring on an actual national emergency situation.

For this reason, we believe that the time has come for the President to share with the people the facts found for him by his own factfinder, Secretary of Labor James P. Mitchell. Given objectively the relevant facts in the dispute, the great national jury of the people of the United States should be able to crystallize the weight of public opinion to bring about a settlement of the strike or to indicate what further steps may be taken to bring it about. In a situation like this, we need to find new techniques for asserting the public interest. Public factfinding is such a technique.

We take cognizance of the fact that Senator SYMINGTON and 32 Democratic Senators as cosponsors have put in a resolution to bring the President directly into the effort to settle the steel strike. Our suggestion is a substitute for the Symington resolution; the differences relate primarily to two points; First, we omit the request to the President that he act as a mediator of the strike, which is one of the main points of the Symington resolution; and, second, we do not call for the President to make recommendations "as to the terms of settlement of the dispute" as called for by the Symington resolution.

The steel strike is one impressed with the national interest and the result will be a bellwether in labor-management negotiations at least for the next year. The outcome of the steel controversy is a key element in the anti-inflation effort, too. Hence the people of the

United States have an unusual interest in what happens.

Labor and management are hopelessly at odds on the facts. Management says it must recapture the work rules or lose control of production. Labor says management has done well indeed under existing rules. Management says no wage raise without a price rise; labor says management can absorb out of fantastic profits the amount labor is asking.

We believe that factfinding on a high level and of a character that would carry prestige should be an aid to collective bargaining between the parties in such a situation. We do not believe it should be a substitute for it. We think that is the most effective day to reconcile the special nature of this labor dispute and its pervasive influence on the national economy with our normal tradition of encouraging strike settlements between the parties.

Our suggestion would have no adverse effect on present negotiations and we declare specifically that there should be no abatement of the process of collective bargaining or of mediation and conciliation in the meantime. We do not believe the country should wait until the emergency calls for Taft-Hartley procedures, but should get the facts now.

Though we agree with the President that there is nothing to fear from a visit by Premier Khrushchev during the steel strike, and that in fact he would see for himself that American workers are freemen having the right to strike, we do believe that all would agree that it would be better still if he could see our steel mills in operation. For, at capacity our steel mills will produce a total daily output typically 75 percent higher than the steel industry in the U.S.S.R., indeed 36 percent of the steel production of the whole world. Gaging Mr. Khrushchev and what will impress him the most we believe it will be blast furnaces turning out the steel which back up America's ideals with its productive power.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes, and that I may yield to the Senator from Vermont, who joined with me in the issuing of the statement.

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

Mr. AIKEN. I am very glad to agree fully with the remarks of the Senator from New York. I am very apprehensive, indeed, about the effects of a long, drawn out steel strike. It goes without saying that the longer the strike continues, the more certain it is that there will be an increase in the price of steel at the time of settlement, and the greater will be that increase.

It seems to me that we should very carefully consider, as an anti-inflation measure, the early settlement of the steel strike. It is true, as has been said, that a national crisis does not yet exist because of the strike, but I do not believe we ought to sit down and wait for a national crisis to come up over the horizon before we undertake to settle the strike. The strike will be very harmful to everyone the longer it continues.

So I approve wholly of the request which has been voiced by the senior Senator from New York that the President should authorize his fact finder, Secretary of Labor Mitchell, to give the public the facts, so that public opinion may then play its part looking to an early settlement of the strike, a strike which we all deplore.

I do not pretend to know whether labor or industry is in the right, or to what extent they may be in the wrong. But I believe, in the interest of the American public, that we ought to do all we can, and that the executive branch ought to do all it can, to settle this matter at the earliest possible moment.

Mr. JAVITS. I thank the Senator from Vermont. I think we are both agreed that the steel strike is uniquely susceptible of settlement by the national jury, which is the American people.

Mr. AIKEN. That is correct. The public is more concerned with the steel strike than is any other group.

Mr. MANSFIELD. Mr. President, through an oversight, I forgot to request that there be a limitation of 3 minutes on speeches during the morning hour. I make that request at this time.

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

ACREAGE LIMITATIONS FOR OIL AND GAS LEASES AND OPTIONS, STATE OF ALASKA

Mr. GRUENING. Mr. President, I am shocked, as is my colleague, the able senior Senator from Alaska [Mr. BARTLETT], who is now in the Chair, by the action of the President, from whom a message has just been received, announcing that he has vetoed H.R. 6940, the bill which provided for an increase in allowable acreage limitations for oil and gas leases and options in the State of Alaska.

The bill, which would have provided essential impetus to Alaskan economic development, is one of the more important pieces of legislation with which the Alaska delegation has concerned itself during this Congress. It was recommended for enactment by the Governor of Alaska, the Commissioner of Natural Resources of the State of Alaska, and the Chairman of the Resources Committee of the Alaska Senate. There is no question that the State of Alaska wants and needs this legislation. The Alaskan experts who are familiar with Alaska's needs and conditions are not in the least impressed with the fanciful arguments that its passage would be other than beneficial to the State.

The bill was reported without dissent by both the House and the Senate Committees on Interior and Insular Affairs. It passed the House without debate, and was passed by this body after a motion to recommit was roundly defeated.

The President's veto can be explained only by the assumption that it was strongly recommended by the Department of the Interior. The reasons for a recommendation against enactment by that Department are difficult to understand on the merits of the issue. This is especially true in view of the fact that the acreage increase limitations recommended by the Secretary of the Interior are exactly the same, as to acreage amounts, as those in the bill as passed by Congress, namely 600,000 acres. The Department insists, however, that for this purpose the State must be divided by a line running along the Brooks Range, and that holdings be limited to 300,000 acres north of this range and 300,000 acres south of the range. The theory of this proposed division is that development above the range must be given particular attention due to the exceptional difficulty of development and to geographical conditions there. This is the only difference between the bill that the President has vetoed and the legislation which the Interior Department was willing to support.

Those who know the State of Alaska know there is no substantial geographical, climatic, economic, or logistical basis for this recommendation of the Department. The differences in geographic and climatic conditions above and below the range are not sufficient to warrant a division of the State for purposes of this legislation. Those who know Alaska are better informed than the bureaucrats in the Department of the Interior, whose testimony at the hearings indicated they had no first-hand knowledge of the regions involved. It is impossible to follow the argument that blanket doubling of acreage limitations will deprive the State of Alaska of income. The argument that income will be lost is apparently based on the theory that legislation requiring an increase in acreage rentals will be enacted. I wish to point out that, first of all, such legislation has not been enacted; and, second, the Secretary of the Interior now has authority to raise the rate of acreage rentals, action which he has not seen fit to take.

Furthermore, it is impossible to understand why the increase in acreage limitation to 600,000 acres, under the provisions of the bill as passed by Congress, would reduce the income for the State, while the increases under the proposal of the Department would not. Under the Secretary's proposal, the acreage limitation would remain the same. The rental rate would remain the same. The only difference wold be that rental would be paid on 300,000 acres above the range and on 300,000 acres below the range. Under the measure just vetoed, rental would be paid on 600,000 acres located in any part of the State.

In passing, I may point out that the question of the possible loss of income to the State, through the enactment of this legislation, was not raised until after the bill had cleared both committees and the House of Representatives.

It appears that the Department of the Interior feels, with respect to the State of Alaska, that only that Federal agency is able to determine action which is in the best interest of the State, despite completely contrary recommendations from those concerned. The Department has not grasped the fact that Alaska is now a State, and no longer is a ward of the Department of the Interior, as Alaska was as a Territory for the last

75 years, when the fiat of the Secretary of the Interior determined the fate of Alaskans—often, as now, to their disadvantage.

I ask unanimous consent to have printed at this point in the RECORD a copy of a letter sent by the Alaskan congressional delegation to the President, urging him to sign the bill.

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

AUGUST 10, 1959.

President DWIGHT D. EISENHOWER,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The purpose of this letter is to urge you to give your approval to H.R. 6940.

This bill was approved unanimously by the House of Representatives and by a voice vote in the Senate after having been reported without objection by the responsible subcommittees and full committees of both Houses of the Congress.

In addition—and equally important—its enactment has been recommended by the Governor of the State of Alaska, the commissioner of natural resources of the State of Alaska, and the Chairman of the Resources Committee of the Alaska Senate. In fact, not a single objection from any Alaskan to this bill was received by the Senate Committee on Interior and Insular Affairs.

The purpose of this legislation is to further the policy set forth in the Mineral Leasing Act, namely, to promote the development of oil and gas upon the public domain. The bill recognizes that such development will take place in Alaska only if special inducements are offered to attract to Alaska large amounts of venture capital to offset the very real deterrents to full development which exist by reason of the State's terrain and climatic conditions.

By increasing from 300,000 to 600,000 the number of acres which may be held under public lands oil and gas leases in Alaska, H.R. 6940 offers petroleum prospectors a necessary and reasonable inducement and one which we are confident they are prepared to accept and use in the public interest.

The change in acreage limitation in fact would only place Alaska on a more equitable footing with the other States of the Union when full consideration is given to the fact that the total of public land acreage available for mineral leasing in Alaska (365 million acres) is several times that of each of the other public land States, and that in the latter, unlike Alaska, there are also acquired lands available for leasing. With that much acreage available in Alaska, it cannot be seriously contended that raising the acreage limitation to 600,000 acres would create the possibility that a few operators could monopolize the field.

The Department of the Interior agrees that the acreage limitation should be raised to 600,000 acres. It insists, however, that for this purpose the State be divided by a line running along the Brooks Range and that holdings be limited to 300,000 acres north of that range and 300,000 south of it. The area north of the range contains approximately 48 million acres. Of this 48 million acres only 20 million have been opened for leasing upon completion of mapping. Of this 20 million acres only 4,016,000 have been mapped. Thus the Department of the Interior's position is that individual holdings be limited to 300,000 acres in an area of 48 million acres and that acreage be limited to the same amount in an area of 317 million acres. Would it not be easier to monopolize 48 million acres than 317 million of the same leasing limitations applied to both?

There is no basis in logic or fact for such an artificial limitation.

Since the provisions of the Alaska Statehood Act grant the new State 90 percent of the income from rentals and production on Federal oil and gas leaseholds, your approval will bring a welcome increase in revenue to the State's treasury—both short range from the likely increase in leasing activity and long range from the expansion of development and production which we are confident will follow.

The argument has been made that, since the Congress has not yet acted upon your request that the minimum rental charge for public lands oil and gas leases be increased, enactment of H.R. 6940 would have the reverse effect of denying Alaska large amounts of revenue which would accrue to it under the increases you have proposed.

This is specious reasoning. It is so on several counts.

In the first place, it should be noted that a similar conjectured "loss of income to the State" would occur under the Department of the Interior's proposal, unless it means that the Department does not anticipate that there will be any leasing north of the Brooks Range prior to a raise in rentals. If that is so, then we cannot see how the Department's proposals will increase oil exploration and production in Alaska.

In the second place, may we respectfully remind you that neither Alaska nor any other State, nor the Federal treasury, need be deprived of the increase you propose if the Secretary of the Interior would use the authority he now possesses and increase rentals for the 1st and 4th through 10th years of a lease. Or, if the Secretary is reluctant to exercise the authority vested in him by the Congress until there has been specific congressional action, then he can insert in leases hereafter issued, under appropriate regulations, a provision specifically making the amount of rentals subject to future increases either by congressional enactment or by action of the Secretary.

The argument that the State of Alaska would lose money through the enactment of H.R. 6940 is, therefore, simply not so.

Long-term residency in Alaska has given each of us sufficient knowledge of the geographical and climatic conditions to be convinced that any such division of the State for oil and gas leasing purposes as has been proposed by the Department of the Interior would be unrealistic, unnecessary and not productive of the desired results.

In this we are supported by the duly elected and appointed officials of the State of Alaska who are as concerned—or even more concerned—than the officials of the Federal Government to assure the orderly and prompt development of their State's natural resources for the benefits of Alaska and of the Nation.

We urge you to act favorably with respect to H.R. 6940.

If in doing so you are genuinely concerned as to the effects of your action with respect to the future revenues from lease rentals, then may we again respectfully suggest that you accompany your action with a request that the Secretary of the Interior make use of the authority he now has to raise such rentals.

We do urge that you heed the desires of the people of Alaska in a matter of primary concern to that State.

Cordially yours,

ERNEST GRUENING,
U.S. Senator.

E. L. BARTLETT,
U. S. Senator.

RALPH J. RIVERS,
Member of Congress.

THE UNITED STATES AND THE CHALLENGE OF THE UNDERDEVELOPED AREAS OF THE WORLD

Mr. MARTIN. Mr. President, there has just come into my possession the text of an address by the Honorable Francis O. Wilcox, Assistant Secretary of State of International Organization Affairs, delivered in Detroit, on May 1, before the Wayne State University Conference on the Prospects for Democracy in the Underdeveloped Areas.

Entitled "The United States and the Challenge of the Underdeveloped Areas of the World," the address is a remarkably lucid and forthright exposition of what can and should be done to help the underdeveloped areas of the world. As on several past occasions, I wish to call the attention of the Senate to the cogent remarks of this eminent and widely respected Iowan, Francis Wilcox, by asking unanimous consent that his May 1 address be printed at this point in the RECORD.

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

THE UNITED STATES AND THE CHALLENGE OF THE UNDERDEVELOPED AREAS OF THE WORLD

(Address by the Honorable Francis O. Wilcox, Assistant Secretary of State for International Organization Affairs, before the Wayne State University Conference on the Prospects for Democracy in the Underdeveloped Areas, at the Institute of Arts, Detroit, Mich., Friday, May 1)

I can think of no city more appropriate for a discussion of the underdeveloped countries of the world than Detroit.

Your city is a major nerve center of the vast industrial business and financial complex of the Middle West. This one-time frontier trading post today has become the Nation's third largest industrial center. It is the world's biggest producer of export products, and the Detroit River carries more tonnage than any other river in the world.

These achievements are making an invaluable contribution to the advancement of the newly developing nations which are struggling to mobilize their own resources. The development of trade between nations, in which Detroit has played so important a part, is, to a large extent, responsible for the exchange of ideas and technical know-how between nations. This exchange has helped to make us great. And the export of our capital and technical know-how, whether it be through trade or foreign aid, is helping the newly developing countries, on whose friendship and cooperation we depend, to make their way. I am convinced that it is one of the most effective ways of helping them to resist the phony premises and harsh pressures of communism.

In the underdeveloped areas of the world live 1,300 million people who are striving to establish or maintain ways of life which successfully combine economic progress with human liberty. The continued survival of the United States as a free and independent democracy may well depend upon the success of their efforts. As this Nation could not long have survived half slave and half free, so would the failure of these peoples jeopardize our own liberty.

THE CHALLENGE OF NATIONALISM

Indeed, I would go so far as to say that the greatest challenge to freemen in our time is the yearning of the peoples of Asia, Africa, and Latin America for a better way of life.

Since World War II, 22 new nations and a quarter of the population of the world—more than 700 million people—have emerged into independence and are fired with the spirit of nationalism. They are seeking economic progress, freedom and democracy. Their average per capita annual income is only $75.

They are not alone in this deplorable state. Add to them those peoples who gained independence earlier but whose economic status is little or no better. Add to this the further fact that population throughout the world is increasing at a fantastic rate. It may reach as much as 6 billion people by the year 2000. Most of these people will be born in the underdeveloped regions of the world.

We are witnessing a revolution in these poor but populous nations which is no less genuine than our own American Revolution. Peoples who had once been isolated from the main currents of modern Western techniques and economic progress have now become alive to the possibility of progress. They know now that economic and social progress is the prevailing trend, rather than stagnation. Having the political independence for which they have striven, their hopes have been aroused for the alleviation of the poverty, disease, and ignorance which still overshadow their lives. They insistently demand of their governments that these aroused expectations be fulfilled.

To many of these people the need for improvement in their lot is so imperative that they will choose progress through dictatorship if it seems to be the only way. No government can stand for long, unless it promises—and makes good on its promises—the progress its people seek.

THE ALTERNATIVES BEFORE THE UNDERDEVELOPED COUNTRIES

What choice, then, have the governments of the underdeveloped countries? They can pursue the path of authoritarianism: regiment labor, expropriate property, stifle initiative, reduce consumption and build up their economy from the forced savings of their people. This is the way of communism. Alternatively these governments can pursue the path of freedom. This means that they must build up their capital, at the same time allowing for increased consumption and economic liberties. Since they have such limited resources, they can only achieve these goals with outside aid. That is the crucial element in the formula.

It is precisely here that the challenge of the underdeveloped areas squarely faces the United States and the other economically more advanced nations.

In 1820, Thomas Jefferson wrote: "In an infant country like ours, we must depend for improvements on the science of other countries, longer established, possessing better means, and more advanced than we are. To prohibit us from the benefit of foreign light is to consign us to long darkness." Our economic progress could not have been as rapid as it was—despite our vast wealth of natural resources—without the skills and capital which Europe furnished our young Republic in such great measure. Are we prepared to deny to others what proved so essential to our own development?

WHY U.S. ASSISTANCE

This is not a purely rhetorical question and should not be given an emotional response. There are many strong and valid reasons why we should help the underdeveloped areas with our skills and our capital. Let me recall some of these reasons.

First, we cannot continue to progress in the United States with much of the rest of the world standing still. Our needs for raw material and other imports, and for export markets make it absolutely essential that we assist stagnant economies to become dynamic. Moreover, history has demonstrated that advanced countries expand their trade with the countries whose economies they help to industrialize.

There is a Danish proverb which says that "you may light another's candle at your own without loss." In this case it seems to me, the net result of assisting other countries is to make our own economic candlepower stronger and brighter.

Second, our national security clearly depends on a strong Defense Establishment and a vigorous and productive economy. We are rich in raw material resources but we are by no means self-sufficient. At present we import all of our natural rubber and tin, 85 percent of our bauxite and manganese and 64 percent of our tungsten. In fact, we have to obtain 10 percent of all the raw materials we use from oversea sources. Many of them come from the underdeveloped countries. Our own automobile industry, for example, depends on a wide range of raw materials—nickel from Canada, hides from Argentina, chrome from Rhodesia, mica from India, tin from Malaya and tungsten from Bolivia.

Third, our entire economy depends on foreign trade to a far greater extent than most of us realize. Today our export trade amounts to about $20 billion a year. Nearly 5 million of our people are employed in foreign trade. I might also point out that foreign trade is equally important in keeping the free nations strong and united. The principal reason why some of them have not been absorbed into the economic bloc of international communism is their flourishing trade with the United States.

Fourth, foreign aid creates jobs right here in this country. Thus, the funds spent under the mutual security program in 1957 resulted in the employment of over a half million people in the United States.

These are but a few of the reasons why I have no patience with the glib label of "giveaway program" as applied to our foreign aid activities. To me this phrase has a ring about as true as that of a lead nickel.

The great differences in the living standards of the economically advanced countries and the underdeveloped areas provide a fertile soil for envy, distrust and potential conflict. It is not good for our own national welfare that such great differences should exist. There is considerable discussion of the widening of this gap between the developed and underdeveloped countries because of the different rates of their economic progress. I am not, myself, so much concerned about the widening of the gap as I am about the rate of progress in the underdeveloped areas. I am concerned over the fact that this progress in many parts of the world is painfully slow. What is needed is a rate of progress which, even if it is less than that of the advanced countries, results in tangible benefits to human welfare and which can, in time, be quickened.

In this connection we must never forget that we are faced with a deep moral challenge. We cannot stand by with a clear conscience while hundreds of millions of our fellow men face daily their endless rounds of poverty, disease, and ignorance. We must assist them in their struggle to clothe their aspirations with reality. We must meet this moral challenge. As Under Secretary for Economic Affairs, Douglas Dillon, said recently, "If we fail to respond adequately, we shall stand accused as a people who proclaim our satisfaction with the benefits of freedom but who are slothful in carrying the spirit of freedom to others around the world."

THE CHALLENGE OF SINO-SOVIET IMPERIALISM

The ideals on which this and other free nations were founded where those which our founders believed would ultimately achieve worldwide acceptance. Today over one billion people are now living and progressing under democratic institutions. This is a situation which the Sino-Soviet rules have found intolerable.

They have challenged the free world on every front: military, political, and economic.

The challenge is the most formidable threat that freedom has known. In addition to its scientific and military capabilities, the U.S.S.R., in 40 years, although at a huge cost in human misery, has grown from an agrarian nation to the second industrial nation in the world. It has utilized its increased economic power as a potent political weapon. In its dealings with the newly developing countries, the Soviets lose no opportunity to cite their own rapid economic growth as proof to these new nations of an easy shortcut to rapid industrialization. Many of these nations which are attempting to telescope centuries of change into less than one generation are looking for just that sort of shortcut. Therefore, the Soviet experience is not lost on them, particularly when it is followed up with offers of economic and technical assistance.

This Soviet economic offensive has ominous implications. Unhampered by the built-in checks and balances or the pressure of an effective public opinion in free democratic societies, the U.S.S.R. can use its economic power to penetrate and subvert these new states. Already, they are attempting to do this on a carefully selected basis.

Since 1954, the Sino-Soviet bloc has conducted an intensive program of economic and military assistance as part of their campaign of subversion and penetration. Up to last year, these programs amounted to nearly $2.4 billion, largely in credits. Of this amount, some $782 million were for arms. In the last 6 months of 1958, approximately 4,000 Sino-Soviet technicians were sent to 17 underdeveloped nations, an increase of 65 percent over the same period in 1957.

In addition, some 2,900 technicians and students from the underdeveloped nations have gone to the Sino-Soviet bloc countries for study and training during the past few years. As in the case of Sino-Soviet credits, their technical assistance programs are concentrated in specially selected nations; about 85 percent of the technicians involved are at work in Egypt, Syria, India, Indonesia, and Afghanistan.

Though the Communist rulers speak of "the peaceful competition of socialism and capitalism," we may well ask whether their real motivation is not still the destruction of democracy—as it was with Lenin over 40 years ago. They speak of world capitalism, but they mean the destruction of liberty and democracy as well. They attempt to blacken our motives by referring to us as imperialists. In reality they are the forces of a new and vicious kind of imperialism. We are the forces of liberation: liberation of man from ignorance, disease and poverty, and this under free and democratic institutions.

ANSWERS TO THE CHALLENGE: U.S. AID PROGRAMS

What is our answer to these challenges? By what means and to what extent are we helping the underdeveloped areas to raise their standards of living? There are, first of all, the activities of our people as private citizens, either as individuals or as groups. Every dollar of productive private investment in these areas helps produce additional income for them and is usually accompanied by an exchange of skills and knowledge as vital to them as is the capital itself. Then there are the many private institutions—the church organizations, the health groups, the charities, the universities, the foundations. Their number is large and their record of aid is impressive. In talking about what we do as a government, we must never lose sight

of the fact that our activities as private citizens are part of our first line of defense in the cause of freedom and progress.

The needs of the underdeveloped areas are, however, so great and so pressing that we have also organized to meet them as a government. The best known of our programs of assistance are those carried out under the mutual security program. President Eisenhower has called the mutual security program a powerful and indispensable tool in dealing with the realities of the second half of the 20th century. It is the main vehicle through which we, as a government, have extended military, economic, and technical assistance to the underdeveloped areas. As you know, the President has requested the Congress for $3.9 billion to carry out this vital aspect of our foreign policy in the next fiscal year.

One may ask whether this massive amount of money is not ample to do the job. The answer is that, standing by itself, the mutual security program is not nearly enough. It has important supplements: both bilateral and multilateral. One supplement is the Export-Import Bank which, over the last 10 years, has made development loans to underdeveloped countries in excess of $3 billion. Another important source of aid has been our program of surplus agricultural commodities. By the end of 1958, the United States had made over $1 billion in development loans and grants of local currency receipts from such sales. The availability of these commodities and the loan or grant of the sales proceeds has been of great help to the economic development of such countries as India, the world's most populous democratic nation.

Most of these programs that I have been discussing are carried out on a bilateral basis—between our Government and a foreign government—and they are essential instruments of our foreign economic policy. But, we are simultaneously engaged in a variety of multilateral endeavors to help raise the living standards and preserve the freedom of the underdeveloped areas. The importance and variety of these multilateral programs is not always fully appreciated. I should like to spend some time on them with you.

Before turning to that question, however, we should recognize that there is still some misunderstanding in this country over the necessity for a foreign aid program. In spite of the lessons of the past few years, some critics still argue that unless foreign aid is terminated fairly soon, our country will face serious economic danger. These critics further contend that foreign aid inflates the national economy and that it encourages rather than holds back the spread of communism. Some even call for an end of the foreign aid program.

This is not the time nor the place to refute these misleading arguments. They have been so grossly overstated as to reduce themselves to an absurdity. It appears to me, however, that if this kind of advice were to be followed, the United States would be taking a shortcut to national suicide.

Such a shortsighted policy on our part would deprive the underdeveloped nations of the one chance they have to make that degree of progress which is so essential to their survival as free and independent nations.

It would throw them directly into the arms of communism even though it is clear they have a strong dislike for that kind of government.

What we need to do is to determine here and now as a nation that it is in our national interest to continue our foreign aid programs at a substantial rate and over a fairly long period of time. Advance planning in this area is every whit as important as it is in the automobile industry where blueprints of new models are ordinarily drawn up several years in advance of their production.

ANSWERS TO CHALLENGE: ASSISTANCE THROUGH INTERNATIONAL ORGANIZATIONS

We would all agree, of course, that the United Nations primary responsibility is the maintenance of international peace and security. Active support of the United Nations as an instrument through which we strive to build a more effective system of law and order among nations is a cornerstone of our foreign policy. It is only natural that we should think of the United Nations first of all as a political instrument of peace. If it should be unable to prevent the holocaust of nuclear war, all the efforts peace-loving countries are making in economic development would be completely futile.

However, the efforts of the United Nations and its specialized agencies in the economic and social fields are laying the foundations for a more lasting peace in the political field. These efforts are carried on with an absence of fanfare. They seldom make the headlines. But, in their persistent efforts to raise the standards of living of peoples throughout the world, they have achieved the greatest degree of international economic and social cooperation the world has ever known.

UNITED NATIONS EXPANDED PROGRAM OF TECHNICAL ASSISTANCE

That is a broad statement. Let me illustrate it by reference to the United Nations expanded program of technical assistance, since technical skills are the bedrock of economic development. This program is carried out by the United Nations, its eight specialized agencies, and the new International Atomic Energy Agency.

Since its initiation in 1950, the expanded program has grown steadily to its present great geographical scope. Ninety-six countries and territories are being assisted in some form this year. To these countries will be sent 2,500 expert technicians, and from them will come 2,200 fellowship students for study abroad. The fields of expert assistance and of study by fellows cover virtually every conceivable skill and technique that can contribute to the economic development of these areas. The striking nature of the international cooperation involved is demonstrated by the fact that the experts in 1958 came from 60 different countries, and that most countries are both givers and recipients of assistance. India, for example, which had the largest country program, also sent out 82 of its nationals to work in areas where their particular aptitudes and skills are important.

Again, the broad nature of the cooperation involved is reflected in the fact that the voluntary contributions of some 80 countries support the expanded program of technical assistance. As the initiator of that program, and consistent with our overall policy, we have taken the leading part in its support. However, its truly multilateral nature may be demonstrated by pointing out that a number of states contribute substantially more per capita than does the United States. These include Denmark, Canada, Norway, Sweden, and the Netherlands. This is a point which is either unknown or else deliberately forgotten by those who complain that we contribute too much to the United Nations.

A NEW VENTURE—UNITED NATIONS SPECIAL FUND

From the wide experience gained in the expanded program, and the knowledge that countries' needs for technical assistance greatly exceeded the resources of that program, has come a new United Nations body: the Special Fund, which came into existence last January. It is headed by a distinguished American, Mr. Paul Hoffman. The Special Fund will concentrate on larger projects of technical assistance than the expanded program has been able to do. It will also make possible a larger volume of supplies and equipment for each project—although it is not a capital development fund.

For example, it can finance a technical survey needed for the development of a far eastern harbor. The engineering study thus financed could lead to an investment of capital from some other source to develop the harbor's facilities. Or it may finance a general survey to determine a developing country's power needs and potentialities. Or it may undertake to establish a training institute for industrial instructors. There, teachers could be trained who would, in turn, pass on their knowledge and skills in order that industry may be developed at a quicker pace.

Since it was created in part to facilitate the conditions for new capital investments, the special fund is expected to work closely with another United Nations specialized agency—the International Bank for Reconstruction and Development. It will also work closely with the other specialized agencies and with other sources, public and private, of potential investment capital. The United States was the initiator of the new special fund, and we look forward confidently to its making a significant contribution to the development of the less advanced economies.

INTERNATIONAL BANK AND MONETARY FUND

If technical skills are the bedrock of economic development, they obviously must be accompanied by a sufficient volume of capital to produce tangible economic progress. The United States has joined with other countries in establishing two multilateral institutions whose tremendous significance for the economic development and monetary stability of countries has been—outside the Sino-Soviet bloc—universally acclaimed. I refer to the International Bank and the International Monetary Fund.

Even the traditional critics of foreign aid and of the United Nations appear to recognize the important contribution made by these agencies. The International Bank has been an increasingly important source of capital, a mobilizer of private funds, and a source of technical aid. Since 1946, the Bank has made 215 loans to 49 countries and territories. These loans total over $4 billion. While the early loans of the Bank were for postwar reconstruction in Europe, its emphasis has since been on the less developed areas. Asia is the region with the largest amount of Bank loans: $1,195 million. Latin America has received $878 million; and Africa's increasing importance is reflected in total loans of $518 million.

The total authorized capital of the International Bank amounts to $10 billion—an immense amount but not so immense either when considered in conjunction with the immense capital needs of the underdeveloped areas. These needs are so great that the Bank has recommended an increase in its authorized capital to $21 billion. Congress has approved this recommendation and the United States is now prepared to join with other members to make this increase possible. Our share of the new total authorization would be slightly over $6 billion.

But even this is not enough. In a good many cases the Bank has had to turn down applications for loans, not because the development projects involved were without merit, but because repayment of the loans in hard currency would have placed undue strain on the borrowing countries. It follows that if a new institution, affiliated with the Bank, could make loans repayable in softer currencies, projects such as these might well become feasible. Consequently, the United States is actively studying ways in which an International Development Association might operate, and has had informal conversations with other governments on this subject. It is essential to the success of such an institution that it receive broad financial support from the industrialized countries which are members of the International Bank. We hope that such support will be forthcoming.

Similarly, the United States is taking an imaginative approach to the needs of the International Monetary Fund for additional resources. The Fund has been an effective instrument for promoting international monetary cooperation and sound foreign exchange practices. It has provided timely assistance to member countries faced with temporary balance of payments difficulties including many of the less developed countries like India, Indonesia, Turkey, and Burma. Very recently Congress acted favorably on President Eisenhower's request for an increase in the U.S. quota in the Monetary Fund from $2,750 million to $4,125 million.

REGIONAL DEVELOPMENT PROGRAMS

You can see that the United States has taken the initiative with great vigor to increase the ability of multilateral agencies to meet the needs of the underdeveloped areas. This is revealed also in connection with regional development programs and lending agencies. We have just finished negotiating with the countries of Latin America, the charter of an Inter-American Banking Institution. Its purpose will be to provide capital and technical assistance to promote the economic growth of Latin American countries.

Last August, President Eisenhower announced to the United Nations General Assembly that we would be prepared to support a development institution for the Arab States. Among the conditions for our support was that the Arab States agree on the usefulness of such a regional institution and that they be prepared to support it with their own resources. Only time will tell the extent to which the Arab States take advantage of this opportunity.

What I have been discussing with you of our actions to promote the economic growth of the underdeveloped areas through the United Nations and other international organizations is by no means an exhaustive account.

It does not include, for example, the important work which the UN specialized agencies are doing in virtually every field of human endeavor—agriculture, health, labor, education, and atomic energy to mention only a few. I hope, however, that I have reminded you of the extent of the multilateral programs through which we pursue our objectives. The records of each United Nations General Assembly, of its Economic and Social Council, and of the governing bodies of the various specialized agencies, all underline the importance which members of the United Nations attribute to the crucial problem of raising the standards of living in the poorer areas of the world.

The actions the United States has taken to initiate the Special Fund, to further regional development plans and agencies, to increase the capacities of the International Bank and the Monetary Fund, signalize an increased emphasis on the values of the international approach to the problems of economic development.

BILATERAL VERSUS MULTILATERAL AID: WHICH IS BETTER?

I am frequently asked the question, "Why doesn't the United States work more through the United Nations? Why don't we provide more of our foreign aid on a multilateral basis?" I have a particular responsibility in the Department of State for our participation in international organizations. So I suppose there is a natural tendency to expect the reply that we should use multilateral channels exclusively. I have tried to make clear my firm convictions about the usefulness of multilateral instruments of economic development—rather, the necessity of using them to the fullest possible extent. But I would not go so far as to advocate their exclusive use.

Our bilateral programs have the advantage of being very closely related one to another; the programs of economic aid in the form of defense support, for example, are directly related to our programs of military assistance in such countries as Korea and the Republic of China. Also bilateral programs can be gotten under way with more speed where time is of the essence. Moreover, our especially close ties with some countries, such as the Philippines, would seem to constitute sufficient justification for bilateral arrangements.

On the other side of the fence, the use of multilateral aid channels has its own advantages for the United States. Multilateral aid, by definition, means that other countries bear part of the cost and frequently more than half of it. There would seem to be no real reason why the heavy burden of foreign aid should be placed exclusively on the shoulders of the American taxpayer. Furthermore, the United States has no monopoly of skills, nor have we an unlimited supply of trained men and women ready to go overseas to share their knowledge. The utilization of the great pool of manpower and training resources offered by the United Nations member countries helps speed the pace of peaceful economic development, our basic objective.

An additional advantage is the readiness of countries to benefit from the advice of international organizations in domestically sensitive fields such as fiscal and monetary policy where advice from a foreign government might be misinterpreted. In these fields, governments often find it easier to accept the counsel of an impartial and highly competent international organization than the advice of other governments, no matter how good or well intentioned the latter may be.

I think this whole question of bilateral and multilateral instruments was well summarized by the Secretary-General of the United Nations, Mr. Dag Hammarskjold, when he spoke on April 7 to the Economic and Social Council of the United Nations. "I would hope," he said, "that all false dilemmas of multilateral or bilateral solutions, solutions inside or outside the United Nations, can be avoided. Call it what you may, regional solutions in a multilateral framework, multilateral approaches based on regional organs, or something else—these are but different ways of indicating elements which will be mixed in every constructive international approach to today's problems."

In one word, there need be no conflict between bilateral and multilateral aid. Each has proven its value in helping raise the living standards of the underdeveloped areas. Together, they constitute a powerful force in enabling those areas to achieve a momentum of economic progress which will make it possible for them to go forward in self-reliant growth.

WHAT MORE NEEDS TO BE DONE?

There are some critics of our aid programs who contend that we are not doing enough. They insist, in view of the serious threat that confronts the free world, that we should redouble our efforts.

Whatever one's view on this point may be, certainly no one should accuse the United States of pinching pennies. In fact, many of us may not fully appreciate the extent of our foreign aid during the postwar period. Only a few weeks ago I looked up the latest figures. If we were to add to the Marshall plan and the mutual security program the contributions we have made through the Export-Import Bank, the World Bank, the Monetary Fund and various other types of assistance, our total foreign aid would run to something like $72 billions since 1945. This figure serves as clear proof of our deep interest in helping to build a stable and a peaceful world.

It is our clear answer to those who feel that we have the option of assisting or not assisting in the economic development of the underdeveloped areas. We do have that option, but it is about as meaningful as the option between life and death.

Economic progress in the underdeveloped areas will not, I fear, assure the maintenance of freedom and democracy in those areas. But I am absolutely convinced that the absence of economic progress—and by that I mean a sufficient rate of economic growth to meet the aspirations of their peoples—will mortally endanger the survival of their freedom and democracy. Let us then choose, as we must, to assist them in full and generous measure along the road of economic progress.

In making this choice, it is pertinent to ask whether there are not ways in which we can make our aid more effective. We may also ask whether there are things the underdeveloped areas can do to help speed up their economic progress. I think there is room for improvement on both sides.

Speaking about ourselves, may I say just a word about the "Ugly American." In my judgment this book, by exaggeration and by focusing attention on isolated examples, has belittled the character and capacity of our representatives abroad.

Now obviously most Americans who serve abroad are something less than perfect. No human beings are perfect. Some may not represent this country with the ability and the distinction which you and I would like. Some do not speak foreign languages with any degree of fluency. Some may not adjust very well to the customs and traditions of the people where they are stationed.

The point I wish to make, however, is this: the "Ugly American" has done a gross injustice to thousands of able Americans who have done an outstanding job in foreign lands. Many of them are making real sacrifices for their country. Often they are called upon to work and live in hardship posts where health hazards are constant and where the school facilities for their children are quite inadequate. And in the vast majority of cases they have learned to fit well into a new and strange environment.

Again, this does not mean that we are perfect. Many of our citizens going abroad do indeed lack the language skills which could bring them into a closer understanding of other peoples' ways of life and thinking. This is true of tourists as well as of some of our official representatives. It is a national deficiency, not that of a segment of our population. We in the Government are working hard and effectively to solve our part of this language problem. But the American people—and, particularly, our schools and universities—will ultimately have to be responsible for its solution.

Moreover, many of us in this country tend to think that our own customs and mores should be embraced by people in other lands. We find it difficult to understand why in India the cow is treated as a sacred animal even though it is very often a great economic burden. Now, the Indians are aware of this problem and are handling it in their own way. We must be tolerant of other peoples' ways of life, of which this is just one example.

On the side of the underdeveloped areas, much more remains to be done in creating the conditions necessary to encourage a freer flow of private capital. Public agencies—bilateral or multilateral—cannot do the job of providing sufficient external capital by themselves. The underdeveloped areas have a heavy responsibility to encourage the inflow of private investment under terms equitable to them and the investor. I mention this one example because it is crucial to economic growth in the underdeveloped areas.

Finally, let us recall the awful burden of world armament expenditures and the

great opportunities for development activities if this burden could be lifted from our shoulders. In the next 10 years, the nations of the world may well spend in excess of $1,000 billion on armaments. What could we not accomplish if some of theses expenditures could be used for more constructive purposes? On our part, we have told the world that when sufficient progress has been made toward internationally supervised disarmament, the U.S. Government stands ready to ask its people to join with others in devoting a portion of the savings from such disarmament to a mutilateral development fund. Somehow, the nations of the world must find a way to divert their wealth from arms to economic and social development—their own and that of their less developed neighbors.

The road ahead is not an easy or short one—least of all for the peoples and governments of the underdeveloped areas—but as their courage, determination, and willingness to sacrifice are great, so must be our faith in their ultimate triumph. We have no choice but to dedicate ourselves—as they dedicate themselves—to the maintenance of free and democratic institutions under conditions of economic progress.

As Tom Paine said almost two centuries ago: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it."

THE FEDERAL RADIATION COUNCIL

Mr. YARBOROUGH. Mr. President, I know that all of us can applaud the action of the President, last week, in establishing the Federal Radiation Council to study the problem of protecting the public against biological damage from atomic radiation. Many of us have felt that all too often the administration was being less than active in seeking to protect the public, and less than candid in alerting them to the possible dangers of this radiation.

I trust that we may expect this Council to study protection of the public, not only from the fallout from atomic and nuclear weapons test, but also from radioactive wastes resulting from uranium refining and industrial and medical uses of isotopes. All of these uses of atomic energy result in radioactive wastes which potentially threaten not only our own health, but also that of every future generation. We cannot afford to be too late in guarding against possible heriditary danger which will wreak its destruction on every succeeding generation.

The great necessity for timely and adequate protection is such that while I am gratified that the administration has taken some action in this area, I cannot accept the step taken as one which will reassure the American people that their interests are really being protected. Four agencies are represented on the Federal Radiation Council—the Atomic Energy Commission, the Defense Department, the Commerce Department, and the Department of Health, Education, and Welfare. Thus, three out of four of these members are interested in radiation as users; their interest is in continuing to use to the utmost the great tool of atomic energy in defense and industry. Only the Department of Health, Education, and Welfare can fairly be said to be institutionally concerned with protecting the public. I hope it can be said that the other three Departments are as interested in protecting the public as in fulfilling their various primary duties, but the record of their treatment of radiation hazards gives us small comfort.

Thus, with some misgivings, I wish the Federal Radiation Council well in the performance of its duties, but I trust that the relevant committees of Congress will continue their surveillance of this field, in order that timely legislative action may be taken, if it is felt that such is necessary.

STATE TAXATION OF INCOME FROM INTERSTATE COMMERCE

Mr. WILEY. Mr. President, as we recognize, the Senate bill 2524 is a matter of deep concern to firms dealing in interstate commerce.

Since the Supreme Court's ruling relating to the rights of States to tax out-of-State firms, I have received a wide variety of communications pointing out the difficulties which will arise to businesses as a result of the ruling.

Because I believe that these first-hand views may be of assistance in our consideration of this proposed legislation, I request unanimous consent to have the letters printed at this point in the RECORD.

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

MANITOWOC, WIS.

Hon. ALEXANDER WILEY,
U.S. Senate, Washington, D.C.
Re new State taxes on interstate business.

DEAR SENATOR: For some time we have noted with increasing apprehension the trend toward taxes on interstate business which would seriously affect companies making shipments to all of the States within the Nation.

Unless Federal measures are enacted promptly to stop this menace, it won't be long before no one in the business of shipping interstate will know what to do and what not to do. It will develop into each State setting itself up as a small nation within a nation, taxing the products of all other States shipped into it.

The taxload which will be imposed if this ever develops would be catastrophic, not to mention the costly, burdensome administration expense. It is my understanding that certain States have already passed such legislation and are demanding tax payments from other States.

These States are Georgia, Minnesota, and Oregon, and there may be others. It has also been brought to our attention that other States, Utah, Idaho, and Tennessee, are amending their tax structure to enable them to collect taxes from firms from other States. The Supreme Court has already made decisions (*Stockham Valves* and *Northwestern States*) Minnesota and Georgia.

In time each State will find that this is a two-way street and that they also have to pay taxes on merchandise shipped beyond their borders and maintain voluminous and costly records.

I am assuming you know far more about this situation than I do, and I hope you are in accord that if it isn't stopped thousands of companies doing interstate business are going to find themselves in a terrible mess trying to keep records, increased taxloads will up retail prices, and in general things will be chaotic. I beseech you as our representative to do whatever is humanly possible to stop this snowslide before it is too late.

Your prompt and full consideration of these pending and very real difficulties is urgently needed.

Yours truly,

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILEY: Certainly want to thank you for your courtesy in sending me a copy of the Small Business Committee report on State taxation on interstate commerce.

I agree with the thought that this subject should be carefully explored, but I'm not too happy with the idea that it might take a year or two to get the job done and have some relief established.

As I understand the matter, some of these States can make tax claims now on a retroactive basis for some years back. As a result, no one knows where they stand in the matter, partly because of the multitude of definitions, or lack of definitions of what does constitute doing business in a given State.

Sincerely hope the Senate will take early action, looking to the establishment of some kind of a status quo or protective period while the study is accomplished, to guide permanent legislation.

Very truly yours,

THE PAGE MILK CO.,
GEORGE B. PAGE.

NEENAH, WIS.

The Honorable ALEXANDER WILEY,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILEY: This past winter when the Supreme Court of the United States handed down two decisions regarding rights of States (namely Minnesota and Georgia) to tax interstate commerce, it alarmed a great many people. It is our view it would be a major disaster regarding the free flow of goods in interstate commerce. To maintain an economy anything like we need in this country, such impediments must not be added, but those that now exist must be considered for elimination.

I am sure you are well aware that innumerable employers in our fine State of Wisconsin work hard to spread their goods throughout the land. For individual States to add such deterrents as the tax decision makes possible, can do nothing but shrink Wisconsin business, and, therefore, Wisconsin employment and economic health.

* * * * *

Sincerely,

LEONARD E. PASEK.

RACINE, WIS.

Senator ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILEY: We are greatly concerned over the possible effect of the recent Supreme Court decision upholding the right of States to levy an income tax on earnings from interstate commerce.

Our company solicits orders in most of the Midwestern States. These orders are accepted at the company's offices in Racine, Wis. Income taxes are imposed by the State of Wisconsin on company earnings. Now the company may be faced with additional income taxes from each of the States in which it solicits orders. Not only that but there would be additional expenses created by the necessity of handling accounting and legal matters in all of the States where orders are solicited. We earnestly urge you to do all possible to have Congress seriously consider the economic factors involved in this situation. We hope that these deliberations will result in legislation freeing interstate commerce from any additional tax burdens.

Very truly yours.

THE "SPENDERS"

Mr. YARBOROUGH. Mr. President, I commend to the reading of my colleagues in the Senate an editorial entitled "The 'Spenders,'" which was published today in the Washington Post. I ask that the editorial be printed at this point in the RECORD.

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

[From the Washington Post, Aug. 17, 1959]

THE "SPENDERS"

In our editorial of yesterday analyzing the more vigorous recent role of President Eisenhower, we noted that he and his Republican colleagues had employed the "spender" label rather skillfully to box in the Democrats in Congress. Unquestionably the fear of being tagged as "spenders" has been a powerful lever to induce the Democrats to modify their own wishes and conform to what the President will accept. Some compromise in such matters is often desirable as a matter of restraint and balance. Although Congress normally exercises a great deal of responsibility about spending, it conceivably would be possible for overexuberant legislators to run away with the appropriation process in disregard of the fiscal problems they might cause.

In present circumstances, however, we thing that an exaggerated concern about "spending"—initiated by the President but adopted readily by the congressional leadership—has resulted in an altogether too restricted view of the national interest. Because of the "spender" propaganda and the President's attitude on defense, the budget contemplates little or nothing for improved limited war capability—an area in which the deficiency is perhaps even more glaring than in missiles. Congress has voted considerable money for health, but the outlook is dim indeed for any sort of aid for school construction or teachers' salaries. Urban renewal and the problems of cities have received scant attention.

There was a dismal flop on the Development Loan Fund portion of the foreign aid request when the President suddenly reversed himself, after leading Senator FULBRIGHT to think that he wanted long-term authority. Mr. Eisenhower's "spending" charges also came back to haunt him in the reluctance of the House to acknowledge his plea for a gasoline tax increase to pay for needed highways.

Thus the "spending" slogan has been a two-edged weapon, and the narrow manner in which it has been used makes one wish that the President and congressional leaders as well would heed other economic counsel in their appraisal of national needs. In considerable measure Mr. Eisenhower's attitude seems to stem from what his associates reported to him from the meeting of the International Bank and Monetary Fund last fall at New Delhi, when unnamed foreign bankers expressed doubt as to the stability of the American dollar. This was cause for note but scarcely for panic, just as the drain on gold warrants analysis but not the doubling of the guard at Fort Knox.

The imperative need to control inflation is broadly understood. But more public spending—on defense and other national programs to keep pace with the requirements of a growing population and also to meet the challenge of Soviet economic competition—would not have to be inflationary. The obvious alternative is to propose tax increases where necessary to increase the level of spending and still balance the budget. The popular effect of such a proposal cannot be judged because it has not been tried; but regardless of political effect the task of responsible and courageous leadership is to advocate what it knows is really necessary in the national interest.

For such reasons the President's more assertive role still falls short in essential respects of what the times demand. His new initiatives in foreign policy are welcome, just as his less passive attitude toward relations with Congress is a sign of evolving political finesse. But Mr. Eisenhower has yet to demonstrate that his own slogan has not blinded him to many of the needs and capabilities of a great and growing country.

PATENT OFFICE PUSHES "GRASSROOTS" PLAN

Mr. WILEY. Mr. President, on last Sunday there appeared in the Washington Star an article about a very distinguished citizen of Washington, D.C. The article is entitled "Patent Office Pushes 'Grassroots' Plan," and relates to a good friend, the Commissioner of Patents, Robert C. Watson, and refers to a triple program which comprises, first, encouraging the grassroots movement which recently has begun to stimulate inventions. Inventor organizations have been established in some of the States, and they are interested not only in the making of new inventions, but also in aiding the inventors to find practical markets for their products.

The second part of the program relates to the production of a new, informative pamphlet to aid and guide those who are seeking patent protection. This publication, which can be secured from the Government Printing Office, is entitled "Patents and Inventions—An Information Aid for Inventors"; and it gives the ABC's of applying for a patent, preparing an application, and prosecuting patent claims.

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

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

PATENT OFFICE PUSHES "GRASSROOTS" PLAN

(By William A. Millen)

A triple program, to keep the United States ahead in new inventions and scientific knowledge is being pushed by Commissioner of Patents Robert C. Watson.

This comprises:

1. Encouraging the "grassroots" movement that has recently started to stimulate inventions. Inventors' organizations have been set up in some of the States and these are interested not only in new inventions, but in aiding the inventor to find a practical market for his product.

2. The production of a new informative pamphlet to aid and guide those seeking patent protection. This publication, which can be secured from the Government Printing Office, and is titled "Patents and Inventions—An Information Aid for Investors," gives the ABC's of applying for a patent, preparing an application, and prosecuting patent claims.

3. Periodic displays in the Commerce Department lobby of the practical results of the work of inventors and of the Patent Office. Business cooperates in this and shows its handiwork in the form of machines, devices, and other products, results of inventive genius.

IMPORTANCE STRESSED

Commissioner Watson said yesterday:

"In the light of world conditions, it is extremely important to convey the story of the American patent system and the functions and operations of the Patent Office to every person in the United States who has the capacity to invent."

Mr. Watson, a native Washingtonian, became Commissioner of Patents in 1953. He is the son of a patent lawyer, the late James A. Watson.

Are the American people as inventive as ever? The answer is "Yes," Patent Office officials say.

The Patent Office is now issuing an average of 1,000 patents weekly. Every Tuesday at noon the inventors get the news. More than 350 new applications for patents are received every workday.

Recently, there has been increased activity in the chemical and electrical fields in which inventors seek new patents. Synthetics and electronics, since World War II, have become increasingly popular. The mechanical field is holding its own.

Isaac Fleischmann is director of the Office of Information Services of the Patent Office, which is in the Department of Commerce. He aids in arranging the business displays in the lobby of that building. These present a case history of the patent system by the inventor and by the business firms.

The Patent Office's Official Gazette contains brief descriptions and drawings of patents granted. This goes to the patent profession, directors of research in corporations, private business, and libraries.

INTEREST IS PRESSED

North Dakota and Minnesota have organized inventors' congresses and other States are interested in simulating inventions, officials said. Seattle, Wash., is organizing an effort by business, the chamber of commerce and others to assist inventors in evaluating their inventions and providing contacts. This shows a healthy "grassroots" movement, officials said.

About 1,000 patent examiners, who are electrical, chemical, or mechanical engineers, make the Patent Office system run.

A Patent Office spokesman said anybody is a potential inventor. "Everyone has a dream of making something new. Everyone has a bit of innate inventiveness in him—a desire to improve," he said.

POPULAR DELUSIONS ABOUT RUSSIA

Mr. WILEY. Mr. President, the August 15, 1959, American letter issued by the Whaley-Eaton Service is entitled "Popular Delusions About Russia."

The letter states, among other things, that the American business community urgently needs a better understanding of the Soviet economy, and that this special report seeks to present a balanced picture of Russia's economic progress and problems.

Then the letter states that the Russian world is vast, both in area and in population, but therein lie weaknesses as well as strengths. The letter also states that the American concept of Russia is shaped by fears and misconceptions.

We are also told in the letter that Russia's great area is a handicap, as well as an asset; that her large population is badly balanced; that her industrial production actually is small, relative both to resources and to population; that her output is, in fact, extremely small, as compared to the output of the United States.

The letter also states that Russia's production figures are misleading, that her industry is topheavy and inefficient, that her industrial plants are largely

obsolescent, that productivity per Russian worker is, consequently, low, and that the quality of output in Russia is generally poor.

The letter also states that Russian agriculture lags far behind, that Russian worker purchasing power is low, and that the Russian educational system is unbalanced.

The letter also points out that State planning is static; that the gains are not coordinated.

The letter refers to the fact that defense imposes an excessive strain.

It also states that Russia is a minor factor in international trade.

Mr. President, I have referred to the subheadings in the letter because I think it is very important that those who want to know about Russia should read this letter.

I ask unanimous consent that the letter may be printed in the RECORD following my remarks.

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

POPULAR DELUSIONS ABOUT RUSSIA

(The American business community urgently needs a better understanding of the Soviet economy. This special report seeks to present a balanced picture of Russia's economic progress and problems.)

The Russian world is vast, both in area and population, but therein lie weaknesses as well as strengths. Despite its great resources, Russia has lagged for two centuries behind the economic development of Western Europe and North America. By all standards, it is still a backward country, even though its total energies are being devoted to catching up.

The American concept of Russia is shaped by fears and misconceptions. The fears reflect the revulsion felt by free peoples toward the repressions and imperialistic ambitions of Russia's Communist masters. The misconceptions stem from (1) absence of reliable data, (2) difficulty of relating the known facts to economic progress elsewhere. Russia is moving forward—but from the rear. She still has far to go to get out of her centuries-old rut. Major points to bear in mind when weighing her future are:

HER GREAT AREA IS A HANDICAP AS WELL AS AN ASSET

The Soviet Empire is as large as Brazil, Canada, and the United States combined, but its transportation system is not comparable with its distances. Russian railroad mileage is less than a third that of the United States despite recent construction. It has no integrated highway system as such. Total highway mileage, a fifth the U.S. figure, is wholly lacking in intercity road networks. This is Russia's greatest handicap in her effort to develop a modern industrial complex.

HER LARGE POPULATION IS BADLY UNBALANCED

Russia lost 15 million men in World War II, and only time can remedy the shortage of able manpower in the middle age groups. Women greatly outnumber men and constitute 47 percent of the work force. Because of the wartime losses and low birthrate, expansion of the 20-to-45 age group is slow, thus magnifying the labor shortage.

INDUSTRIAL PRODUCTION SMALL

Industrial production actually is small relative both to resources and population. Output is in fact abysmally small compared to the United States. Although Khrushchev recently boasted that Russian production is half that of the United States and coming up fast, it actually is only a third. Moreover, industry is badly balanced, with capital goods given all priorities.

Latest available statistics indicate that Russian industrial output now only about equals that of the United States in 1913. In other words, her industry stands today about where that of the United States did 40 years ago. And despite official claims to the contrary, Russia's postwar achievements have been no more phenomenal than those elsewhere in Europe.

RUSSIA'S PRODUCTION FIGURES ARE MISLEADING

Any fear that her output will soon catch up and surpass that of the United States is pure bosh. Accepted calculations show the long-term rate of gain in output has been about 3.9 percent, compared with 3.7 percent in the United States. But even this is misleading. A 25 percent rise in Russia's annual auto production (from 100,000 to 125,000 units) would be equivalent to only a 4 percent increase in this country's total.

INDUSTRY IS TOPHEAVY

Steel, coal, cement, oil, power, military equipment—all the heavy capital-goods lines—get top priority. Consumer goods, especially durables, are left to beg. This produces an imbalance that not even an authoritarian state can endure permanently. Overall efficiency is held back. Consumer goods output is rising, but at a clumsy, wasteful pace.

The consumer meanwhile lives on promises. He can buy shoddy cotton or woolen yard goods but suits, dresses, shoes, hats, etc., are both of extremely poor quality and fantastically high priced. As much as a month's labor is required to buy a good overcoat or pair of shoes.

RUSSIAN INDUSTRY IS ALSO INEFFICIENT

This is a broad charge and has to be explained. New steel plants are doubtless the equal of those anywhere in the world. Russian technology itself is excellent. Scientists, engineers, and technicians are of the best. But the management system suffers from the Moscow-centered bureaucracy, too little local authority.

Basic decisions filter down slowly from the top echelons to the plant manager. Despite improvements under Khrushchev, management is handicapped by transportation difficulties, lack of raw materials, inability to make repairs or buy new machinery or modernize its products.

INDUSTRIAL PLANTS ARE LARGELY OBSOLESCENT

The remarkable thing about the steel industry in Russia is that, as new plants are built, the older and less efficient facilities are nevertheless continued in production. Russia still produces much of its steel in antiquated plants such as this country had 40 years ago—plants wasteful both of men and materials. Replacement of machine tools hardly exceeds 2 to 3 percent annually. The textile industry is particularly out of date, which accounts for poor quality.

Emphasis on building new facilities overlooks the need for constant modernization of her older plants. Russia is simply not doing this, and her entire economy must ultimately pay the penalty for it.

PRODUCTIVITY PER WORKER IS CONSEQUENTLY LOW

This was brought out dramatically at a June planning conference in Moscow. The official press was forced to admit that three-fifths of construction work in still done by manual labor; mining is insufficiently mechanized; work done by 40 percent of employees in chemical industries could easily be done by machinery. There are at least a million superfluous workers in metalworking and machinery.

Consequently, with an industrial labor force equal to or larger than that of the United States, Russia produces only a third as much. Or put another way, output of the typical U.S. worker is three times greater.

QUALITY OF OUTPUT IS GENERALLY POOR

Faulty building construction is the best illustration of this. Brickwork, stucco, painting, hardware, electric facilities, floors, and plumbing are usually second-rate to begin with, and deterioration is rapid because maintenance is also skimped.

RUSSIAN AGRICULTURE LAGS FAR BEHIND

Vast wheat acreages are cultivated and harvested with modern mechanized equipment, but there the comparison with the West ends. Great amounts of labor are wasted even on the showplace state farms. Consequently, the average farm worker in Russia produces only food enough for another two or three people. This compares with a 1-for-17 ratio in the United States. Thus, the American farmer produces on the average some 6 to 12 times that of his Russian counterpart.

Russia also is lacking in any modern food distribution system. This calls for rapid transportation, proper packing, refrigeration, efficient market handling. But Russia lacks a basic highway network.

The Russian diet reflects these weaknesses. Fish and potatoes are the main staples, along with bread. Dairy-product output per consumer is 53 percent of this country's; vegetable oils, 43 percent; meat, 32 percent; grain, 55 percent.

WORKER PURCHASING POWER IS LOW

Even with two or more members of a family working, incomes are barely sufficient for the staple foods and a minimum of clothing and household accessories. Incomes are deliberately held down (except for certain echelons of the bureaucracy, as well as scientists, teachers, and so forth) in order to maintain economic emphasis on capital goods production. Also, the planners frequently outnumber the producers.

Apologists for the Russian system argue that all is relative, and that the Russian peasant of today is far better off than he was 40 years ago or even immediately after World War II. This is true, but Russian standards of living are still the lowest in all of industrial Europe. Except for rents and bread, basic costs are high relative to individual incomes.

THE EDUCATIONAL SYSTEM IS UNBALANCED

Russian education methods are excellent in many respects. Certainly in their basic teaching of science there is little to criticize. But doctors, chemists, engineers, and physicists do not alone create a rounded society. The modern technical, high-pressure world requires skilled business managers with broad backgrounds of education—in history, social sciences, psychology, and so forth. Russia lacks anything comparable with our graduate schools of business administration.

Forced education has another serious weakness, one on which Khrushchev has recently had to take action. Too many unlikely candidates for a higher education were being sent to the universities. These schools were becoming a haven for the incompetent and the lazy. The system is being changed, to send up only the best qualified and ambitious.

STATE PLANNING IS STATIC

This is the chief inherent weakness of the Communist system. The people work hard and for long hours merely to eke out a bare existence. The Government draws up bold plans and fancy 5-year programs which look fine on paper but are rarely realized. The country is attempting to cancel out a century of backwardness in one giant leap. It is making visible progress, but not coordinated gains.

Heavy emphasis in one direction tends to hurt in another. Coal, for example, is a declining industry in the United States. It still, however, has a high production priority in Russia, though quality is low and other fuels are more efficient. Yet to produce 87 percent as much coal as does the United States the Soviets have to employ five times as many miners. This is but one example of Russia's incalculable wastes.

DEFENSE IMPOSES AN EXCESSIVE STRAIN

The Soviet devotes probably twice the percentage of its gross national product to defense as that of the United States. This constitutes a heavy and totally unproductive burden. But there are also many indirect loads which the Soviet economy must carry. The satellites, for example, are being integrated with it. The purpose is to build a broad, diversified industrial base, but the effort creates new strains.

Russia's planners appear to fall on their faces whenever they are confronted with sharp changes in policy and direction. The basic orders go out but are rarely followed up with necessary detailed instructions. This often creates chaos in whole industries. With the added burden of primary emphasis on defense, the civilian economy invariably suffers.

RUSSIA IS A MINOR FACTOR IN INTERNATIONAL TRADE

In the complex modern world this constitutes a serious liability. Russia has never been one of the major trading nations, yet unless it does achieve stature in that field it cannot take its place with the other highly complex modern economies.

Historically, Russia's exports have been chiefly of timber, chrome and raw materials, with occasionally some grain. But she badly needs machinery, equipment and other industrial products. To buy these it must export. Now and then surpluses develop which enable it to obtain foreign earnings, but all too often these surpluses are temporary.

PROGRESS DIFFICULT TO MEASURE

It is difficult to measure Russia's progress or lack of it in hard statistics. But there are enough trustworthy figures, as we have shown, to deflate the almost juvenile claims made by her propaganda machine. The fact that the last 5-year plan had to be scrapped in favor of a 7-year plan is significant in itself. Percentage gains demanded of many industries proved utterly beyond the ability of the economy to achieve.

Russia has not allowed for the inevitable heavy capital investments required simply to meet ordinary depreciation and obsolescence. Even as total output rises, the industrial machine grows older and less efficient. From now on the Soviet must devote more and more of its energies, material and manpower to replacement. This will be a heavy drag on Khrushchev's blueprint for catching up with the United States—and helps explain his repeated emphasis on the possibility of buying whole industrial plants from us.

There are other forces statistics cannot measure. The Soviet Union's 200 million people know little of the outside world but an awareness is developing, and they are growing inquisitive. Response to the U.S. exhibit in Moscow reflects growing hunger for the better life. This desire for improved living standards cannot be repressed forever. It represents a growing claim on economic resources overcommitted to basic production.

Russia is militarily powerful, politically treacherous. As long as that is so, the West cannot afford to let down its guard. But neither is there ground for alarm at the Soviet economic challenge. The United States needs to understand that Russia still has a long way to go. There is a wide gap between the two great economies.

EXTENSION OF MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the morning hour be continued for another 15 minutes.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Is there objection? The Chair hears none, and it is so ordered.

LAKE MICHIGAN WATER DIVERSION

Mr. WILEY. Mr. President, I ask unanimous consent that there may be printed in the RECORD a statement by Mayor Frank P. Zeidler, of Milwaukee, in response to charges by Chicago officials that Chicago should have the right to divert water from Lake Michigan because Milwaukee has a beach pollution problem—a non sequitur argument.

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

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

STATEMENT OF MAYOR FRANK P. ZEIDLER ON WATER POLLUTION—LAKE MICHIGAN WATER DIVERSION

In response to charges by Chicago officials that Chicago should have the right to divert water from Lake Michigan because Milwaukee has a beach pollution problem—a non sequitur argument, I have the following observations to make:

Milwaukee is not alone with a lake pollution problem. Chicago probably has its own pollution problem. I have seen a very dirty flotsam and jetsam off Navy pier after a heavy rain and had no difficulty in identifying materials in the grayish, cloudy water. The Chicago River pollutes the lake also at times.

As for the suggestion by the sanitary district officials that the sanitary district engineers visit the Milwaukee area, as far as I am concerned, they are welcome any time to come to the city hall to discuss with me their and our problem. I feel sure sewerage commission officials would welcome them also.

However, I would expect, in return, an opportunity to visit their plants and to have our experts tell them how to treat their sludge, how to meter their water, and how to stop much of their industrial pollution so that at least they reach our level of purification, which they do not now do. Perhaps the exchange of visits might be mutually helpful. In the interim Chicago officials should agree with us that they will not seek additional water diversion.

The Sanitary District of Chicago persists in its efforts to divert more water from Lake Michigan, thus aggravating the pollution problem of every other Great Lakes city which must return its effluent to the lakes after purification.

It should be pointed out that the sanitary district, by its demand for diversion, is proposing to flush still greater quantities of untreated or partially treated sewerage down the Illinois river, thus avoiding a nuisance for itself by creating one for the helpless neighbors down the river. They are making the downstream situation continually worse.

Milwaukee, it must be emphasized, has achieved the highest degree of purification possible under existing technology, and we recognize a water pollution problem exists; however, this is no justification for any community on the lakes demanding that it can therefore lower lake levels. Milwaukee will solve its problem without lowering lake levels and it is reasonable to expect Chicago to try to do the same.

THE MALLORY RULE

Mr. CLARK. Mr. President, one of the really fine constitutional lawyers in the Senate is the senior Senator from Missouri [Mr. HENNINGS], who is also chairman of the Constitutional Rights Subcommittee of the Committee on the Judiciary.

Senators may recall that at about this time last year we had before the Senate a House bill intended to change in part the rulings made by the Supreme Court of the United States in the Mallory decision.

The Senator from Missouri [Mr. HENNINGS] is quoted in this morning's Washington Post as in opposition to somewhat similar proposed legislation, known as the Willis-Keating bill, which comes now to the Senate. I see my good friend from New York [Mr. KEATING], who is coauthor of the bill, is present on the floor.

I ask unanimous consent to have printed in the RECORD at this point in my remarks the editorial from this morning's Washington Post entitled "Arrest in Haste," which quotes from the views of this bill of the senior Senator from Missouri, and to indicate my strong agreement with both the editorial and the views of the senior Senator from Missouri.

Mr. KEATING. Mr. President, I see nothing to be gained by an extensive debate on this matter at this time; but, since my attendance was noted, I wanted to state I strongly support the position of the Willis-Keating bill, quite naturally. I did not want the moment to pass without that statement.

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

ARREST IN HASTE

The experience of the police and of the U.S. Attorney's office in the District of Columbia fully bears out a conclusion expressed recently about the so-called Mallory rule by Senator THOMAS HENNINGS.

"Congressional maneuvering over the past two years to 'clarify' the Mallory rule leads to the inescapable conclusion that we would be better off if we left the matter in the hands of the courts. As Congress continues its efforts to "improve" the court-defined rule of admissibility of confessions as evidence in criminal cases, the confusion seems only to increase."

Policemen and prosecutors have learned to live with the Mallory rule. Their effectiveness in convicting the guilty has not been impaired; and the dire predictions that a horde of criminals would be loosed on the streets of the Capital have not been realized. The Willis-Keating bill passed by the House and pending in the Senate would operate however, to open the door to serious police trespasses on individual rights; and it would take away from the courts their one effective sanction against such trespasses.

In earlier days, the usual police practice was to obtain a warrant from some judicial officer before making an arrest. But the needs of law enforcement led to laws allowing the police to make arrests without a warrant when they themselves concluded that they had probable cause to believe a person guilty of a felony. Arrests with a

warrant are now a rarity. To compensate for the lack of judicial authorization prior to the arrest, the law provided, however, that the police must take arrested persons before a judicial officer "without unnecessary delay" in order to have a judicial determination that probable cause for the arrest did, in fact, exist.

The real vice of the Willis-Keating bill is that it would deny to the courts their only effective means of disciplining policemen who usurped the authority to determine what was probable cause in making an arrest. The bill would not diminish the obligation of police officers to arrest suspects only on probable cause and to take them before a magistrate as quickly as possible. But because the courts could not rebuke police by throwing out confessions obtained by questioning suspects after arrest without probable cause, the force of the requirement for prompt arraignment would inevitably be weakened.

The police would be enabled, in short, by wresting confessions from suspects during a period of detention prior to arraignment, to establish the probable cause necessary to justify their arrests in the first place. In effect, then, the bill would make the police judges of the validity of their own arrests. As Judge David Bazelon observed in his dissent when the Mallory case was before the Court of Appeals, "When policemen are judges, individual liberty and dignity cannot survive."

VOTING RIGHTS FOR DISTRICT OF COLUMBIA CITIZENS

Mr. RANDOLPH. Mr. President, the prohibition against voting by residents of the District of Columbia is a shadow across the shield of citizenship throughout the United States.

Last week I took occasion to express again my reasoning in reference to the validity of the responsibility of franchise by those men and women who live within the jurisdiction of the District of Columbia. These citizens have no right to vote in any State and yet they are not privileged to exercise the prerogatives of participating citizenship within the District of Columbia.

One of the leaders in the effort to bring about representation in the Congress and a vote for President and Vice President of the United States is Benjamin M. McKelway, thoughtful and informed editor of the Washington Evening and Sunday Star. Mr. McKelway appeared on last Friday morning before a subcommittee of the District of Columbia Committee in his capacity as an editor, and not as a representative of any organization. He spoke in favor of the principle of representation in the Congress and a vote for President and Vice President, and stated his considered judgment against placing home rule as a priority project.

Because of the research done by Mr. McKelway, and because of the arguments which he presented on that occasion, it is appropriate that the CONGRESSIONAL RECORD should carry the comment of Mr. McKelway. I ask unanimous consent that his statement before the subcommittee be printed at this point in the RECORD.

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

(The accompanying article presents the statement in testimony of Benjamin M. McKelway, editor of the Evening and Sunday Star, before a subcommittee of the House Committee on the District of Columbia now conducting hearings on home rule. Mr. McKelway appeared on the invitation of the committee in his capacity as editor of the Star and not as the spokesman or representative of any group.)

Mr. Chairman, I appreciate the courtesy of your invitation to offer some comments on home rule.

I would hope we might accept at the outset as a stipulated fact—for it is a fact—that the total lack of voting representation in their sovereign Government suffered by American citizens resident in the Capital of the United States is, in this day and age, an indefensible contradiction of what we stand for in our own eyes and in the eyes of the world. That contradiction is becoming so evident to so many people that it is bound to be removed one way or another.

The need, then, is for intelligent and wise decision on how it is to be removed—the right way or the wrong way.

I believe that in removing it we must recognize the great importance of preserving the magnificent concept of Washington as the Federal City, set aside as the seat of Government and the worthy Capital of the Nation. At the same time we must recognize and respect the equally fundamental importance of giving Americans resident in this Capital a voting voice in the Congress which exclusively controls it, and a right to vote for President and Vice President.

There is no actual contradiction between these two objectives. There is no valid or substantial reason why one of them need suffer at the expense of the other.

EXPEDIENCY VERSUS JUST TREATMENT

There is likelihood that under increasing pressures the immediate expediency of home rule, rather than the basic interests of this city and the just treatment of its people, will be served. In that case we may witness a dismal repetition of history, winding up with injury to the concept of the Federal City and to its continuing development without having achieved voting rights of any real value.

Take, for example, the pending proposal to set up a territorial form of home rule government for the Capital of the United States. This bill is, indeed, an extraordinary anachronism which turns the clock back 85 years.

History wrote a sardonic little footnote on the arrival in Washington, earlier this week, of Mr. DANIEL KEN INOUYE, soon to become your colleague as the representative of some 580,000 people of the Hawaiian Islands, lying 4,920 miles from Washington in the Pacific Ocean. Two Hawaiian Senators, elected at the same time, will take their seats at the other end of the Capitol.

Some 85 years ago, in 1874, a territorial government for the District of Columbia, after a brief but spectacular life, was abolished by an angry Congress because it did not work, and the city was up in arms over its failure. Twenty-six years after that, in 1900, Hawaii became a Territory and 59 years later has been admitted as a sovereign State, her people made full-fledged Americans.

And what will her new representatives find at the Capitol when they take their oaths? One thing they will find is a hearing in progress before the House Committee on the District of Columbia on a bill to give back to 825,000 citizens, living here at the heart of this Republic, a territorial form of government not unlike the one they had 26 years before Hawaii became a Territory—including a voteless delegate in the House.

DISCREDITED REACTIONARYISM

If this means progress, it is progress in the wrong direction. If this misguided effort is identified as awakened liberalism, such liberalism is plainly the victim of mistaken identity. Actually, this bill is an astounding example of discredited reactionaryism.

How could this have happened? How can it be explained?

It may be that the late Senator H. W. Blair, of New Hampshire, had the answer. Senator Blair, in an eloquent speech one September day in 1880 in support of a resolution for an amendment to the Constitution to give residents of Washington voting representation in Congress and the electoral college, told the Senate that the denial of such representation "is no trifling matter, and I verily believe it constitutes a drop of poison in the heart of the Republic, which, if left without its antidote, will spread virus throughout that circulation which is the life of our liberties."

There is a sort of poison in denying people the right to vote. In time it tends to paralyze or render dormant nerves that ordinarily would excite a burning sense of indignation in free men. But I fear there is little real indignation, on your part or on our part, in the fact that Americans who live in this American Capital, after all these years, are still denied the vote, are still governed without their consent, are still taxed without representation, are still consigned to a degrading status of semicitizenship. This condition, and the lack of indignation which permits it to remain, must be the effect of some insidious poison. It is not normal.

The antidote for this poison is to forget the unhappy attempts to resurrect home rule, which people of the District enjoyed for more than 70 years. The antidote is to give the people of Washington voting rights in Congress, in the choice of President and Vice President, and to resume the task of building this beautiful Capital as a symbol of this country.

LOCAL AND NATIONAL INTERESTS

The theory behind what is misnamed home rule in Washington is based on a premise which has proven itself to be false.

The premise is that local interests in Washington are divisible from national interests, so that a group of elected local legislators, charged with the responsibility but subservient to the dominant national Government in which they have no voice, can supervise the local interests of the city while the all-powerful Congress, and a myriad of Federal executive agencies with fingers in the pie, will take care of the Federal interests of the Capital.

The territorial home rule bill is a ponderous and impractical attempt to rationalize the separability of local and national interests.

The highly probable and only too logical results of making such an experiment in home rule should be of great concern to those of us who live in this city. For history supports a belief that among the most serious of such results would be the impairment or loss of the concept of the Federal City. That would obviously endanger continuing development of Washington as a fitting Capital, and would handicap the discharge of new undertakings required for this busy hub of one of the most rapidly developing metropolitan areas of the United States.

It is all too reasonable to believe, however unfortunate such a belief may be, that the attitude in Congress, once a local, home rule government took office, would be to say "O.K., friends, that is what you asked for. Now that you have it, go roll your own hoop." For when Congress delegates legislative authority over this Capital to a locally elected council or assembly, it may be expected also to delegate the fiscal responsibility accompanying that authority.

The unique characteristics of this city, including its limited and its untouchable economic resources, should convince anybody

that under home rule a locally elected city government could not roll its own hoop, and would fail miserably in the attempt.

HAZARDS OF HOME RULE

Such failure would not mean that the people of this city are incapable of governing themselves. Nor would such failure have any connection with the virtues or the defects of democracy and self-government. A fundamental error is to think of Washington as just another American municipality. No other city is like it.

The hazards of home rule in Washington lie in the nature of the city—an "artificial city" as Prof. Royce Hansen called it in his thoughtful testimony before the Senate committee; its complete dependence, economicaly as well as politically, on the exclusively controlling national Government from which it is excluded; the hard facts of its economic structure and the vagaries of politics in practice, local as well as national, in a city where Government is the chief industry.

The history of this city offers repeated evidence, from highly competent authority, of the inseparability of local and national interests in Washington, and failures which have resulted when such separations were attempted.

I shall not attempt to cite them here, but I shall be glad to furnish for the record, if you desire, apt quotations from the report of a Senate District Committee in 1835 which investigated conditions threatening bankruptcy under home rule; of a select joint committee appointed to view the remains of home rule in 1874; the report of another select joint committee in 1916, investigating whether the 50-50 ratio in appropriating for the District of Columbia was a correct division of expense between the Nation and the local community. All such reports—made at various stages of Washington's past, emphasize the indivisibility of local and national interests in Government of the District of Columbia, and the futility of seeking such separation.

One of the best of all summaries of the economic disabilities of this city of magnificent tax exemptions is the current year's report of the District Commissioners on the "State of the District." That report correctly emphasizes the dependence of the District of Columbia on congressional appropriation of Federal funds (a fraction of the Federal taxes paid by District residents) to supplement insufficient revenues collected in local taxes. Commissioner McLaughlin's ability to lend his name both to that report and to the advocacy of home rule is a marvelous and even thrilling demonstration of mental acrobatics.

THE FINANCIAL QUESTION

Some of the intelligent advocates of home rule, of course, recognize the importance of writing into such legislation something more than the brave and hopeful words—to use an expression by Senator MORSE—used to convey an impression of pious intent by Congress to do right financially by a home rule government.

But as Senator MORSE has testified (and I commend to your attention his very pointed and intelligent criticism of his own Senate-passed bill as well as the other one) the whole question of the Federal payment in home rule legislation is left discreetly vague.

Why is that? Why should it not be spelled out as one of the fundamental parts of any new organic law establishing home rule? Why would any advocate of home rule willingly buy such a pig in a poke?

Regardless of what the answer might be, the fact is that it is not spelled out. The fact is that the Senate committee's refusal to spell it out was a considered refusal and not an oversight. And this, we believe, should be the source of concern on the part of those who regard Washington as home and whose future is so wrapped up in the future of this city.

A FANTASTIC IDEA

Even if there were specific legislation on this point, definitely committing Congress to appropriate Federal funds in some certain proportion to meet the needs of a local budget prepared by, and to be expended by, a locally elected city council or legislative assembly charged with governing the U.S. Capital, it is nothing less than fantastic to believe that the Appropriations Committees of Congress would turn over any substantial sum—such as $25 million or more—for local authorities to spend as they see fit.

In closing, Mr. Chairman, I would like to refute a weary cliche which lacks even the merit of conveying a truth, but which is given counterfeit currency by misinformed advocates of self government through home rule. The cliche to which I refer is to the effect that abandonment by Congress of the territorial government of 1874 along with local suffrage meant that the people of the District had sold their birthright for a mess of pottage.

That is a rather malicious libel on the Washingtonians of past generations who lived here under home rule—most of whom were not sorry to part with it.

What was the birthright of these people? It was the birthright of voting in various forms of local government for slightly more than 70 years, while deprived of their basic rights of citizenship and participation in their national Government. It was this birthright that led the people of Georgetown unsuccessfully to petition for retrocession to Maryland in 1838. It was their disillusionment over this same birthright which helped to gain, for the citizens of Alexandria 8 years later, retrocession by Congress in 1846 of the Virginia portion of the original District of Columbia. The galling disfranchisement of these people was referred to in congressional debate.

And what was this mess of pottage received in exchange for the surrender, or sale, of this birthright, a transaction, incidentally, in which local citizens had no voice?

That mess of pottage consisted of the long-delayed assumption by Congress 70 years after Congress first came to Washington, of the responsibility accompanying its exclusive control of this city. It was the subsequent exercise of that responsibility by Congress which brought about development of the beautiful city we know today.

If the birthright of the citizens of that day was sold for this mess of pottage—do present-day citizens of Washington want to swap back the mess of pottage for the same old birthright?

I do not think so. Yet, unless more people in Washington adopt for themselves the praiseworthy if misguided determination of the small group of home rule advocates, and enlist everybody including you gentlemen and the leadership of our Government in a real crusade for the real votes that count—representation in Congress and in the election of President and Vice President—that is precisely what is apt to happen.

ASSAULTS ON WASHINGTON STREETS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may speak for 5 minutes in addition to the time permitted under the present consent agreement.

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

Mr. BYRD of West Virginia. Mr. President, I wish to speak about a very grievous, disgraceful, and dangerous condition which exists here in Washington, and which has been brought forcibly into focus within the past few days.

I am referring to the alarming increase in violence, crime, and hoodlumism among the young men of our Nation's Capital. Anyone who has read the Washington newspapers since last Thursday might well form the opinion that this city is a half-civilized place where it is unsafe to venture into the streets at night.

The newspaper headlines have conveyed a disturbing record of violence. They have told how, late last Thursday night, a prowling gang of juveniles, described as like a pack of wolves, attacked and robbed a man in the center of Washington, and how one of them, armed with a knife, threatened the distinguished Representative DIGGS of Michigan, who witnessed the incident. The newspapers have told how, later that same night, a gang of young men attacked and savagely beat a Washington policeman; and how, on the previous night, a young Air Force non-commissioned officer was shot to death by a gang of young hoodlums whom he tried to chase away from his parked car. And on Saturday evening, the newspapers reported that the widow of Deputy Defense Secretary Donald Quarles was knocked down on a street in a robbery attack by a teenage youth. And one need not remember far back to recall many other reports of barbaric acts, such as that in which a foreign-born physician was attacked and robbed on a busy street while other persons stood by, refusing to come to his aid.

Mr. President, this is not a pretty picture to display as that of the Capital of America, the city which serves almost as a symbol of American freedom and American ideals. What must be the reaction of visitors from foreign nations who come to our Capital—or, for that matter, the reaction of visitors who come from the various parts of our own country?

This is the sort of description of Washington they receive: In the Saturday Daily News, a story proclaimed that a "rising tide of assaults on police officers" is forcing the Police Department to "beef up" its patrols and assign two-man patrols to the more hazardous beats.

The story stated:

> There has been an increase of 30 percent in assaults on policemen over last year, 139 cases already this year, compared to 106 in the same period last year.

And the Saturday Evening Star pointed out:

> Last month alone, 26 Washington police officers were assaulted, as compared to 13 for the same month last year.

The upsurge of violence by youthful thugs last week prompted the Evening Star to declare in an editorial that "no one is safe in Washington while these hoodlum gangs are free to prowl the streets at night."

The editorial concluded:

Some way must be found to take them out of circulation. One proposal now under debate is to ban objectionable loitering by people under the age of 18. But it hurts just as much to be beaten up and robbed by an 18-year-old gang as by a 17-year-old gang. Why not get the legislation—if any new legislation really is needed—which would make it possible for the police to chase all the wolf packs off the streets?

Mr. President, I wish to make it clear that I, for one, feel that steps should be taken to meet this very disturbing problem arising in Washington.

I wish to urge that all possible means—educational, religious, administrative, legislative, and otherwise be taken to bring this disgraceful and disturbing trend to a halt. I am sure that I speak for all of us when I say that we want to have a Washington of which all Americans can be proud, not one which is notorious for its junglelike lawlessness.

Mr. President, I ask unanimous consent that the articles I have referred to be printed in the RECORD at this point.

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

[From the Washington Daily News, Aug. 15, 1959]

GANG ATTACKS ON LAWMEN FORCE POLICE SHIFTS HERE

(By John T. Burch)

A rising tide of assaults on police officers, both here and in other major cities, has forced Metropolitan Police Chief Robert V. Murray to augment the Juvenile Squad and order two-men patrols for tougher beats, he said today.

The "beef up" may curtail vacations on the force, he said.

Chief Murray said there has been an increase of 30 percent in assaults on policemen over last year, 139 cases already this year, compared to 106 in the same period last year.

Chief Murray, who is second vice president of the International Association of Chiefs of Police, said he discussed this with many of his fellow chiefs in the Nation's larger cities.

"Not only is this true here, but it has been almost a nationwide trend," Chief Murray said.

"I don't know exactly what the answer to it is. I cannot definitely say it's racial, and I don't feel it's an economic problem, because figures show an all-time high for employment.

"However, whatever the cause, we're doing everything we can. I added more men to the juvenile squad last week, before the murder of Sergeant Buckson." (Air Force Sgt. Luther Buckson of 4805 Alabama Avenue SE. was shot early Thursday as he chased youngsters tampering with his auto.)

FULL STRENGTH

The addition brought the juvenile squad up to a full complement of men for the uniformed roving patrol, the Chief said.

"I put this juvenile patrol to work prowling the streets 2 years ago. It has proven its worth, and the men assigned to it have done some good work handling juvenile groups.

"I don't feel like asking for more men in view of the fact we have an economy-minded Congress. But I am going to try to work it out with precinct commanders to put the men out together, in pairs.

"To do this, it may be necessary to restrict or cut annual leave of the entire force."

SCHOOLING PROBLEM

The Chief said he doesn't want to cut the 12-week rookie training program to gain manpower. Some rookies are already patrolling the streets with experienced men, waiting to go to the school, which is running double classes of 40 each now.

"Once before we had to cut the training program to 4 weeks, but I don't want to do that now," Chief Murray said. "We'll continue the double class schedule until the end of the year, when all the rookies will have been through."

[From the Washington Daily News, Aug. 15, 1959]

POLICEMAN IS RECOVERING—"CURLY" SURRENDERS IN BEATING

The man Police Private William J. Maginnis was trying to arrest early yesterday when he was beaten by a gang of young marauders gave up meekly of his own accord this morning, police said.

Lt. Milton C. Reed, acting captain of the 13th Precinct, said William Edward Clark, alias "Curley," 24, was charged with assault on an officer.

He told police he had not seen Private Maginnis' service revolver since it was wrested from him in the fight, Lieutenant Reed said. Private Maginnis is recovering from head wounds in Washington Hospital Center.

George R. Miller, 20, of 449 Massachusetts Avenue NW., and Maurice T. Dixon, 18, of 1611 12th Street NW., were charged yesterday with assaulting a police officer and larceny of Government property. They are held on $5,000 bond for an August 21 arraignment.

[From the Washington Daily News, Aug. 15, 1959]

FOUR CHARGED IN AIRMAN'S DEATH

Four young colored men have been charged with homicide in the street killing of Air Force S. Sgt. Luther Buckson early Thursday, police said.

Sgt. Buckson, 25, colored, of 4805 Alabama Avenue SE., was shot four times as he chased youths he had seen tampering with his car. police said. He was found wounded across the street from his home, and died an hour later.

Homicide Capt. Lawrence Hartnett said Charles H. Turpin, 20, of 4438 E Street SE.; Anthony Oliver, 19, 15 53d Street SE.; and George Diggs, 18, of 18 53d Street SE., were arrested last night and Edward R. Johnson, 19, of 5358 Ames Street NE., surrendered this morning.

Captain Hartnett said Turpin was arrested first at a service station where he works at East Capitol Street and Benning Road, after 14th Precinct Lt. Vincent Jenkins and Corp. George Greeg matched him with a description of a man seen in the neighborhood.

Captain Hartnett said Turpin admitted shooting Sgt. Buckson and gave this account of how it happened:

He was in the area, but not with the boys who were around the sergeant's car. Sgt. Buckson, who had phoned police that the car was being tampered with again, came out and fired a shot at the loiterers. Everybody started running, and Sgt. Buckson went inside, then came back out and chased them.

Turpin said he thought the airman was coming after him and shot at him with his .22 revolver, Captain Hartnett said.

He said police found a gun in the sergeant's apartment, but haven't yet determined how long since it was fired.

He said Turpin is married to a 17-year-old girl who is expecting a baby next month.

[From the Washington Star, Aug. 15, 1959]

FOURTH YOUTH ARRESTED IN SLAYING OF AIRMAN

Metropolitan Police early today arrested the last of four youths whom they charged with the murder of Air Force S. Sgt. Luther Buckson.

Capt. Lawrence Hartnett of the homicide squad said the roundup began yesterday afternoon with the arrest of Charles Henry Turpin, Jr., 20, of the 4400 block of E Street SE., and was completed this morning.

Captain Hartnett said Turpin admitted shooting Sergeant Buckson in front of the airman's home at 4805 Alabama Avenue SE., early Thursday morning.

POLICE VERSION

Turpin, according to police, told them this story:

He was walking down Alabama avenue for a breath of fresh air when he spotted an acquaintance across the street talking to another youth.

When he joined the pair, Turpin said, he noticed a third youth beside a car on the opposite curb.

At the same time, he observed a man emerging from an apartment. The man, Turpin claimed, fired a shot, and all three youths ran from the scene.

Sometime later, the suspect added, he returned to the corner on the way back home. The other three youths were behind him, he said.

At the corner he was confronted by the man from the apartment. When the man said something to him, Turpin said he pulled a gun from his pocket and fired at the man until the weapon was empty. Turpin then ran home, two blocks away.

Captain Hartnett said police pieced together information and descriptions supplied by witnesses who saw the fleeting youths and confronted Turpin at work yesterday afternoon.

The suspect, whose 17-year-old wife is expecting a baby, works as an attendant at a service station at East Capitol Street and Benning Road.

GUN FOUND

Police said they found a gun, a .22 revolver, when they entered Turpin's home with a search warrant. The roundup was conducted jointly by the homicide squad and Precinct No. 14.

According to Captain Hartnett, Turpin implicated three other youths.

Two of them, Anthony Oliver, 18, of the unit block of 53d Street SE., and George Diggs, 19, of the same block, were arrested last night at their homes, police said.

The third youth, Edward R. Johnson, 19, of the 5300 block of Ames Street NE., surrendered to homicide squad detectives at 1 a.m. today, police said.

All four were charged with homicide, police reported.

Sergeant Buckson, who was assigned to Andrews Air Force Base, reportedly was investigating an attempt to rifle his car when the shooting occurred after midnight Thursday. He died, minutes later at District General Hospital of four gunshot wounds.

[From the Washington Post and Times Herald, Aug. 17, 1959]

SUSPECT IN STREET ATTACK ON MRS. QUARLES IS HELD

Wallace D. Johnson, 19, an unemployed porter listed at 2100 19th Street NW., was ordered held under $5,000 bond yesterday on a charge of assault with intent to rob the widow of Deputy Defense Secretary Donald Quarles. The case was continued to August 27.

Johnson is accused of knocking down Rosina Quarles, of 3041 Porter Street NW., in an attempt to grab her purse in the 2800 block of Woodley Road NW., Saturday night.

Mrs. Quarles is recovering at home from painful bruises. She was treated at Walter Reed Army Medical Center after her screams frightened her assailant, and saved her purse.

Johnson was stopped a block away by Sidney Epstein, 38, city editor of the Evening Star. Epstein, who lives at 2800 Woodley Road, NW., was on his way home from work.

The attempted purse snatching in a fashionable section of Washington came on the heels of recent assaults on policemen and Police Chief Robert V. Murray's decision to assign two men to the tougher beats and to augment the juvenile squad.

[From the Washington Star, Aug. 15, 1959]

POLICEMAN RISKS LIFE IN BATTLE WITH GANG

Pvt. William Maginnis, a husky metropolitan policeman, will long remember the darkened northwest street which he was patrolling alone early yesterday morning.

"I almost lost my life there," he said last night from his hospital bed in the Washington Hospital Center.

Private Maginnis, 28, of 1225 Quincy Street NW., was walking his beat in the 700 block of T Street when he noticed a group of men huddling near a granite wall.

It was shortly before 2 a.m.

"As I approached them," the policeman recalled, "they all took off except one. I asked him what he was doing there, where he was from, and he told me two addresses—in northeast and northwest."

GETS BELLIGERENT

His suspicions aroused, the patrolman continued questioning the man.

"All of a sudden he got surly," Private Maginnis said. "He questioned my right to ask him these things, and he started swearing."

The policeman responded by arresting the man for disorderly conduct. Holding him by the belt, Private Maginnis headed the man for a police callbox at Seventh Street and Florida Avenue NW.

Private Maginnis recalls the next few minutes sharply.

"Before I could stop him," the officer declared, "the man pivoted, swung around and hit me in the mouth with a bottle. I picked it up, but he knocked me back and we fell to the ground fighting.

"I had him down and nearly subdued when somebody hit me in the head from behind," Private Maginnis said. "I got up and looked around—but he got up too, and grabbed my gun."

Private Maginnis took a breath, launched into two additional assailants and warded off a series of blows, he said.

"They came at me with a fence picket, one of them got my night stick and they hit me with everything—in the chest, stomach, ribs and head," he recalled. "I figured I was a goner."

The next thing he knew, he was staring up from his hospital bed into the face of another policeman.

Private Maginnis, 6 feet 2 inches tall and weighing 220 pounds, was a mass of bruises last night, but officially in "satisfactory condition."

Later in the day, two youths were arrested. Identified as George Rufus Miller, 20, of the 400 block of Massachusetts Avenue NW., and Morris T. Dixon, 18, of the 1600 block of 12th Street NW., they were charged with assaulting the officer. A third was still being sought.

HEARING NEXT FRIDAY

William Bachrach, appointed by Municipal Court Judge Harry Walker to represent the youths, said a preliminary hearing of the case was scheduled next Friday.

Police Chief Robert V. Murray reacted to the assault, one of nearly 150 in which policemen have been involved this year, by authorizing precinct commanders to assign patrolmen in pairs to dangerous beats.

Last month alone, 26 Washington police officers were assaulted, as compared to 13 for the same month last year.

From the first of January until July 31, 139 policemen have been assaulted. For the same period last year, it was only 106.

[From the Washington Star, Aug. 15, 1959]

WOLVES IN THE STREETS

Representative CHARLES C. DIGGS, JR., is a Negro Congressman from Michigan. He has been a vigorous and outspoken opponent of discrimination against Negroes. So we do not suppose that anyone will impute racial prejudice to him in his description of the Logan Circle incident.

Mr. DIGGS was driving friends to the airport shortly after midnight Thursday when he saw a man, knocked down on the ground under a street light at the Circle, being beaten and robbed. Both the victim and his assailants were colored. When Mr. DIGGS tried to frighten off the attackers, two of them, one armed with a knife, came toward his car—this in the center of Washington. He said the gang members, all apparently juveniles, were "like a pack of wolves." And he added: "You hear about these things, but you don't really understand it until you see it. I never saw anything like that before." And this certainly is true—too many people who aren't beaten and robbed themselves, or who don't see it happen to someone else, are inclined to shrug their shoulders and look the other way.

At about 1:45 a.m. the same night a policeman, who happened to be white, was jumped and brutally beaten by a gang of colored teenagers near Seventh and T Streets NW. The night before, a colored Air Force sergeant went out to chase away several young men who were tampering with his car. He was shot and killed.

The point of all this is that no one, white or colored, is safe in Washington while these hoodlum gangs of whatever color are free to prowl the streets at night. Some way must be found to take them out of circulation.

One proposal now under debate is to ban "objectionable" loitering by people under the age of 18. But it hurts just as much to be beaten up and robbed by an 18-year-old gang as by a 17-year-old gang. Why not get the legislation—if any new legislation really is needed—which would make it possible for the police to chase all the wolfpacks off the streets?

SERVICE FOR OUR NATION'S DISABLED SERVICEMEN

Mr. HENNINGS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me, relating to service for our Nation's disabled servicemen.

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

STATEMENT BY SENATOR HENNINGS

Among the several congressionally chartered veteran ogranizations which have local chapters in Missouri is the Disabled American Veterans, the only veterans organization composed exclusively of those Americans who, in time of war, have been wounded, gassed, injured or disabled by reason of active service in the Armed Forces of the United States, or of some allied country.

Formed in 1920 under the leadership of Judge Robert S. Marx, DAV legislative activities have benefited many compensated disabled veterans. Its present national commander is Judge David B. Williams, of Concord, Mass. Its national adjutant is John E. Feighner, of Cincinnati, Ohio. Its national legislative director is Elmer M. Freudenberger, its national director of claims, Cicero F. Hogan, and its national director of employment relations, John W. Burris, all of whom are located at its National Service Headquarters, 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent, or some 2 million, of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—the DAV does not aspire to become the largest veterans organization. Nevertheless, since shortly after its formation in 1920, the DAV National Headquarters, located in Cincinnati, Ohio, has maintained the largest staff of full-time national service officers of any veterans organization. A staff of 138 is located in the 63 regional and 3 district offices of the U.S. Veterans' Administration and in its central office in Washington, D.C.

These staff workers have ready access to the official claim records of claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these service officers are sympathetic and alert as to the problems of other less well-informed claimants.

The DAV now maintains three national service officers in the Veterans' Administration regional offices in Missouri. Fred H. Theurer is located at 911 East Linwood Boulevard, Kansas City; William J. Burgh and William E. Leach, Jr., are located at 415 Pine Street, St. Louis. This year the alternate national executive committeeman for the ninth district is Judge Michael Carroll, 9744 Midland Boulevard, Overland. A former national commander, Judge Joe W. McQueen, resides in Kansas City.

There are five Veterans' Administration hospitals in Missouri in which the DAV has a Veterans' Administration voluntary service representative as follows: Mr. Oscar W. Elrod, Box 248, Excelsior Springs, is located at the 209-bed hospital at Excelsior Springs; Mr. Louis Diebold, 8421 Water Street, St. Louis, is located at the 815-bed hospital at Jefferson Barracks; Mr. Francis A. Van-Hoy, 2702 Peery Avenue, Kansas City, is located at the 500-bed hospital at Kansas City; Mr. C. M. Anderson, 1922 Barrow Road, Poplar Bluff, is located at the 201-bed hospital at Poplar Bluff, and Mr. Mark J. Sullivan, VA hospital, 915 North Grand, St. Louis, is located at the 495-bed hospital at St. Louis.

During the last fiscal year, the Veterans' Administration paid out $125,165,000 for its veteran program in Missouri, including $31,826,475 disability compensation to its 47,677 service disabled veterans. These Federal expenditures in Missouri furnish substantial purchasing power in all communities. Only about 13 percent are members of the 15 DAV chapters in Missouri.

This 13-percent record is strange in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officers in behalf of Missouri veterans and dependents during the last 10 fiscal years, as revealed by the following statistics (estimated):

Claimants contacted	139,897
Claims folders reviewed	116,581
Appearances before rating boards	31,097
Compensation increases obtained	5,849
Service connections obtained	1,892
Nonservice pensions	1,881
Death benefits obtained	658
Total monetary benefits obtained	$2,685,420.80

These figures do not include the accomplishments of other national service officers on duty in the central office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32, and in the central office, they handled 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Missouri veterans, their dependents and their survivors.

These figures fail to illustrate the extent and value of the individualized advice, counsel, and assistance extended to all claimants

who have contacted DAV national service officers in person, by telephone or by letter.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guaranty loans for homes and farms and businesses. Helpful advice was also given as to placement in suitable useful employment to utilize their remaining abilities, civil service examinations, appointments, retentions, retirement benefits, and other problems.

Every claim, of course, presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans. Frequently, because of lack of official records, death or disappearance of former friends and associates, lapse of memory, lack of information and experience, proof of the legal service connection of a disability becomes extremely difficult—often nearly impossible.

A VA Claims and Rating Board obviously cannot grant favorable action based on nothing more than on the opinions, impressions or conclusions of persons who submit notarized affidavits. Specific, detailed pertinent facts are essential.

The Veterans' Administration, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it, only under certain conditions.

However, a DAV national service officer can and does advise a claimant precisely why his claims may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants, with justifiable claims.

Because most claims are not properly prepared, the Veterans' Administration has denied more claims than it has allowed. It is very significant, as pointed out by the DAV acting national director of claims, Chester A. Cash, that a much higher percentage of those claims, which have been prepared and presented with the aid of a DAV national service officer, are eventually favorably acted upon, than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

Another fact not generally known is that, under the overall review of claims inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued, and 27,300 other veterans have had payments reduced with an aggregate loss to veterans of more than $28 million per year. About 2.3 percent of such discontinuances and reductions have occurred to disabled veterans in Missouri with a consequent loss of about $644,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veterans organization. Judging by the past, such unfavorable adjudications will occur to an additional number or more during the next 3 years before such review is completed.

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

Most claimants are not aware of the fact that the DAV receives no Government subsidy whatsoever. The DAV is able to maintain its nationwide staff of expert national service officers primarily through income from membership dues collected by its local chapters and from the income resulting from DAV owned and operated projects.

Thus, the DAV continues its most effective work on behalf of our Nation's most deserving veterans. It is an organization to be commended.

STUDY OF HYDROELECTRIC POSSIBILITIES OF THE YUKON RIVER

Mr. GRUENING. Mr. President, I wish to comment briefly on the significance of the action of the Congress in the appropriation of initial survey funds, in the public works appropriation bill, for the study of the hydroelectric possibilities of the Yukon.

The distinguished members of the conference committees of both bodies are to be highly commended for the vision which they have displayed in taking this action. I want to particularly express on behalf of my colleague, the distinguished senior Senator from Alaska [Mr. BARTLETT], and myself our great appreciation to Senators ELLENDER, HAYDEN, RUSSELL, MCCLELLAN, ROBERTSON, HILL, MAGNUSON, HOLLAND, KERR, DWORSHAK, YOUNG of North Dakota, MUNDT, and SMITH, because I know how they battled hard to retain this important item, which was not in the President's budget nor in the House bill. It was inserted in the Senate bill and retained in conference.

It is gratifying that there is, in this $50,000 appropriation, an effective recognition of the importance of development of Alaskan hydroelectric resources.

This appropriation constitutes recognition, first, of the importance to the United States of development of its productive resources in the far north as needed to match and to surpass that of the U.S.S.R. As I have had occasion to point out before, the Russians are gaining on the United States in hydroelectric development and under this administration's policies may well get ahead of us in this important field as well as in the entire field of development of arctic resources, which is so essential in our protracted conflict with the Kremlin.

The Soviet Union is now building the largest hydroelectric project in the world, at Bratsk, in Siberia. It is contemplated that this dam will produce about 4½ million kilowatts of firm power. This is only one of several great hydroelectric projects under way in Siberia. The dam which will be constructed on the Rampart Canyon site could, according to engineering estimates, produce in the neighborhood of 5 million kilowatts. The power so produced would be more than twice that of the entire Tennessee Valley Authority, and more than three times that of Grand Coulee—now the world's largest hydroelectric dam.

The construction of a mighty dam on the Yukon River at the Rampart Canyon site would make possible a new era of economic development in the United States. It has long been recognized that the most valuable, but so far least utilized, natural resource of Alaska is its abundant hydroelectric power. To develop this resource on the scale which will be possible with the construction of the Rampart Dam would power an industrial complex for the expansion of the domestic economy greater than anything now existing in the free world.

Again, I commend the wise and farsighted action of the Appropriations Committees in recognizing the importance of this project and appropriating the funds necessary to begin it. Again I wish to express on behalf of all Alaskans the gratitude of my colleague and my own to those Senators and Representatives who have made this start possible.

Mr. President, again I wish to express the gratitude of my colleague and myself.

WHITE FLEET

Mr. HUMPHREY. Mr. President, I am very pleased to note the continuing development of support for our proposal for a White Fleet of ships to conduct disaster missions and technical assistance programs.

One recent indication of support has come from the American Veterans Committee in the form of a letter from the chairman of the international affairs commission of the American Veterans Committee, Mr. Bernard J. Cogan.

Mr. President, I ask unanimous consent to have this letter placed in the RECORD at this point.

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

AMERICAN VETERANS COMMITTEE,
Washington, D.C., August 5, 1959.

Hon. HUBERT H. HUMPHREY,
U.S. Senate,
Senate Office Building, Washington, D.C.

DEAR SENATOR HUMPHREY: The American Veterans Committee commends you and all the cosponsors of Senate Concurrent Resolution 66 designed to establish a White Fleet.

This concept is a novel approach to the American effort abroad and deserves the support of all individuals and organizations in this country who recognize the fact that the aspirations of the people of Asia, Africa, and Latin America will not be denied. Understanding and aid from America presented in this form significantly underline governmental assistance programs in underdeveloped areas of the world in ways that cannot be distorted by totalitarian propaganda.

You have AVC's complete support in this proposal, and we shall be delighted to do anything possible to advance it.

Sincerely,

BERNARD J. COGAN,
Chairman, International Affairs Commission.

EMPLOYMENT FOR CERTAIN ADULT INDIANS

Mr. MANSFIELD. Mr. President, after consultation with and with the approval of the distinguished majority leader and the distinguished minority

leader, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 727, S. 1565.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1565) to amend the act entitled "An act relative to employment for certain adult Indians on or near Indian reservations," approved August 3, 1956, so as to enable certain Indians who do not reside on trust property to participate in the program authorized by such act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 1565) to amend the act entitled "An act relating to employment for certain adult Indians on or near Indian reservations," approved August 3, 1956, so as to enable certain Indians who do not reside on trust property to participate in the program authorized by such act which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 6, after the word "after", to strike out " 'an Indian reservation' the following: 'without regard to residence on trust property'." and insert "the end of the second sentence a new sentence as follows: 'Priority shall be given first to applicants who reside on trust or restricted Indian land, or on Federal land under the jurisdiction of the Department of the Interior, second to applicants who within the preceding three years have moved to urban communities from residences on or near Indian reservations under the Relocation Services Program of the Bureau of Indian Affairs, and third to applicants who reside on or near an Indian reservation but not on trust, restricted, or Federal land.' ".., so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act relative to employment for certain adult Indians on or near Indian reservations", approved August 3, 1956 (70 Stat. 986), is amended by inserting immediately after the end of the second sentence a new sentence as follows: "Priority shall be given first to applicants who reside on trust or restricted Indian land, or on Federal land under the jurisdiction of the Department of the Interior, second to applicants who within the preceding three years have moved to urban communities from residences on or near Indian reservations under the Relocation Services Program of the Bureau of Indian Affairs, and third to applicants who reside on or near an Indian reservation but not on trust, restricted, or Federal land.".

(b) Section 2 of such Act is amended to read as follows:

"SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.".

Mr. MANSFIELD. Mr. President, in 1956 the Congress passed and the President signed into law legislation which set up a program of vocational training for adult Indians. This program has been enthusiastically received throughout the country. In Montana the applicants far exceed the number of grants available.

Good Indian legislation has not been one of the areas of accomplishment in the past several Congresses. The Interior and Insular Affairs Committees of both the House and Senate have done a commendable job in taking care of individual and tribal problems that require legislation, but the vast area of Federal Indian policy has been neglected. I have been from time to time a critic of the present administration of the Bureau of Indian Affairs and I feel that our Indian policies and goals are in need of extensive revision.

The big question which concerns us all is, How can we help to improve the economic and welfare standards of our Indians? I believe that the best way this can be done is through education. Our Indians must compete with other elements of our society, and the adult Indian vocational training program will help them do so. The provisions of S. 1565 will make it possible for many more Indians to come under this program. The vocational training program will instruct these people in areas which they can put to good use in establishing a trade or profession, a means to an improved standard of living.

The provisions of this bill are very simple. The bill amends the existing law by providing that an Indian need not reside on trust property in order to qualify for training. This bill would also repeal the $3,500,000 annual authorization to carry out the training program and make the amount of the annual appropriation subject to the normal budgetary process. The interest among the young Indian adults indicates that a much larger appropriation for the program could be put to excellent use.

As pointed out in the report of S. 1565, this expanded program should be of great value in preparing and orienting participants in the Indian relocation program, and secondly, it should stimulate industries to locate near reservations. One of the major objections I have to the relocation program is that these families are relocated to the cities without the ability to compete with the urban society. A vocational training program would give the head of the family a trade which would improve his employment status considerably.

Mr. President, this is a good bill, and I urge that it be passed expeditiously. I hope that our colleagues in the House will act favorably on the bill at an early date.

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

The amendment was agreed to.

The bill (S. 1565) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the act entitled 'An act relative to employment for certain adult Indians on or near Indian reservations,' approved August 3, 1956."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes.

REMOVAL OF LIMITATION ON RECLAMATION INVESTIGATION APPROPRIATIONS IN ALASKA

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1514) to amend the act of August 9, 1955 (69 Stat. 618).

HOUSING ACT OF 1959

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the housing bill (S. 2539).

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2539) to extend and amend laws relating to the provisions and improvement of housing and the renewal of urban communities, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the unanimous-consent agreement the time for debate on the bill is limited.

Mr. SPARKMAN obtained the floor.

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

Mr. SPARKMAN. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that two additional members of the staff of the Committee on Banking and Currency be permitted to be present on the floor of the Senate today during the debate on the housing bill.

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

How much time does the Senator from Alabama yield to himself?

Mr. SPARKMAN. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 15 minutes.

Mr. SPARKMAN. Mr. President, I speak in behalf of S. 2539. Although this bill has some provisions which are not to my satisfaction, although it fails to include some matters which I believe to be necessary and desirable, nevertheless, I believe that under the circumstances it is a good bill and should be enacted into law.

S. 2539 is the product of many hours of labor by the Subcommittee on Housing, by the Committee on Banking and Currency, by the Senate itself, by the House of Representatives, and by the executive branch of the Federal Government. As is pointed out in the Report (No. 715) work on S. 2539 began

in the fall of 1957. Since that time, the Subcommittee on Housing or the Committee on Banking and Currency has held 34 days of public hearings, and the record of these hearings is spread over 3,879 pages. Today makes the fifth occasion upon which the Senate has debated the essential provisions of this bill. I am hopeful that the action we take today will be acceptable to the House of Representatives and to the President, and that S. 2539 will soon become law.

On Wednesday, August 12, by a vote of 55 to 40, the Senate sustained the President's disapproval of S. 57. On August 13, the Committee on Banking and Currency reconsidered S. 57, S. 65, S. 612, and S. 2378 and voted to report the new bill, S. 2539. I have not changed my views about the President's disapproval of S. 57. I believe that S. 57 should have been enacted, and I stand by the statements I made on July 15 and August 12. It became obvious to me, however, that it would be necessary to make changes in S. 57 in an effort to accommodate further the views of the President. S. 2539 represents the action of the Committee on Banking and Currency in this direction.

In drafting S. 2539, the committee approved 30 substantive changes in the text of S. 57. Most of these changes were influenced by the views of the President, and the more important changes are as follows:

MAXIMUM MATURITY

S. 57 would have authorized the Federal Housing Commissioner and the Administrator of Veterans' Affairs to increase to 35 years the maximum maturity of mortgages insured or guaranteed. The veto message expressed opposition to this discretionary authority, and these provisions are not contained in S. 2539.

FNMA PAR PURCHASE

S. 57 contained a provision which would have required the Federal National Mortgage Association to pay 100 percent of par for mortgages purchased under its special assistance functions. The veto message expressed opposition to this provision, and it does not appear in S. 2539. The committee bill contains another provision designed to minimize the depressing effect of discounts and fees.

FNMA SHORT-TERM LOANS

S. 57 would have authorized the Federal National Mortgage Association, under its secondary market operations, to make short-term—12-month—loans to be secured by FHA-insured or VA-guaranteed mortgage loans. The veto message expressed opposition to this provision, and it is not contained in S. 2539.

PLANNING SCHOLARSHIPS AND FELLOWSHIPS

S. 57 contained a provision authorizing appropriation of $300,000 for a 3-year period, which funds were to be used by the Housing and Home Finance Agency to provide scholarships and fellowships for the graduate training of professional city planners and housing technicians and specialists. The administration opposed this provision, and it is not contained in S. 2539.

FNMA SPECIAL ASSISTANCE FOR COOPERATIVE HOUSING MORTGAGES

S. 57 contained a provision increasing by $37.5 million the Federal National Mortgage Association fund for purchasing, on a special assistance basis, mortgages insured under section 213 of the National Housing Act. This increased amount would have provided $25 million for consumer cooperatives and $12.5 million for builder-sponsor cooperatives. Because of opposition expressed in the veto message and in spite of needs testified to in the hearings, the committee reconsidered this provision, and S. 2539 increases this special assistance fund by only $25 million, equally divided between consumer cooperatives and builder-sponsor cooperatives.

URBAN RENEWAL CAPITAL GRANT AUTHORIZATION

S. 57 contained a provision increasing the urban renewal capital grant authorization by $500 million on July 1, 1959, and by $400 million on July 1, 1960—a total of $900 million. The veto message characterized this amount as excessive. Hearings on the veto message revealed that applications totaling $320 million were on hand at the end of July, and that another $230 million in applications are ready for submission. This $550 million in applications has developed in spite of discouraging circumstances since funds were exhausted last fall.

In view of objections raised in the veto message, and in recognition of the current backlog of applications, S. 2539 provides that the urban renewal authorization shall be increased by $650 million upon enactment. Of this $650 million, $100 million is to be used at the discretion of the President to satisfy the needs of cities with a population of 100,000 or less, if such needs would not be served otherwise. The additional amount for allocation to cities with a population of 100,000 or less is provided in response to the unwarranted charge in the veto message that smaller cities would be harmed by provisions of the bill.

PUBLIC HOUSING AUTHORIZATION

S. 57 contained a provision specifically granting contract authority for approximately 10,000 units to be available until July 1, 1961, and 35,000 units to be available until June 30, 1963. S. 57 also granted the President discretion to authorize additional units up to the limit contained in the Housing Act of 1949, which discretion could not be exercised until July 1, 1960, and which discretion could not be used to contract for more than 35,000 units in any one year.

Although the veto message objected to this provision of S. 57, testimony by administration witnesses developed information that applications for approximately 57,000 units are now on hand, that that attrition will reduce this number by about 19,000 units. Thus, applications now on hand represent an effective demand for approximately 38,000 units.

In view of opposition in the veto message, in recognition of applications now on hand, and in spite of needs which would not be served, S. 2539 rewrites this provision and grants contract authority for only 37,000 units. The bill also provides that any units, under contract from prior authorizations, which are recaptured by the Public Housing Administration, may be reallocated to satisfy applicants. In this event any units so reallocated will be charged against the 37,000-unit authorization aforementioned.

COLLEGE HOUSING LOAN AUTHORIZATION

S. 57 contained a provision increasing the college housing loan fund by $300 million, which included $37.5 million for "other educational facilities" and $37.5 million for student-nurse and intern housing. The veto message objected to this provision under a heading which characterized S. 57 as "extravagant" and "unnecessary." The representative of the overwhelming majority of all colleges and universities in the country testified that this $300 million authorization "is an absolute minimum."

In view of the veto message and in spite of the need for a larger authorization, S. 2539 reduces these amounts to $250 million, $25 million, and $25 million, respectively.

COLLEGE CLASSROOMS AND EDUCATIONAL BUILDINGS

S. 57 provided a new loan program to assist colleges and universities in constructing or rehabilitating classrooms, laboratories, and related facilities, including equipment and utilities. As originally passed by the Senate, the new loan fund would have been $125 million. In an effort to meet administration opposition, the fund was reduced to $62.5 million by the conference committee. In view of opposition in the veto message, and in spite of testimony that the "$62.5 million finally approved by the Congress is clearly an absolute minimum," S. 2539 reduces the fund to $50 million. Also in view of opposition in the veto message, S. 2539 provides that this program shall be financed by appropriations rather than by borrowing from the Treasury.

As I stated earlier, I believe that in spite of these changes S. 2539 is still a good bill. Among other things, this bill continues the operations of the Federal Housing Administration; it contains provisions which should be helpful in providing decent housing for elderly persons; it provides authority for additional units of low-rent public housing; it contains additional funds for urban renewal loans and grants, urban planning, college housing loans, and college educational buildings. In addition, it makes desirable substantive and perfecting amendments in the laws covering the great majority of all Federal housing programs. It is a well-balanced bill, and it deserves the support of all Members of the Senate.

I understand that several amendments will be offered to S. 2539. While I cannot say categorically that I will stand behind S. 2539 against all amendments, I believe that this bill represents a reasonable compromise of differences that have been expressed over the last two years and, in general, my tendency will be to oppose changes in the bill.

Mr. President, I ask unanimous consent that at this point in my remarks

there be inserted a section-by-section summary of S. 2539, and a table comparing the obligational authority and budgetary impact of several housing bills, including S. 2539.

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

SECTION-BY-SECTION SUMMARY

TITLE I—FHA INSURANCE PROGRAMS

Property improvement loans

Section 101: Amends section 2(a) of the National Housing Act to extend for 1 year (until October 1, 1960) FHA's home improvement and modernization insurance program.

Section 203 sales housing mortgage insurance

Section 102: (a) (1) Amends section 203(b) of the National Housing Act to increase the maximum amount of an insured mortgage covering a 1-family residence from $20,000 to $22,500, and to $25,000 in case of a 2-family residence.

(2) Amends section 203(b) to provide a new downpayment schedule for FHA section 203 sales housing as follows:

Valuation:	Downpayment (percent)
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

(3) Amends section 203(b) to permit FHA to accept VA construction inspections in connection with its mortgage insurance program on sales housing.

(b) Amends section 203(b) to make a nonoccupant mortgagor (builder or realtor) eligible for mortgage insurance in the same amount as that available to an owner-occupant under that section, in order to facilitate trade-in financing and avoid duplicate closing costs, if he places 15 percent of the mortgage amount in escrow to be applied to reduce the mortgage should no purchaser be found within 18 months. Under existing law, the mortgage of a nonoccupant is limited to 85 percent of the mortgage which an owner-occupant could obtain.

Low-cost housing in outlying areas

Section 103: Amends section 203(i) of the National Housing Act (relating to low-cost housing in outlying areas) to increase the maximum mortgage which may be insured under that section from $8,000 to $9,000, and to make eligible mortgages on existing housing as well as mortgages on new construction, with a reduced loan-to-value ratio (90 percent instead of 97 percent) for existing housing less than 1 year old which was not subject to FHA or VA inspection during construction. Removes $100 million insurance authorization limitation for "farm" homes insured under section 203(i).

Section 207 rental housing insurance

Section 104: (a) Amends section 207 of the National Housing Act (the regular rental housing program) to increase from $12.5 million to $20 million the maximum amount of a mortgage which may be insured under that section.

(b) Increases dollar limits (per room and per unit) on FHA section 207 program as follows:

	Present law		New	
	Per room	Per unit if under 4 rooms	Per room	Per unit if under 4 rooms
Garden type	$2,250	$8,100	$2,500	$9,000
Elevator type	2,700	8,400	3,000	9,400
Increase for high-cost areas	1,000	--------	1,250	--------

Also amends section 207 to increase the mortgage limits for trailer courts or parks from $1,000 to $1,500 per space, and from $300,000 to $500,000 per mortgage.

(c) Amends section 207 to increase the maximum interest rate for mortgages insured under that section from 4½ percent to 5¼ percent.

(d) Adds a new subsection (r) to section 207 authorizing the Commissioner to require mortgagors on housing hereafter insured under that section or any other provision of the National Housing Act to agree to pay a service charge (in lieu of insurance premiums) if the mortgages are later assigned to FHA.

(e) Amends section 207 to delete all provisions relating to housing for elderly persons, since the bill (in title II) establishes a new FHA program of mortgage insurance for elderly persons' housing.

Cooperative housing insurance

Section 105: (a) Amends section 213 to increase from $12.5 million to $20 million the maximum amount of a mortgage on cooperative housing which may be insured under that section.

(b) Amends section 213 to increase mortgage limits per room and per unit as follows:

	Present law		New	
	Per room	Per unit	Per room	Per unit
Garden type:				
Nonveteran	$2,250	$8,100	$2,500	$9,000
Veteran	2,375	8,550	2,500	9,000
Elevator type:				
Nonveteran	2,700	8,400	3,000	9,400
Veteran	2,850	8,900	3,000	9,400
High-cost-area increase	1,000	--------	1,250	--------

Also amends section 213 to increase the maximum loan ratio from 85 to 90 percent of replacement cost for investor-sponsored cooperatives and from 90 (95 percent if 50 percent of cooperators are veterans) to 97 percent of replacement cost for other cooperatives.

(c) Amends section 213 to permit community facilities to be included in sales-type housing mortgages and to permit both community and commercial facilities (permitted by existing law only for management-type cooperatives) to be included in mortgages for investor-sponsored-type cooperatives.

(d) Amends section 213 to increase the maximum interest rate of sales-type cooperatives from 5 to 5¾ percent and for other cooperatives from 4½ to 5¼ percent.

(e) Amends section 213 to extend the cooperative housing program to existing structures acquired by management-type cooperatives.

Mortgage ceilings for Alaska, Guam, and Hawaii

Section 106: Amends section 214 of the National Housing Act to provide that the 50 percent higher mortgage amount which the FHA Commissioner, at his discretion, may allow in Alaska, Guam, and Hawaii, may be applied to high-cost-area mortgage amounts in the programs where such high-cost-area provisions pertain.

General mortgage insurance authorization

Section 107: Amends section 217 of the National Housing Act to increase FHA's general mortgage insurance authorization by $10 billion upon enactment. Provides that no commitments may be issued under this authorization after October 1, 1960. Also amends section 217 to prohibit obligation of the insurance fund by any means other than contracts of insurance or bona fide commitments to insure.

Repeal of obsolete provision

Section 108: Repeals section 218 of the National Housing Act, an obsolete provision, which permitted the transfer of application fees from the FHA section 608 program to the section 207, regular rental housing program.

Housing in urban renewal areas

Section 109: (a) (1) Amends section 220 of the National Housing Act (urban renewal housing) to increase the maximum mortgage amount which may be insured by FHA on sales housing, as follows: From $20,000 to $22,500 on one-family homes, from $20,000 to $25,000 on two-family homes, and from $27,500 to $30,000 on three-family homes.

(2) Amends section 220 to provide a new downpayment schedule on FHA section 220 sales housing as follows:

Valuation:	Downpayment (percent)
Up to $13,500	3
$13,500 to $18,000	10
Over $18,000	30

(3) Amends section 220 relating to the sales housing provisions to permit a nonoccupant mortgagor to obtain a mortgage in the same amount as that available to an owner-occupant by placing 15 percent of the mortgage amount in escrow to be applied to the reduction of the mortgage if no purchaser is found within 18 months, the same as was done in the section 203(b) sales housing program by section 102(b) of the bill.

(b) Amends the rental housing provisions of section 220 to increase from $12,500,000 to $20 million the maximum amount of a mortgage which may be insured thereunder.

(c) Amends section 220 to increase mortgage limits (per room and per unit) in multifamily projects as follows:

	Existing law		New	
	Per room	Per unit	Per room	Per unit
Garden type	$2,250	$8,100	$2,500	$9,000
Elevator type	2,700	8,400	3,000	9,400
High-cost-area increase	1,000	--------	1,250	--------

(d) Amends section 220 to permit exterior land improvements (as defined by FHA Commissioner) to be included in the mortgage without being computed as a part of the per room or per unit cost limitation.

(e) Amends section 220 to permit the inclusion of such nondwelling facilities as the FHA Commissioner deems adequate to serve the needs of the occupants of the project and of other housing in the neighborhood.

Relocation housing

Section 110: (a) Amends section 221 of the National Housing Act (relocation housing) to extend the benefits of the program to any family displaced within the environs of a community that has a workable program; also authorizes the construction of relocation housing in the environs of such community provided the civil jurisdiction in the environs requests such mortgage insurance.

(b) Amends section 221(d) to increase the maximum mortgage amount for a single-family residence from $10,000 to $12,000 in high-cost areas. Makes eligible for mortgage insurance 2-, 3-, and 4-family dwellings which meet FHA minimum property standards and appropriate State and local housing ordinances or regulations.

(c) (1) Amends section 221(d) to increase the dollar amount limitations per family unit in multifamily projects from $10,000 to $12,000 in high-cost areas.

(2) Amends the existing rental housing program for nonprofit organizations in section 221(d) to provide that the maximum loan ratio (which is 100 percent under existing law and would not be changed by the bill) shall be based on replacement cost in the case of new construction and on value

in the case of rehabilitation projects, instead of on value in both cases as provided by existing law.

(3) Amends section 221(d) to establish a new rental housing program for profit organizations similar to the section 220 rental housing program. The maximum loan ratio for mortgages under the new program would be 90 percent of replacement cost in the case of new construction and 90 percent of value in the case of rehabilitation projects; and the Federal Housing Commissioner would be authorized to require the mortgagor to be regulated or restricted as to rents or sales charges, capital structure, rate of return, and methods of operation. The maximum mortgage amount and dollar amount limitation per family unit would be the same as for nonprofit organizations.

(4) Permits inclusion of commercial and community facilities as necessary to serve occupants.

(d) Conforming amendment.

(e) Amends section 212(a) of the National Housing Act to make the labor standards provisions of that section applicable to rental housing projects constructed by profit organizations with mortgage insurance under section 221.

Servicemen's housing mortgage insurance

Section 111: Amends section 222(b) of the National Housing Act (mortgage insurance for servicemen) to (1) permit the benefits of section 222 in the purchase of property constructed under the provisions of section 203(i), and (2) increase the maximum insurable mortgage from $17,100 to $20,000, and in the case of insurance under section 203(i) establish a maximum of $9,000.

Cost certification

Section 112: Amends section 227 of the National Housing Act to revise the cost-certification requirements affecting FHA section 221, and new sections 231 and 810, in accordance with amendments made by other sections of this bill.

Voluntary termination of insurance

Section 113: Amends title II of the National Housing Act by adding a new section 229 to authorize the FHA Commissioner to terminate any mortgage insurance contract covering a one- to four-family home upon request of the mortgagor and mortgagee without the technical necessity of paying off the mortgage.

Avoidance of foreclosure

Section 114: Amends title II of the National Housing Act by adding a new section 230 to authorize the FHA Commissioner to extend the time for curing a mortgage default covering a one- to four-family residence and, in order to avoid foreclosure, to acquire the mortgage.

Mortgage insurance for nursing homes

Section 115: This section adds to title II of the National Housing Act a new section 232 establishing a program of FHA mortgage insurance for nursing homes.

(a) Declares that it is the purpose of the new section to assist in the provision of urgently needed nursing homes.

(b) Contains definitions of terms used in the section. The term "nursing home" would mean a proprietary facility (i.e., a facility privately owned and operated for profit) which is licensed or regulated by the State (or a political subdivision thereof where there is no State licensing law) for the accommodation of convalescents and other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services; such care or services would be prescribed by, or performed under the general direction of, persons licensed by State law to provide it.

(c) Authorizes the Federal Housing Commissioner to insure mortgages on new or rehabilitated nursing homes and to make commitments for such insurance prior to the execution of such mortgages or disbursement thereon.

(d) Sets forth the conditions on which the Commissioner may insure mortgages covering nursing homes under the new program. Any such mortgage would have to be executed by a mortgagor approved by the Commissioner; and the Commissioner could require the mortgagor to be regulated or restricted as to charges and methods of operation and, if the mortgagor is a corporation, as to capital structure and rate of return. Any such mortgage would be limited in amount to $12.5 million, and to 75 percent of the estimated value of the property. The maximum interest rate would be 6 percent of the outstanding principal balance (exclusive of premium charges for insurance), and the maturity would be determined by the Commissioner.

Also provides that no mortgage may be insured under the new program unless the Commissioner has received a certification of the need for the nursing home from the State agency which has been designated under title VI of the Public Health Service Act to survey the need in the State for the construction of hospitals and for the furnishing of hospital, clinic, and similar services, and certification that there are reasonable standards of licensure and methods of operation of such homes.

(e) Authorizes the Commissioner to permit the release of a part or parts of the mortgaged property from the lien of any mortgage insured under the program.

(f) Makes the provisions of section 207 of the National Housing Act, which relate to premiums and payment of insurance, applicable to mortgages covering nursing homes under new section 232.

Also makes the prevailing wage requirements of the Davis-Bacon Act applicable to the construction of nursing homes financed with insurance under new section 232.

Inclusion of certain fees and charges

Section 116: Requires FHA Commissioner to include in his estimate of replacement cost or value (in mortgages eligible for purchase by FNMA under its special assistance functions) an amount equal to the fees, charges, and discounts, if any, imposed by the mortgage for its commitment to make and its making of the FHA-insured mortgage.

Technical amendments

Section 117: Makes various amendments in the National Housing Act to add necessary cross references between section 204 of that act (relating to payment of insurance) and five of the insurance programs (the title I property improvement program, the section 220 sales housing program, the section 221 relocation housing program, the section 222 servicemen's housing program, and the section 809 program for civilian housing at defense installations) to which the section 204 procedures apply.

Inclusion of conveyance costs in debentures

Section 118: Amends section 204(k) of the National Housing Act to permit the Federal Housing Commissioner to include certain costs of conveying property to FHA in the debentures issued to mortgagees under any of the title II sales housing programs and under the title VI and title IX programs.

Investment insurance

Section 119: Removes mortgage insurance authority ceiling under title VII of the National Housing Act.

Legal notifications sent by mail

Section 120: Amends section 512 of the National Housing Act to provide that certain legal notifications sent by the FHA Commissioner be considered legal notice if properly mailed to the last known address.

TITLE II—HOUSING FOR THE ELDERLY

Under this title are two programs: (1) an FHA mortgage insurance program and (2) a direct loan program to assist in providing rental housing for elderly families and individuals.

FHA insurance program

Section 201: Adds a new section 231 to National Housing Act to provide a new mortgage insurance program for the elderly. The program would be for both nonprofit and profit-making sponsors and for new and rehabilitated structures. Maximum insurable mortgage would be $12.5 million, or $50 million for sponsors which are public or quasi-public instrumentalities.

Dollar limits would be as follows:

	Per unit
Garden type	$9,000
Elevator type	9,400

High-cost-area increase of $1,250 per room.

Loan ratios would be:

(a) New construction, 100 percent of replacement cost for non-profit mortgagors; 90 percent of replacement cost for profit-making mortgagors.

(b) Existing construction, 100 percent of value for nonprofit mortgagors and 90 percent of value for profitmaking mortgagors.

Interest rate on new program would not exceed 5½ percent. Maturity to be prescribed by FHA Commissioner. Not less than 50 percent of dwelling units must be designed for elderly (defined as any person, married or single, who is 62 years of age or more).

Applies Davis-Bacon Act except where laborers and mechanics donate their services to nonprofit corporation.

Loan program

Under this section, the Housing and Home Finance Administrator would be authorized to make loans to private nonprofit corporations to construct, rehabilitate, or convert structures providing rental housing and related facilities for elderly families and elderly persons (including land acquisition and site improvement).

Terms and conditions of loans

Section 202(a)(1) states that it is the purpose of the title to assist private nonprofit corporations to provide housing and related facilities for elderly families and elderly persons.

(2) Authorize the Administrator to make loans to carry out such purpose, but provides that no such loan may be made unless the corporation shows that it cannot secure the necessary funds from other sources upon terms and conditions equally as favorable as those applicable to loans from the Administrator.

(3) Limits any such loan to 98 percent of the total development cost of the construction as determined by the Administrator, with a maximum maturity of 50 years. Such a loan would bear interest at a rate not more than the higher of (*a*) 2¾ percent or (*b*) the total of ¼ percent added to the average annual interest rate on all interest-bearing obligations of the United States.

(4) Authorizes the appropriation of $50 million as a revolving fund from which the Administrator would make loans under this title, limiting to $5 million the amount which may be outstanding from the revolving fund at any one time for related facilities (defined as indicated below).

(b) Confers upon the Administrator the same functions, powers, and duties as are vested in him for purposes of the college housing program under the Housing Act of 1950. Pursuant to the authority granted to the Administrator under this section, he would have power to make necessary rules and regulations, sue and be sued, deal in various ways with any property acquired or held by him, obtain insurance against

loss, modify the terms and conditions of loan contracts (which may contain such covenants, conditions, and provisions as he deems necessary), and contract without advertising in certain cases, and his operations under the program would be generally subject to the Government Corporation Control Act.

(c) (1) and (2) Prohibit the use of housing constructed under the new program for transient or hotel purposes while the loans made under this title for such construction are still outstanding. The Administrator would define the term "transient or hotel purposes," but rental for any period less than 30 days would, in any event, constitute use for such purposes.

(3) Requires that all persons employed in the construction of housing under the new program be paid at not less than the prevailing wage rate in the locality, as determined in accordance with the Davis-Bacon Act, except in the case of persons who voluntarily donate their services without full compensation in order to lower construction costs.

(d) Defines terms used in the title. The term "elderly families" would mean families the head of which (or his spouse) is 62 years of age or over, and the term "elderly persons" would mean persons who are 62 years of age or over. The term "corporation" would be limited to private, nonprofit corporations which are approved by the Administrator as to financial responsibility. The term "related facilities" would include cafeterias or dining halls, community rooms or buildings, infirmaries and health facilities, and other essential service facilities.

Title III—Federal National Mortgage Association

Increase in mortgage ceilings

Section 301: Amends section 302(b) of the National Housing Act to increase the maximum mortgage which FNMA may purchase from $15,000 to $20,000 in the case of mortgages purchased under the secondary market operation and from $15,000 to $17,500 in the case of mortgages purchased under the special assistance functions. Under the bill these limits would not be applicable to mortgages insured under the FHA section 220 program. Under existing law these limits do not apply to mortgages insured under section 803 of the National Housing Act or to mortgages covering housing located in Alaska, Guam, or Hawaii.

Financing of existing construction

Section 302: Amends section 304(a) of the National Housing Act to permit FNMA to make advance commitments to purchase mortgages in its secondary market operations on existing construction. This is now permitted only for new housing.

Renewal of special assistance commitments

Section 303(a): Permits FNMA to have discretion under its special assistance functions to determine not only purchase price, but also fees and charges to be paid in connection with its purchase of a mortgage.

(b) Amends section 305(b) of the National Housing Act to require that FNMA renew any special assistance commitments issued prior to August 27, 1958, if hardship would otherwise occur and if failure to deliver the mortgage prior to extension was beyond control of the mortgage seller. Terms of renewed commitment cannot be less favorable than the terms of the original commitment.

Cooperative housing mortgages

Section 304: Amends section 305(e) of the National Housing Act to increase the special support fund for FHA section 213 cooperative housing mortgages by a total of $25 million. Of this increase, $12.5 million would be earmarked for mortgages on consumer cooperatives and the other $12.5 million for mortgages on builder-sponsor cooperatives.

Investments by FNMA

Section 305: Amends section 304(b), 306 (b), and 310 of the National Housing Act to authorize FNMA to invest its excess funds in obligations which are lawful investments for fiduciary, trust, or public funds, as well as in obligations issued or guaranteed by the United States.

FNMA purchase of mortgages held by HHFA

Section 306: Amends section 306 of the National Housing Act to authorize FNMA to purchase (pursuant to commitments or otherwise), service, and sell any mortgages offered to it by the Housing and Home Finance Agency or a constituent unit or agency thereof.

TITLE IV—URBAN RENEWAL

Statewide planning

Section 401: Amends section 101(b) of the Housing Act of 1949 to direct the Housing and Home Finance Administrator to give particular encouragement to the utilization of local public agencies which are established by States to operate on a statewide basis in behalf of smaller communities undertaking or proposing to undertake urban renewal programs, subject to local governmental approval, whenever the utilization of such agencies would promote the slum clearance and urban renewal program.

Clarifying amendment

Section 402: Amends section 102 of the Housing Act of 1949 to make it clear that loan contracts under that section may cover the total cost including interest payments of financing definitive loans to local public agencies.

Early land acquisition and clearance

Section 403: Amends section 102(a) of the Housing Act of 1949 to authorize the HHFA Administrator to permit land acquisition and slum clearance prior to the signing of a loan and grant contract, provided (1) local law permits such early acquisition and clearance, (2) land acquired under this procedure shall not be disposed of until the urban renewal plan is approved by the local community, or the community has consented to the disposal, and (3) that the loan made to finance acquisition and clearance is secured in a manner satisfactory to the Administrator.

Urban renewal loan authorization

Section 404: Amends section 102(e) of the Housing Act of 1949 to permit the Administrator to make borrowings from the Treasury in excess of $1 billion at discretion of the President.

Grant authorization

Section 405: Amends section 103 of the Housing Act of 1949—

(1) To provide an additional grant authorization of $550 million on enactment, provided that such authorization may be increased at Presidential discretion by $100 million upon determination that such action is necessary to meet the requirements of communities having populations which are not in excess of 100,000 according to most recent available census figures.

(2) To authorize the use of urban renewal grant funds to repay Treasury loans made to finance urban planning advances which are now uncollectible because of cancellation of the project.

(3) To provide that where urban renewal assistance may be granted to a locality or local public agency within the applicable dollar amount and percentage limitations prescribed by title I of the 1949 act, the amount of such assistance shall not otherwise be restricted, except on the basis of (1) urgency of need and (2) feasibility, as determined by the Administrator.

(4) To authorize the Administrator to make grants for plans for community renewal programs. Such a grant could not exceed two-thirds of the cost of the planning.

Public improvements by Federal agencies

Section 406: Amends section 105(b) of the Housing Act of 1949 to facilitate public improvements involving the Federal Government and the District of Columbia in connection with urban renewal projects.

Public disclosure by redevelopers

Section 407: Amends section 105 of the Housing Act of 1949 to provide that before any commitments can be made for disposition of land to an urban renewal developer, he shall make certain disclosures:

(1) A prospectus setting forth—

Names of officers and principal members, investors, shareholders, and other interested parties;

Proposed financing and estimate of total cost of any residential development;

Schedule of rentals or sales prices to be charged and estimated profit on any proposed housing.

(2) Such prospectus shall be available for general public use.

State loan ceiling

Section 408: Amends section 106(e) of the Housing Act of 1949 to eliminate the provision in existing law that not more than 12½ percent of the total loan authorization may be obligated in any one State; but does not alter the 12½-percent State limitation on grant authorization.

Relocation payments

Section 409: Amends section 106(f) of the Housing Act of 1949 to authorize relocation payments when the displacement is a result of any governmental activity in an urban renewal area, and of programs of voluntary repair and rehabilitation; increases from $100 to $200 the maximum amount of relocation payments to individuals and families; and increases from $2,500 to $3,000 the maximum amount of relocation payments to business establishments.

Hotels and other transient housing

Section 410: Amends section 106 of the Housing Act of 1949 to prohibit hotels and other transient housing from being constructed in urban renewal areas unless the community obtains a competent independent analysis of local supply of such housing and determines that there is a need for such housing.

Low-rent housing in urban renewal areas

Section 411(a): Amends section 107 of the Housing Act of 1949 to facilitate the development of federally, State, or locally assisted low-rent housing in urban renewal areas by providing that where land to be acquired as part of an urban renewal project is to be used in whole or in part for low-rent public housing, it shall be made available to the public housing agency at a price equal to the amount which would be charged to private enterprise for rental housing with similar physical characteristics and the amount of such price shall be included as part of the development cost of the low-rent housing project. The local contribution in the form of tax exemption or tax remission required under the public housing law with respect to any such project shall be accepted as a local grant-in-aid under the urban renewal program.

Planning requirements

Section 412: Amends section 110(b) of the Housing Act of 1949 to authorize the HHFA Administrator to expedite urban renewal projects by permitting him to omit or to simplify present detailed requirements for the urban renewal plan.

Nonresidential development

Section 413: Amends section 110(c) of the Housing Act of 1949 to permit up to 20 percent of the future capital grant authorization to be used for areas which are not predominantly residential, and which are not to be redeveloped for predominantly residential uses, even if such areas do not include a substantial number of slum dwellings as presently required.

Noncash grants-in-aid

Section 414(a): Amends section 110(d) of the Housing Act of 1949 to provide that improvements and facilities that are otherwise eligible may be credited as local grants-in-aid to urban renewal projects provided their commencement does not precede the signing of the loan and grant contract for the project by more than 3 years.

(b) Waives the requirement in section 110(d) of the Housing Act of 1949 for communities whose projects could not obtain Federal recognition during the period from July 1, 1957, through December 31, 1957, because of limitations on the HHFA Administrator to make capital grants or to reserve funds. Under existing law, such Federal recognition is required to enable the local community to include local activities and facilities as noncash grants-in-aid.

Credit for interest payments

Section 415: Amends section 110(e) of the Housing Act of 1949 to authorize the HHFA to include interest on advances by a city (local public funds) as an item of gross project cost for an urban renewal project.

Uniform date

Section 416: Amends section 110(g) of the Housing Act of 1949 to make uniform the date for determining the application of the "going Federal rate" of interest under urban renewal contracts.

Technical

Section 417: Makes conforming amendments.

Urban renewal areas involving colleges

Section 418: Adds a new section 112 to the Housing Act of 1949 to—

(1) remove "predominantly residential" requirement in areas involving an educational institution;

(2) permit credit toward the locality's one-third share of expenditures made by the educational institution in purchasing property and in clearing the property;

(3) permit the expenditure to be counted toward a community's local share provided the expenditure is made no more than 5 years prior to the signing of the loan and grant contract for the urban renewal project.

Urban planning

Section 419: Rewrites existing law to provide that grants-in-aid for planning assistance may be made to—

(1) State planning agencies, or in the absence of any such agency, to an agency or instrumentality of a State government designated by the Governor and approved by the Administrator;

State planning agencies for statewide and interstate comprehensive planning;

Official State, metropolitan, and regional planning agencies empowered under State and local laws or interstate compact to perform metropolitan or regional planning; and

Official governmental planning agencies for areas where rapid urbanization has resulted or is expected to result from establishment or increased activity of Federal installation.

(2) Extend urban planning to include—

Municipalities of less than 50,000 population;

Counties of less than 50,000 population;

Groups of adjacent communities with common planning problem having population of less than 50,000; and

Cities, other municipalities, and counties suffering as a result of catastrophe which the President declares a major disaster.

(3) Authorizes an additional appropriation of $10 million for the program.

(4) Authorizes the Administrator to encourage, in areas embracing several municipalities or political subdivisions, planning on unified metropolitan basis and to provide technical assistance for planning and for solution of problems.

Investment by banks in long-term obligations of local public agencies

Section 420: Amends paragraph 7 of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), to permit National and State member banks of the Federal Reserve System to purchase or underwrite long-term obligations of local public agencies if such obligations are secured by an agreement with the Urban Renewal Administration.

TITLE V—LOW-RENT PUBLIC HOUSING

Declaration of policy

Section 501: Amends section 1 of the U.S. Housing Act of 1937 to add the following policy objectives: To make adequate provision for larger families and for families consisting of elderly persons and to vest in local housing authorities responsibility for the establishment of rents and eligibility requirements (subject to the approval of the Public Housing Administration).

Central administrative office facilities

Section 502: Amends section 2(5) of the act of 1937 to permit a local public housing agency to furnish administrative facilities to the local urban renewal agency, at economic rent, in localities where the public housing agency and the local public agency operate as separate legal entities but with a common administrative staff.

Rents and income limits

Section 503: (a) Amends section 2(1) of the U.S. Housing Act of 1937 to remove the existing requirement that rents be at least 20 percent of family income less certain deductions, providing instead that rents and income limits shall be fixed by the local public agency, subject to PHA approval, taking into consideration the rent-paying ability of the family and the financial stability and solvency of the project.

(b) Amends section (15)(7)(b) of the act of 1937 to reduce the gap between rental in the private market and rents for low-rent housing for families displaced by public action from 20 percent to 5 percent.

Minimum age for admission of single persons and elderly families to low-rent projects

Section 504: Amends section 2(2) of the U.S. Housing Act of 1937 to make the age requirements for admission to and occupancy of low-rent housing for elderly single persons and families conform to the age requirements generally applicable for benefits under title II of the Social Security Act (65 for men, 62 for women, and 50 for disabled persons).

Authorization

Section 505: (a) Amends section 10(i) of the act of 1937 to authorize the reuse of previous allocations for low-rent housing which are under annual contribution contract but will not be built; and also new contract authority for additional dwelling units; except that the total additional contract authority shall in no case exceed 37,000 units.

Extension of waiver in case of veterans and servicemen

Section 506: Amends section 15(8)(b) of the act of 1937 by extending from March 1, 1959, to October 1, 1961, the time that veterans or servicemen, or families thereof, may have a priority for admission to low-rent housing projects.

Payment for services

Section 507: Amends section 15 of the U.S. Housing Act of 1937 to authorize local public housing agencies utilizing public services and facilities of a municipality or other governmental agency for which separate charges are made to pay such charges (in the same amounts as would be charged private persons similarly situated) without the necessity of any amendment to the annual contributions contract.

TITLE VI—COLLEGE HOUSING

Housing loans

Section 601: Amends section 401(d) of the Housing Act of 1950 to increase the revolving fund for college housing loans by $250 million (the present ceiling is $925 million). Of the $250 million increase, $25 million is reserved for "other educational facilities," increasing the reservation for this purpose from $100 to $125 million, and $25 million is reserved for student nurse and intern housing facilities, increasing the reservation for this purpose from $25 to $50 million.

Classroom loans

Section 602: Amends title IV of the Housing Act of 1950 by adding new section 405 which authorizes the Administrator to make loans to educational institutions for the construction of new, or rehabilitation of existing classrooms, laboratories, and related facilities, including equipment and utilities. Authorizes appropriation of $50 million to finance the new loan program. This section also provides for the prevailing wage scale under the Davis-Bacon Act to be applicable to all construction financed with college housing loans except for services voluntarily donated.

Cooperative college housing

Section 603: (a) Amends section 404(b) of the Housing Act of 1950 to provide that nonprofit student housing cooperative corporations established for the sole purpose of providing housing for students (or students and faculty) shall be eligible to receive college housing loans.

(b) Amends section 401 of such act to require that the note securing any such loan to a student housing cooperative corporation be cosigned by the educational institution where the cooperative is located. Under this amendment, title to the housing constructed with any such loan would vest in the educational institution in the event of the dissolution of the cooperative.

TITLE VII—ARMED SERVICES HOUSING

Extension of program; increase in maturity; reduction in certain insurance premiums; labor standards

Section 701: (a) Amends section 803(a) of the National Housing Act to extend the armed services housing mortgage insurance program until October 1, 1961.

(b) Amends section 803(b)(3) to increase from 25 to 30 years the maximum maturity of mortgages insured under this program.

(c) Amends section 803(b)(3) to permit the inclusion of nondwelling facilities to serve the occupants.

(d) Amends section 803(c) to permit the insurance premium on a Wherry Act project acquired by the Defense Department to be reduced below the present minimum of one-half of 1 percent.

Further amends section 803 by adding a new subsection (k) which requires, as a condition of mortgage insurance under the present program, that the principal contractor or contractors engaged in the construction of the project involved certify that the laborers and mechanics employed on the project are being paid time and one-half for overtime employment.

Military housing (Wherry Act) and regular rental housing at military bases

Section 702: Amends section 404(a) of the Housing Amendments of 1955 to authorize the Secretary of Defense to acquire section 207 rental housing completed before July 1, 1952, which is situated adjacent to a military installation and was certified as necessary military housing, in the same way that he is authorized under present law to acquire Wherry housing.

(b) Amends section 404(b) of the Housing Amendments of 1955 to provide that the Secretary of Defense must acquire all of FHA section 207 rental housing of the type described above which is located at a military installation where FHA section 803 housing is being constructed. This same requirement already applies under existing law to Wherry housing. This section also requires mandatory acquisition both for Wherry housing and FHA section 207 rental housing, where such housing is located at or near a military installation which the Secretary of Defense determines to be a permanent part of the Military Establishment.

(c) Amends section 407(f) of the Military Construction Act of August 30, 1957, to provide that FHA section 207 rental housing shall not be declared substandard because the units in such housing do not meet the minimum floor-area requirements prescribed for other military housing. Under existing law this provision is already applicable to Wherry housing units acquired by the Secretary of Defense.

Deposits in Wherry project condemnation cases

Section 703: Amends section 404(c) of the Housing Amendments of 1955 to provide that in the case of condemnation proceedings on Wherry projects the amount to be deposited with the courts for the estimated compensation to the owner shall not be less than an amount equal to the total interest of the mortagagor as reported by the Secretary of Defense to the Armed Services Committees of the House of Representatives or the Senate.

Defense housing for impacted areas

Section 704: (a) Amends title VIII of the National Housing Act by adding a new section 810 to authorize the FHA Commissioner to insure mortgages on single-family and multifamily projects (not to exceed 5,000 units), the need for which is certified by the Secretary of Defense. Insurance would be on an "acceptable risk" rather than an "economic soundness" basis. The projects would be held for rental for a period of not less than 5 years unless released by the military for sale. Priority in rental or sale is given to military personnel and essential civilian personnel of the armed services as evidenced by certification issued by the Secretary of Defense.

(b) Amends section 808 of the National Housing Act to make applicable the provisions of section 227 of the National Housing Act (cost certification).

(c) Amends section 212(a) of the National Housing Act to make applicable the prevailing wage requirements of the Davis-Bacon Act.

TITLE VIII—MISCELLANEOUS

Surveys of public works planning

Section 801: Amends section 702 of the Housing Act of 1954 to authorize the Administrator to use during any fiscal year up to $50,000 from the section 702 revolving fund to conduct surveys of the status and current volume of State and local public works planning and surveys of estimated State and local public works requirements.

Disposal of Passyunk and Newport war housing projects

Section 802: (a) Extends by 2 years the period during which military personnel (and civilians employed in defense activities) may continue to occupy the Passyunk war housing projects, which are presently owned by the Housing Authority of Philadelphia pursuant to section 406 of the Housing Act of 1956, with occupancy preference and without regard to their income.

(b) Amends section 406 of the Housing Act of 1956 to provide a similar 2-year extension in the case of the housing project which was conveyed to the Housing Authority of Newport, R.I., under that section.

Farm housing research

Section 803: Amends section 603(c) of the Housing Act of 1957 to extend the farm housing research program for 2 additional years (until June 30, 1961), and to authorize appropriations of $100,000 during such additional period.

Hospital construction

Section 804: Amends section 605 of the Housing Act of 1956 so as to extend for 2 additional years (through June 30, 1961), the authority granted by that section for loans and grants to public and nonprofit agencies for hospital construction under the Defense Housing and Community Facilities and Services Act of 1951, where applications for such assistance were filed before June 30, 1953, and denied solely because of lack of funds. An appropriation of $7,500,000 would be authorized for each of the 2 additional years.

Purchase of participating interests by savings and loan associations

Section 805: (a) Amends section 5(c) of the Home Owners' Loan Act of 1933 to permit savings and loan associations to purchase (without regard to the existing area restriction) participating interests in first mortgages on one- to four-family homes, subject to two limitations: (1) No more than 20 percent of an association's assets may be used to purchase such interests; and (2) the aggregate of such participations plus all outstanding loans which the association has made under the existing exception from the $35,000 and 50-mile limitations may not at any time exceed 30 percent of its assets.

(b) Further amends section 5(c) of such act to provide that participating interests in FHA or GI mortgages shall not be taken into account in determining the amount of loans which a savings and loan association may make within any of the percentage limitations contained in that section (the existing 20-percent limit on loans made without regard to the $35,000 and 50-mile restrictions, the new 20-perecnt limit on the purchase of participations, and the 30-percent combined limit).

(c) Amends section 5(c) of the Home Owners' Loan Act of 1933, as amended, to permit an insured savings and loan association to invest an amount not exceeding, at any one time, 5 percent of its withdrawable accounts in loans to finance the acquisition and development of land for primarily residential usage.

Voluntary Home Mortgage Credit Program

Section 806: Amends section 610 of the Housing Act of 1954 to extend the Voluntary Home Mortgage Credit Program until October 1, 1961.

Defense housing projects

Section 807: Amends section 606 of the act entitled "An act to expedite the provisions of housing in connection with national defense and for other purposes," approved October 14, 1950, to permit the commingling of Lanham Act and low-rent project funds and the use of all residual receipts for reduction of any Federal annual contributions contract under the consolidated contract.

Disposal of project

Section 808: Authorizes the PHA Commissioner, if he deems in the public interest, to modify the terms and the conditions of the contract of the Southmore Mutual Housing Corp. of South Bend, Ind., with respect to the sale to that corporation of a Lanham Act war housing project.

Real estate loans by national banks

Section 809: Adds to section 203 of the National Housing Act a new subsection (j) providing that mortgage loans insured under that section shall not be taken into account in applying the existing limitations (contained in sec. 24 of the Federal Reserve Act) on the total amount of real estate loans which a national bank may make in relation to its capital and surplus or its time and savings deposits.

COMPARISONS OF OBLIGATIONAL AUTHORITY AND BUDGETARY IMPACT IN FISCAL YEAR 1960

Proposed housing legislation—Comparative summary of (1) new obligational authority and (2) estimated expenditures for fiscal year 1960

[In millions]

	New obligational authority			Estimated expenditures, fiscal year 1960		
	Administration (S. 65 and S. 612)	S. 57	S. 2539	Administration (S. 65 and S. 612)	S. 57	S. 2539
Grants:						
Urban renewal	[1] $1,550.0	[2] $900.0	[3] $650.0			
Urban planning (sec. 701) [4]	10.0	10.0	10.0	$1.0	$1.1	$1.1
Scholarship [4]		.3			.1	
Defense hospital [4]		15.0	15.0		2.5	2.5
Farm housing research [4]		.1	.1			
Loans:						
Elderly housing direct loans [4]		50.0	50.0		2.5	2.5
Urban renewal advances				3.6	8.0	8.0
Public housing advances					5.0	5.0
College housing loans	200.0	300.0	250.0			
College classroom loans		62.5	[4] 50.0		2.5	2.5
Mortgage purchases: FNMA special assistance for cooperative housing		37.5	25.0		6.3	6.3
Total	1,760.0	1,375.4	1,050.1	4.6	28.0	[5] 27.9

[1] Authorizations for a 6-year period.
[2] Authorizations for a 2-year period.
[3] Includes $100,000,000 for small cities, to be used at discretion of President.
[4] New obligational authority when appropriated.
[5] Does not include an estimate of possible cost attributable to provisions regarding (1) extension of FNMA commitments and (2) acquisition of military housing projects.

Table prepared by staff of Senate Housing Subcommittee, Aug. 5, 1959.

Mr. SPARKMAN. Mr. President, I should like to say that the Senator from Indiana [Mr. CAPEHART] and I have substantially agreed on several amendments which I believe will be needed. I certainly hope that there will not be a flood of amendments which would substantially change the bill, because it is well balanced. It is a bill which I believe the House will accept, and which I hope the President likewise will approve.

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

Mr. SPARKMAN. I yield.

Mr. CLARK. First, I wish to commend the Senator from Alabama for a very clear and cogent explanation of the new bill, which the subcommittee over which he presided has brought to the floor of the Senate after its approval by the full committee.

Next, let me say that in my opinion—and I wonder whether the Senator will agree with me—every single change that has been made in the bill is a change against the public interest, weakens the bill, and was made solely and alone because of our feeling that we would walk still another mile to get the President behind the bill, even though most of the changes we made were ones which, in my judgment—and I suspect also in the judgment of the distinguished Senator from Alabama—were not changes which we would willingly have made, except that we wanted to meet the President's views as nearly as possible.

Mr. SPARKMAN. If the Senator will retain "most" and strike out "even though," then I would certainly agree with him because, there were, of course, technical changes, and others of a similar type which were made. But I agree, of course, that we went more than halfway to meet the President in his objections, and we tried to write a bill that should meet his approval.

Mr. CLARK. We walked the extra mile.

Mr. SPARKMAN. I agree. Mr. President, I yield back the time I have not used, and I yield 10 minutes to the distinguished chairman of our committee.

Mr. ROBERTSON. Mr. President, both in committee and on the floor of the Senate I voted against the previous housing bill, S. 57. Agreeing with the objection voiced by the President to that bill I voted to sustain his veto. In my opinion the items in S. 57, to which I objected, have been sufficiently moderated in the new bill, S. 2539, to justify me in voting for it.

It is highly essential to continue the present FHA mortgage insurance program which has been well administered and has financed the construction of over 6 million new homes and reconstructed homes without expense to the Government and within the framework of our private enterprise system. Items in the pending bill for urban renewal and college housing have been reduced and the most objectionable item to me in S. 57—a possible 190,000 units of public housing—has been reduced to 37,000. Budgeted spending in the new bill will exceed the budget estimate for the current fiscal year by some $23 million only.

Before action is completed today on S. 2539, I would like to see adopted amendments to eliminate all so-called back-door financing and a substantial reduction in the ceiling on new public housing units.

In the first place I definitely feel that there is no constitutional authority for such a program. In the Constitution specific authority can be found for improvement of river navigation and the construction of post and military roads, but none for the building of homes for private occupation.

Incidentally, Mr. President, that issue went before the Supreme Court, and it sidestepped a decision on it. It never has passed on it. Proponents of public housing rely, of course, upon the general welfare clause. James Madison and others who framed the Constitution said the general welfare clause was a limitation upon the manner in which delegated power should be exercised and not a separate grant of power. But to justify grants-in-aid to the States and their political subdivisions and to individuals now totaling more than $1 billion a year, the Congress has ruled otherwise.

It can now spend—and the U.S. Supreme Court has promised not to intervene—for anything sanctimoniously declared to be for the public welfare. But houses built by cities under the public housing program are not built for the public but for a very limited group of individuals and our cities will run out of funds to finance the program before even 10 percent of the group that can meet the low income test has been so housed.

A local public has an interest in the elimination of slums but that can be accomplished through grants to the cities for urban renewal. The rebuilding of homes in such instances should be by private enterprise. Saddling the general taxpayers of the Nation with a housing subsidy that eventually will amount to at least $180 million a year, and, incidentally, obligations already exceed $6 million for public housing subsidies, in order that a select few in metropolitan areas can live in new, modern homes, is to me not the most objectionable phase of this departure from the American system of private enterprise. My greatest cause for concern is that public housing, if carried to its logical conclusion, would affect the character of the American people.

The Cavaliers who came to Virginia in 1607, and the Plymouth Fathers to Massachusetts in 1620, brought with them the English tradition—A man's home is his castle—and every one of those early settlers had an ambition to own his own home. So, long before the adoption of the Declaration of Independence in 1776, the colonists had become homeowners. As compared with the architecture of a mature civilization those homes of hewn logs in the wilderness were crude. But in their building the founders of our Republic experienced the inspiration of freedom of action, reacted to the stimulating influence of a system of private enterprise and learned, by stern necessity, that the foundation of democracy in personal responsibility.

During World War I when I was commanding an infantry company, I overheard a private say to another, "I'd rather die than see the Germans drop a bomb on my mother's home." Throughout our history those who have sacrificed to own a home, whose labor or private funds have gone into its construction, and whose personality has been reflected in what our Nation's favorite song calls "Home Sweet Home," have cherished that evidence of personal freedom and have been willing to fight for its preservation.

Homes of that character, with the family as a unit, the Bible in the home, have been the foundation of our national strength.

The things that will destroy America—

Said President Theodore Roosevelt in a memorable speech in Asheville, N.C., more than 50 years ago—

are prosperity at any price, peace at any price, safety first instead of duty first, the love of soft living, and the get-rich-quick theory of life.

By a happy coincidence at about the same time that speech was made and in the same State a college professor, destined for future greatness, was making a similar appeal to the true manhood of America. Speaking at the University of North Carolina on the unselfish devotion to duty of General Robert E. Lee, Woodrow Wilson said:

The Nation which denies itself material advantage and seeks those things which are of the spirit works not only for each generation but for all generations, and works in the permanent and durable stuffs of humanity. * * *

I wish there were some great orator who could go about and make men drunk with this spirit of self-sacrifice. I wish there were some man whose tongue might every day carry abroad the golden accents of that creative age in which we were born a Nation; accents which would ring like tones of reassurance around the whole circle of the globe, so that America might again have the distinction of showing men the way, the certain way, of achievement and of confident hope.

At the laying of the cornerstone of the Bunker Hill Monument, Daniel Webster said:

No vigor of youth, no maturity of manhood, will lead the Nation to forget the spots where its infancy was cradled and defended.

But what boots it for us to remember Jamestown and Plymouth Rock if we ignore the fundamental principles for which the Founding Fathers stood?

Our concept of public housing did not originate in this country. It was borrowed from the Socialists of Western Europe, where it has been no bulwark against the spread of communism.

Before our public housing program becomes a backbreaking financial burden, some future Congress must come to grips with the problem.

In the meantime, desiring to see the continued construction of privately owned homes, with the help of FHA financing and believing that the desirable features of the pending housing bill outweigh the undesirable ones, I intend to vote for it even though amendments which I favor are not adopted.

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

Mr. ROBERTSON. I yield.

Mr. CLARK. I express my own great gratification at the last word spoken by the distinguished Senator from Virginia, our very able, gracious, and courteous chairman of the committee. I do not know of any word which cheers me more than the word that the junior Senator from Virginia will vote for the bill because I know how hard it has been for him to make up his mind.

Having said those words, I would not want to dull my praise because of other things to which he has alluded in his comments, other than to say that, in my judgment ,simply to keep the record straight, I could concur in everything which Theodore Roosevelt, Woodrow Wilson, and Daniel Webster said, as quoted by the Senator from Virginia, and still be a strong advocate of public housing, which I am, feeling that the sense of compassion is a part of our American heritage, too.

Mr. ROBERTSON. I appreciate the kind, complimentary reference to me by the distinguished Senator from Pennsylvania, who also is a member of the Committee on Banking and Currency.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. DIRKSEN. Mr. President, I yield 15 minutes to the Senator from Utah.

Mr. BENNETT. Mr. President, as we enter upon the consideration of the new housing bill, it has naturally occurred to me, as I know it has to many other Members of the Senate, how greatly different it is from the bill which the President vetoed; and what will the President's attitude be, or what may it be, toward the provisions which this bill contains? I intend to spend a minute or 2 to discuss the bill from that point of view.

The first matter I shall mention refers to the budgetary picture of S. 2539. The fact is that S. 2539 will involve budgetary expenditures in the fiscal years 1960 and 1961 which are somewhat higher than would have been the case if S. 57 had not been vetoed. Both bills would involve expenditures much above those recommended by the administration.

The following table gives the essential facts on the increases in budgetary expenditures under the three proposed programs:

	Fiscal 1960	*Fiscal 1961*
S. 2539	93	248
S. 57	75	240
Administration proposals:		
Excluding HEW classroom proposals	5	131
Including HEW classroom proposals	5	138

Because the public housing program provided for in S. 2539 is less than in S. 57, there is a smaller commitment for future expenditures in S. 2539 than in S. 57, but the commitment is still a very large, and we think extravagant, one and is very much in excess of and exceeds very much the commitments that would be involved in the administration's proposals.

Mr. CLARK. Mr. President, will the Senator from Utah yield, or would he prefer to complete his statement?

Mr. BENNETT. I would prefer to finish my statement before yielding.

The following tabulation compares the new obligation of authority and other types of authorizations provided for in the various proposals under consideration.

S. 57, with no Wherry housing, but 45,000 public housing units, would have cost $2,249,000,000.

The administration proposal, with no Wherry housing and no public housing, would have cost $810 million.

It has been argued by some that this comparison of obligational authorities involved in the administration proposals and in S. 57 and S. 2539 should take account of the administration-advocated legislation on college classrooms offered by HEW. However, even when this program is included in the administration proposals, S. 2539 is still very much more expensive.

There are several adjustments in these new obligational figures that ought to be made in order to put the administration's proposals and S. 2539 on a comparable basis. First, one could include the HEW classroom authorization of $50 million in the administration package. Second, one would have to regard the urban renewal authorization of S. 2539 as a 1-year proposition and put the administration's proposals for urban renewal on a similar basis. Finally, one would have to include the $100 million which S. 2539 gives to the President as a fund to be used at his discretion for urban renewal in small cities. Even after one makes all of these adjustments, the spending authority of the three separate programs compares as follows:

S. 2539	$1,866,000,000
S. 57	1,849,900,000
Administration proposals	1,060,000,000

The gist of all of this is, no matter how the figures are put together, the present bill involves more spending even than S. 57.

In his veto message, the President objected to the allowance for urban renewal. This has been cut to $550 million, with $100 million discretionary.

The President vetoed $900 million for the 2 years, or $450 million a year. If, as I suspect later developments will bring out, the new bill is in effect a 1-year bill, then the $650 million in the bill is $200 million more than the average annual payment provided under S. 57, the bill which the President vetoed.

The bill goes part way in meeting the President's objection to public housing. It cuts a potential 190,000 units to 37,000. This is a compromise.

The bill makes no attempt to meet the President's objection to housing for the elderly. It makes no change in the interest rate on the college-loan program to which the President objected. It reduces the amount which would be authorized for classrooms from $62½ million, as in S. 57, to $50 million in the new bill, and makes that money subject to appropriation.

There is no change in the ultimate effect of this program, however, which, to use the President's words, can grow to "staggering proportions." I think even the supporters of the classroom provision consider that the present bill is a modest beginning of what they feel can be developed into a much greater program. I hope we can make some changes in that program during our work on the bill in the House.

The bill tends to substitute Government financing for private investments, to which the President objects.

The bill still provides for housing for the elderly, for classrooms, and for an additional FNMA special assistance program, although the amount was reduced from $37,500,000 to $25 million.

The bill meets the President's objections to Wherry housing projects. It does not, however, change the subsidized interest rate on college housing or classrooms. It does not remove the time limit on FHA Title 1 authorizations. The President, it may be remembered, asked that these might continue without a time limit.

The bill compromises the lower down payment and longer maturities of FHA insurance, which the President felt were not wise. It does meet, to a large extent, the President's criticism that the basis in the bill for distributing urban renewal funds was too rigid and too discriminatory. The administration feels that it can live with the language of the bill.

However, the bill does not meet the charge that it contains certain provisions under which civic improvements previously contracted for and erected can be applied to the communities' share in determining the cost of urban-renewal projects.

The bill cuts the retroactive period from 5 years to 3 years, although the President requested that that provision be eliminated. The bill preserves what to me are windfalls which the cities will receive because of activities of universities or colleges in acquiring land in or near land subject to urban renewal. The net effect is to increase the Federal share of the activities in which such colleges or universities are involved; and those will be windfalls, not to the college or universities, but to the cities.

The bill compromises in connection with the President's concern about additional insurance authority, but then damages the compromise to a certain extent, by placing a 1-year limitation on it.

The bill meets the President's objection about title 1, which he wanted continued.

The President's objection about extending the provision for Capehart housing was met in a separate bill. It meets the President's objections, because Senate bill 57 did not extend the voluntary home mortgage program. That bill met the President's objection, because the FHHA provisions would not have been replenished. But they will be replenished under this bill. But rather than given him what he wanted in terms of an increase in the cities' share of the cost of urban renewal the bill tends to reduce—because of the windfalls I have mentioned—the share of the cities, and to increase the share of the Federal Government.

The bill does not meet the President's objection to the classroom provision.

The President felt that that provision should be handled through another program, one outside the jurisdiction of this committee.

The President also hoped that the ceilings on interest in connection with certain programs would be raised or increased. The bill has met those objections part way, by increasing some of the ceilings.

To summarize the situation, out of 22 objections the President made to Senate bill 57, when he vetoed it, 6 were met, and 4 were compromised. Of those compromised, one was handled by a dangerous device, namely, a limitation on the life of the FHHA; and one was solved by handling it outside this committee. Ten of the 22 must remain as objections to this bill, if passed without amendment, because they were not met.

In addition, the bill includes certain new proposals, on which no hearings have been held, although those proposals were not before the President when Senate bill 57 was vetoed. They are as follows:

First, the provision for the mandatory purchase of all Wherry housing, regardless of whether any Capehart housing is being built.

Second, provision for the further extension of expired FNMA commitments. About $100 million of these have expired; and this provision represents a contingent burden on the program, although the effect cannot be measured, and was not studied by the committee.

The bill also extends the privilege, given in Senate bill 57, of reducing the land value basis for land in urban renewal projects to be taken for public housing, not only to projects which are supported under the Federal program, but also to city and State projects, thus requiring the Federal Government to subsidize—in part, at least—the cost of land acquisition and land clearance for these city and State projects.

Finally, the bill will have the very interesting effect of amending the Military Construction Act of 1960, which only recently has gone to the President's desk, but which he has not yet had time to study thoroughly.

Mr. President, I offer this information to the Senate because I believe it bears out the thought that this bill needs careful study here on the floor—inasmuch as it is now too late to study it further in the committee—and I think it will be necessary for the Senate to consider some rather substantial amendments if the President is to be expected to sign the new bill.

Mr. ROBERTSON. Mr. President, will the Senator from Utah yield?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from Utah yield to the Senator from Virginia?

Mr. BENNETT. I am happy to yield.

Mr. ROBERTSON. Will the Senator from Utah be kind enough to advise the Senate what the chairman of the committee said about the two new provisions of Senate bill 57 to which the President objected—namely, the one in regard to college classrooms and the one in regard to the special direct program for housing for the elderly? Will the Senator also state how the committee marched up the hill and then marched down again, as regards the college classroom amendment?

The PRESIDING OFFICER. The time available to the Senator from Utah has expired.

Mr. BUSH. Mr. President, I yield to the Senator from Utah whatever additional time he may wish, from the time available on the bill.

The PRESIDING OFFICER. The Senator from Utah may proceed.

Mr. BENNETT. Mr. President, the chairman of the committee is here, and I am sure his memory of what he said is much better than mine is. But my memory is that, in general, he warned the committee that these two provisions were such that they would result in causing it to march up the hill and then march down again. Is my recollection correct?

Mr. ROBERTSON. Yes.

The classroom provision is not a proper part of a housing bill. First, the committee voted, by a majority of one, to eliminate it; and, subsequently, the committee voted, by a majority of one, to include it. That was the item to which the President objected.

It was apparent that under the FHHA, more housing could be constructed than under the subsidized program—aside from the fact that the latter would require back-door financing, and that the $50 million worth of housing would be constructed at one-half the rate of interest that private investors would have to pay, and much less than the interest cost for private financing, and therefore such a provision would dry up the private financing.

Mr. BENNETT. It is my information that the private financing has already developed more housing for the elderly than this bill could finance. So the net effect of the provision not only would be to dry it up, but also to slow it down, even though Federal money were placed into the program.

Mr. ROBERTSON. That will be the result.

Mr. BENNETT. Today, before we conclude our action on this measure, I hope to offer an amendment to correct that situation.

Mr. CLARK. Mr. President, will the Senator from Utah yield to me, with the understanding that the time I take will not be charged to the time available to his side?

Mr. BENNETT. I am glad to yield.

Mr. CLARK. Let me ask the Senator from Alabama to yield to me not to exceed 10 minutes of the time available on the bill.

Mr. SPARKMAN. I yield to the Senator from Pennsylvania 10 minutes from the time available on the bill.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 10 minutes on the bill.

Mr. CLARK. Let me ask the Senator from Utah whether I correctly understood him to say that the Bureau of the Budget had computed that the bill now before the Senate would cost $93 million more than the President's budget recommendations.

Mr. BENNETT. I read a statement, the figures of which I obtained from the Bureau of the Budget. Unfortunately, the reporter has taken the copy of the statement I read. So I hope someone will have the reporter return it to me.

Mr. CLARK. The figures are not too important for my question.

Will not the Senator from Utah agree with me that there was a controversy, between the committee staff and the FHHA staff, in regard to how much more Senate bill 57 would cost, as compared to the President's budget estimates?

Was it not the view of our staff that during the fiscal year 1960 Senate bill 57 would cost only $23 million more than the amount of the President's budget estimates? Therefore, I was a little startled to find that the Bureau of the Budget has now estimated the cost at $93 million, which is considerably more than $74 million which the FHHA had depended on when we discussed the matter in the committee. Can the Senator inform us where the extra $19 million of estimated cost came from?

Mr. BENNETT. As I have stated, my prepared statement was taken by the reporter, and I am waiting for its return.

Mr. CLARK. Let us skip that for a moment. I just wanted to make the point that, in the opinion of the committee staff, S. 57 would exceed the President's budget figures for fiscal 1960 by only $23 million and the housing agency figures appear to be substantially higher. It is my opinion that the only differences made in the new bill which were not in S. 57 were ones having to do with the extension of FNMA commitments, which I understand are in the neighborhood of $10 million, but which I am sure the Senator will agree is entirely discretionary, and not 1 penny has to be spent unless it wants to do so. Is that correct?

Mr. BENNETT. The extent of the commitments may vary anywhere from zero to $100 million, as I remember it.

Mr. CLARK. But it is discretionary, and not mandatory?

Mr. BENNETT. That is correct.

Mr. CLARK. My friend also added up the costs of the three bills. He suggested that S. 57 would cost $2,200 million; the President's bill would cost $810 million; S. 2539, the bill presently before the Senate, would cost $1,880 million; I gather in computing the $1,880 million, he added $140 million for the cost of the Wherry housing?

Mr. BENNETT. The Wherry housing figure is——

Mr. CLARK. One hundred and forty million dollars, I have.

Mr. BENNETT. Ninety-one million dollars.

Mr. CLARK. I am surprised at that, because our staff states that HHFA had figured it out at $140 million.

Mr. BENNETT. The Bureau of the Budget assumes $15 million to purchase equity and $76 million to pay off the balance and rehabilitate the properties, a total of $91 million.

Mr. CLARK. Apparently the Bureau of the Budget and the HHFA are not in accord, because the Senator from Indiana has been kind enough to let me look over his shoulder. I see the HHFA

figure is $140 million. Apparently the Bureau of the Budget figure is less than that.

The Wherry housing is acquired by the Government as an asset, and returns the money which is spent to acquire that housing. Is that correct?

Mr. BENNETT. That is a matter of opinion, and it cannot be proved until 10 or 15 years have gone by.

Mr. CLARK. The Government takes the title.

Mr. BENNETT. The Government is given back the title and finds itself in the position of being landlord. The question is whether it can operate the housing at a profit over a long period of time. But assuming, for the time being, that the Senator from Pennsylvania is correct, it would still seem to me that at a time when we are struggling to balance the budget—and this is a long-term program—it is going to have a very substantial budget effect in the year in which it is operated. I think it might be well for the committee at least to sit down and examine the proposal in all its ramifications, rather than merely accept it without examination.

Mr. CLARK. I may say I am not a great advocate of Wherry housing; but I am not going to get into a debate on that question at this time with the Senator, because he may well be right. I wanted to see if the figures were accurate.

It is true, is it not, that the President has recommended an aid to education bill involving a cost of $500 million, or 10 times as much as the loan feature which is in this particular pending measure?

Mr. BENNETT. It is my understanding that is the case, and it is before a committee of which my colleague from Pennsylvania is a member, I believe, and that committee has seen fit to ignore the bill.

Mr. CLARK. The Senator is correct. I think I can assure him, although I am a very junior member of the committee, that the administration bill will never see the light of day, because our committee thinks it is extravagant, unwarranted, and not the way to handle the matter, when one-tenth of that amount could be put in the college academic facility part of this bill. I am sure the Senator does not agree with me.

Mr. BENNETT. I am sure the Senator knows he is talking about one-tenth of the amount for the first year, with the sky the limit from then on.

Mr. CLARK. I do not think the sky will ever be the limit so long as the Senator from Utah is on the floor.

Mr. BENNETT. The Senator from Utah is flattered by that very interesting observation; but there is no limit in the bill for the erection of college classrooms.

The Senator from Utah is of the feeling that what started out to be a housing program to enable the American people to buy houses and live in them has now become so big and so full of only dimly related programs that we are spending about 5 percent of our time concerned with Federal housing and 95 percent of the time we concern ourselves with what might be described as institutional assistance or expenditures only indirectly related to housing.

Mr. CLARK. I understand the feeling of the Senator from Utah. I do not want to take the time to debate the question with him now. I wanted to ask the Senator some questions because the Senator from Virginia said a while ago that housing for elderly people is properly handled by FHA insurance programs. But one-half of the elderly family units in this country are not going to have any decent housing unless this program called for by the bill is approved by the Senate and started. The testimony before our committee established beyond a peradventure of a doubt that the income categories of elderly family units are such that FHA housing available to them could only take in the top income half of the elderly family units in this country.

I thank my friends for yielding to me.

Mr. BENNETT. I suppose the Senator who has the floor can also have the last word?

Mr. CLARK. He certainly can.

Mr. BENNETT. I think the record on rental housing for the elderly will show that under the present provision it is developing housing for the elderly under FHA loans. Funds representing $35 million have already been committed for 4,036 units, and $23 million have already been insured. So the present program is moving rapidly along.

I agree with the Senator from Virginia that Gresham's law would have application here, and that if these people could get direct Federal loans as subsidized interest they would drop the FHA program like a hot potato, and we would find the whole demand for elderly housing in this program.

Mr. CLARK. The whole question is whether we want to take care of the rich elderly only or whether we want to take care of the poor or middle class elderly, too.

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

Mr. BENNETT. I yield.

Mr. CAPEHART. One of the big problems in connection with housing is getting the proper figures and the proper facts. I hold in my hand a chart prepared by the HHFA, the parent agency in respect to housing agencies that we have.

Mr. CLARK. Mr. President, the Senator from Indiana has graciously agreed that he will conduct his colloquy in his own time, and not in mine.

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield me 5 minutes?

Mr. DIRKSEN. I yield 5 minutes to the Senator from Indiana.

Mr. CAPEHART. This chart was made up by the HHFA on August 17, 1959. I think we have every reason to believe that these are the true figures and if they are not, and there are enough of us who believe they are not the true figures, then we ought to move to recommit the bill to the committee and get the facts.

Here are the figures according to the HHFA, the agency headed by Mr. Mason. I am not talking about Wherry housing now; I shall discuss that later.

The amount authorized by the bill for grants is $1,394 million. For loans it is $375 million.

In the grants, there is $719 million for public housing, which would be distributed over a 40-year period.

Let us consider the grants over a 10-year period. I am going to use the HHFA figures. It is said that in 1960, as the result of passage of the bill we are now considering grants, would amount to $4.4 million 1961 grants would be $21.95 million. In 1962, grants would be $47.05 million; in 1963, $67.7 million; in 1964, $112.3 million; in 1965, $125 million; in 1966, $149 million; in 1967, $103 million; in 1968, $68 million; and, in 1969, $58 million. That includes $719 million which will be spent over a 40-year period.

For loans, the authorization is $375 million, of which it is said $50.4 million will be loaned in 1960; $190.2 million in 1961; $163.6 million in 1962; and $43.1 million in 1963. From that time on there is a minus figure, because the loans will be in the repaying process. Starting in 1964, $28.9 million would be paid back; in 1965, $31.7 million would be paid back; in 1966, $17 million would be paid back; in 1967, $7.2 million would be paid back; in 1968, $7.4 million would be paid back; and in 1969, $12.8 million would be paid back.

Are we entitled to consider these figures as being the facts? If we are, then we ought to work from this set of figures that I have been quoting.

Mr. BENNETT. Mr. President, would the Senator read into the RECORD the figure at the bottom of the first column, which is the total authorization?

Mr. CAPEHART. I said that I was not including the Wherry housing. I am going to get to that in a minute.

Now I want to give the facts in connection with the Wherry housing.

The mandatory acquisition and operation of Wherry housing, according to the HHFA will cost $140.3 million. This would cost the Federal Government $38.6 million in 1960, $36.1 million in 1961, $8.2 million in 1962, $8.2 million in 1963, $8.2 million in 1964, $8.2 million in 1965, $8.2 million in 1966, $8.2 million in 1967, $8.2 million in 1968, and $8.2 million in 1969.

Now let me present the facts about Wherry housing. The Federal Government has guaranteed the mortgages on all Wherry houses. Therefore, when we say that we are going to purchase these Wherry projects, we are going to buy the equity which the owners have, and assume the mortgages. The Federal Government has already guaranteed the mortgages, so if these mortgages are no good, and if the houses are no good, the Federal Government when it acquires them, must stand the cost of renovation. Furthermore, the Wherry projects are built on Government-owned property.

We must also remember that the Government guarantees the rental to the Wherry project owner.

There are approximately 23 projects in the United States, for a total of about 14,000 units. Under the existing law it

is necessary to buy these Wherry projects if there is Capehart housing project nearby. Under the bill we are considering today it would be necessary to buy these projects, provided there is going to be a permanent military installation. If there is not going to be a permanent military installation, it is not necessary to buy them.

I do not particularly like this procedure, but there are two sides to the coin. Under the Capehart Act the Government owns all the houses, but the Government also owns a lot of houses as a result of direct appropriations.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Mr. President, will the Senator yield me some more time?

Mr. DIRKSEN. Mr. President, I yield 5 additional minutes to the Senator from Indiana.

Mr. CAPEHART. Perhaps it makes sense that the Government should acquire the other 23 projects. Originally I think there were some 143 Wherry projects. The Government has acquired all but 23 at the moment. The question is, Should the Federal Government acquire those 23?

The $140 million is the total amount. The Government has already guaranteed the mortgages.

Mr. SPARKMAN. Mr. President, will the Senator yield to me?

Mr. CAPEHART. I yield.

Mr. SPARKMAN. My information is that if the Government does not buy this housing over the same period of time, for which the Senator figures $140 million, the Government will spend $135 million for rental allowances of servicemen.

Mr. CAPEHART. In rentals?

Mr. SPARKMAN. Yes.

Mr. CAPEHART. The Senator is correct.

I am not advocating this. I was opposed to it, but I like to be fair and accurate, and I like to have the Senate consider both sides of the coin. I like to present the facts.

The facts are that if we buy these Wherry houses at the end of the allotted time, when the mortgages are paid out, the Government will own the houses. If we do not buy them and the projects are unsuccessful, the Government is going to have to pick up the mortgages, because the Government has guaranteed the mortgages. In the meantime, the Government has guaranteed the rental on these Wherry projects.

Would it not be better for the Government to own the houses. The Government is going to pay a rental for these houses, and in the meantime the private enterprisers will get the rent. That is the other side of the coin.

I am having prepared at the moment an amendment in which the Senate will be requested to make it mandatory that the Government buy the Wherry houses where there are going to be permanent bases, by paying nothing in cash but paying for the project over a period of 10 years by giving 10-year debentures, due one-tenth each year, thereby putting the program on about the same basis as is the Capehart military housing, which will mean that the rental from these houses will amortize the unpaid mortgages and amortize the debentures, so that the Government would lose no money when the mortgages are amortized. The Government would then own some 14,000 units in some 23 projects.

Those are the facts about the Wherry housing. There are certainly two sides to the coin. I can make a good argument that the Government ought to buy the houses, that it is good business for the Government to buy them because they are built on Government land, the Government has guaranteed the mortgages, and the Government guarantees the rentals. If the Government buys the houses, the rental payments will amortize the mortgages.

I think it is particularly true that the Government ought to buy the houses if it can buy them on the basis of issuing 10-year debentures, using the rental payments to amortize the mortgages.

The other side of the coin is that the Government will have to spend considerable money in rehabilitating these houses. Somebody is going to have to do that, anyway. We must remember the law requires that the military services must rent these houses. If these housing projects are unsuccessful, the Government will have to assume the mortgages, because the mortgages have already been sold and are in the hands of the banks, the insurance companies, and the other financial institutions in the United States.

Those are both sides of the Wherry housing controversy. I wish I were wise enough to know exactly which one is the better. I am not. I see both sides of the question.

The thing which really breaks my heart, as I said a while ago, is our inability to get over the facts on housing, both sides of the coin, the pros and the cons. It is hard to get an understanding of the problem.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. CAPEHART. Mr. President, will the Senator yield me more time?

Mr. DIRKSEN. Mr. President, I yield 5 additional minutes to the Senator from Indiana.

Mr. CAPEHART. I see present on the floor the general counsel from the HHFA. I should like to ask if this chart which I hold in my hand was made up by that agency, and if it is felt the figures are correct?

Mr. BUSH. The gentleman assures us it was made up by the agency.

Mr. CAPEHART. And we have every reason to believe we can use it as the basis for our discussion.

On the loans, outside of Wherry housing, it is $50.4 million in 1960 and $190.2 million in 1961.

The two sides of the coin in connection with college classrooms are as follows: First, there is a grave need for additional college classrooms in the United States, particularly on the part of the small colleges—in Indiana, such colleges as Huntington and Oakland City. I do not know where those private colleges are going to get their money. There is need for classrooms in many small colleges across the land.

The administration has before this very body a Federal aid to education bill which calls for $2 billion, $500 million of which would be outright grants. One thing I do not like is to be fooled. On the one hand, we are advocating $2 billion worth of Federal aid to education, and offering $550 million worth of grants. On the other hand, we say that we ought not to help the small colleges in the United States to the extent of $50 million in loans, which they are willing to pay back.

I am perfectly willing to vote against college classrooms, and against the proposed $2 billion for Federal aid to education, but I do not like to be a hypocrite. I do not like, on the one hand, to be advocating one thing, and on the other hand, advocating something else. We are for either one or the other. We cannot be for both.

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

Mr. CAPEHART. I yield.

Mr. ROBERTSON. The Senator will recall that the chairman of the committee urged elimination of the provision for classrooms, on the ground that the President bitterly objected to the start, which could expand, and the result in all the colleges calling on us to help them expand, thereby drying up all sources of private contribution.

Mr. CAPEHART. There is no question about it. That is the other side of the coin.

Mr. ROBERTSON. The chairman said to the committee, "Why invite a veto over $50 million?" It was not so much the money. It was establishing a principle.

As soon as the general debate is concluded, the chairman of the committee will offer an amendment to eliminate classrooms, because he has been assured that such a provision is still so objectionable to the President that he would not approve the bill if it included provision for classrooms.

Mr. CAPEHART. I do not like such threats. The President is a member of my party. I have defended him as much as has any other Member of the Senate over a period of 7 years. I, for one, do not like to be threatened, particularly when I am trying to arrive at a compromise and help to enact a housing bill. I am not frightened by any threats of a veto. If the President in his wisdom wishes to veto this bill, he certainly may do so. That is his business. I have worked hard, and many others have worked hard, to solve a very complex situation.

Mr. ROBERTSON. I regret that the Senator from Indiana feels that he is being threatened. That is not so in the case of the Senator from Virginia, because he was 100 percent in accord with what the President thought. He thought the item should be eliminated.

Mr. CAPEHART. I appreciate that; but on the one hand we proceed to advocate a $2 billion Federal aid to education bill, while on the other hand we are talking about $50 million in loans. I do not like to hear people say one thing out of one corner of their mouths, and some-

thing else out of the other corner, particularly after we have worked so hard in an effort to bring forth a bill.

When we come to the item of elderly housing, we changed that so as to provide for appropriated funds, not loans. There are two sides to that coin. Personally I was against elderly housing. I voted to take it out of the bill. I think we can handle that matter without direct loans, through the appropriation route. However, we wrote it into the bill because the majority so voted.

Urban renewal is something which I thought the Republicans in this administration were taking a great deal of pride in. Back in 1953 we appointed a committee of 130. They went out for a year and studied the entire problem. They came back with a plan and a policy. I introduced legislation in 1954 for the administration, which would have carried out what I thought it was enthusiastic about. We changed the name from "slum clearance" to "urban renewal" that year. I thought it was a very fine thing, and I still do.

I am not too certain that I have always felt the same way about the Government being in the housing business. At times I have felt that the Government should get out of the housing business entirely, but that is not what we are talking about. We are not talking about getting the Federal Government out of all kinds of housing and letting private industry do it. We are talking about the role of the Federal Government in housing.

When I look at both sides of the coin and analyze the records and the facts; when I know what the administration has advocated in the past, and what it is advocating today; when I know what the law is with respect to urban renewal—and I was the author of the provision that people could not be moved out of slums unless a place were provided for them to move into, and unless we knew where they were going to move, which requires some kind of public housing—I conclude that perhaps it was not a good law. Perhaps we should not have enacted it, but we did.

When I am through analyzing the pros and cons of the bill, when I am through looking at the facts, I see that the figure for expenditure for grants for 1960 is $4.4 million, and for loans, aside from Wherry housing, the amount is $50.4 million. When I think in terms of the billions of dollars we are spending, when I think of the fact that not many weeks ago the Senate, through the so-called backdoor procedure, voted to be borrowed approximately $4 billion through the back door from the International Bank——

The PRESIDING OFFICER. The additional time yielded to the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 2 more minutes to the Senator from Indiana.

Mr. CAPEHART. When I look around, I see that we are spending $1 billion a year for storage charges alone in connection with the storage of surplus farm products. We are spending $7 billion a year on the Department of Agriculture. Here again I read in the housing bill the figure of $4.4 million expenditures in 1960 for grants, and $50.4 million for loans, aside from Wherry acquisitions.

In 1961, the figure for loans is $190.2 million. After 1963, the figure is a minus. The highest figure for grants reached is $149 million in 1966. For 1961, it is $21 million.

I should be very happy to join in considering the question of getting the Government entirely out of the housing business in all its aspects, but I do not like to join in trying to cut off the dog's tail little by little, and to be against such activities on a basis which, in my opinion, is not in accord with the records.

The PRESIDING OFFICER. The additional time yielded to the Senator from Indiana has expired.

Mr. CAPEHART. I repeat that I do not like to be taken in. I do not like to see us trying to do one thing with one hand and something else with the other.

Mr. BENNETT. Mr. President, a parliamentary inquiry. I believe when the Senator from Indiana started to talk, the Senator from Utah had the floor.

The PRESIDING OFFICER. That is correct.

Mr. BENNETT. Does the Senator from Utah still have the floor? Have I used all the time that was yielded to me?

The PRESIDING OFFICER. All time yielded has been used up. Otherwise the Senator would have the floor.

Mr. BENNETT. May I ask for 30 seconds?

Mr. DIRKSEN. Mr. President, I yield the distinguished Senator 2 minutes.

Mr. BENNETT. I need only 30 seconds to say to the Senator from Pennsylvania, who, when we finished our colloquy about housing for the elderly, said that the FHA program would only take care of the rich elderly, not the poor. The subsidized loans provided for by this bill are not accompanied by any control regarding the income of people who may be benefited. So there is no assurance that elderly housing developments under this bill would be limited to people of low income.

Mr. ROBERTSON. Mr. President, I offer an amendment and ask that it be reported.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 75, strike out line 25 and through line 21 on page 78, and insert in lieu thereof the following:

SEC. 602 (a). Title IV of the Housing Act of 1950 is amended by adding the following new subsections at the end of section 402:

On page 79, line 24, strike "; and".

On page 80, strike out lines 1 through 3.

Mr. ROBERTSON obtained the floor.

Mr. BUSH. Mr. President, will the Senator yield for a quorum call? The distinguished Senator from Arkansas is particularly interested in this subject, and asked to be notified if it was brought up, and I indicated that I would see that he was notified.

Mr. ROBERTSON. The Senator from Virginia will be glad to yield with the understanding that after the quorum call he will have the floor.

Mr. BUSH. I ask unanimous consent that no time be charged to either side, and that the Senator from Virginia not lose the floor while the call is proceeding.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SPARKMAN. Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ROBERTSON. Mr. President, I yield myself 5 minutes.

For the benefit of Senators who were not present when this amendment was offered, I may say that it strikes out of the bill all of that section which authorizes $50 million of loans for college classrooms.

In the first place, this is a housing bill. The provision for the construction of classrooms has no proper place in a housing bill.

In the second place, this provision sets a precedent which the President said would expand and would mushroom. While it starts with $50 million, we may in a few years be met with demands for 10 times $50 million, because the finances of a great many colleges are inadequate to take care of the number of students who now want a college education.

Third, undoubtedly the adoption of the amendment would tend to dry up charitable gifts to colleges, gifts on which so many colleges which are not supported by the States must depend.

Last, but not least, while I do not regard it as a threat, we are under an obligation to recognize that the Government operates in the legislative field as two branches: one is the legislative branch, which agrees on the bill which is sent to the White House. The other is the executive branch, which decides whether the bill shall become law or not. We have no right to ignore the views which have been expressed by the Chief Executive.

We sent him a bill which he said was extravagant and which involved some principles which he could not endorse. Thus, acting as Chief Executive for the people of the United States, just as we are acting as their legislators, the President vetoed the bill.

When we voted on that veto, we said, in effect, "Mr. President, so far as most of us are concerned—certainly so far as more than one-third of us are concerned—40 of us—you were right."

Now we are considering another bill. Why should we again ignore the very specific wish of the President, his very specific view, that we should not embark upon a new scheme, under the guise of housing, to finance college classrooms? The amendment I have offered takes this provision out of the bill.

While I say again that I do not regard it as a threat, I have been informed,

just a few minutes ago, by the distinguished senior Senator from Connecticut [Mr. BUSH] that this provision is so objectionable to the President that the Senator from Connecticut believes that if it remains in the bill, the President will again be compelled to veto the bill. The Senator from Connecticut will speak on that matter himself.

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

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. It is true, is it not, that the President, in his message vetoing the previous bill, dealt specifically with his objections to the establishment of a new loan system for classrooms?

Mr. ROBERTSON. The Senator is correct.

Mr. LAUSCHE. He pointed out in his message that while the amount involved was small, his objection to the provision was that it established a new precedent.

Mr. ROBERTSON. The Senator is correct.

Mr. LAUSCHE. Is the Senator from Virginia of the opinion that once the door has been opened by providing $50 million for the building of classrooms, the program will expand as the years go on?

Mr. ROBERTSON. Indubitably.

Mr. LAUSCHE. With respect to the interest rate to be charged, the President in his message also pointed out that money would be lent at a rate less than the interest which is being paid at the Federal level.

Mr. ROBERTSON. That is correct—for long-term loans.

Mr. LAUSCHE. Is there not a distinction between the building of classrooms and the building of dormitories? Is it not correct that the rooms in the dormitories are rented to produce income?

Mr. ROBERTSON. That is correct. A dormitory comes under the general heading of housing, but classrooms do not.

Mr. LAUSCHE. Am I correct in my understanding that the bill provides an expansion in the lending program?

Mr. ROBERTSON. That is correct, although we amended that provision in S. 57. The original $50 million for classrooms was to be back door spending; but after the close vote, lacking just one, to take it out of the bill in committee, the committee adopted an amendment to let this lending go through the procedure of the Committees on Appropriations, although the next item, for housing for the elderly, still provides for a back door financing program.

Mr. LAUSCHE. In any event, there will be a deficiency?

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. ROBERTSON. I yield myself 1 more minute.

Mr. LAUSCHE. The Federal Government will have to sell its bonds to obtain money to be loaned to borrowers, at a time when the Government is having trouble selling refunding bonds in order to pay off the bonds which are maturing in this year, in the amount of at least $75 billion.

Mr. ROBERTSON. That is correct.

Mr. LAUSCHE. There are at least $75 billion in short-term and long-term bonds which are maturing this year.

Mr. ROBERTSON. And the current interest rate on long-term bonds—bonds maturing in 10, 15, or 20 years—is above the 4½ percent which the Treasury is authorized to pay, and therefore is financing now with bills and notes.

Mr. LAUSCHE. If a Senator is of the opinion that he does not want to subscribe to create new programs of giving, lending, and spending money, he should vote for this amendment.

Mr. ROBERTSON. If a Senator believes in economy, if he is against a new program of spending, if he thinks that in the long run the program will dry up gifts to colleges, he should vote for this amendment.

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

Mr. ROBERTSON. I yield.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ROBERTSON I yield myself 1 more minute.

Mr. DOUGLAS. The memory of the Senator from Illinois is not very good, but will the Senator from Virginia inform me whether it is true that earlier in the year the President of the United States advocated the making of an outright grant of $500 million to colleges for the construction of classrooms?

Mr. ROBERTSON. I am inclined to believe it is true.

Mr. DOUGLAS. In other words, the President was ready to agree to have $500 million given away, but now he objects to having $50 million loaned.

The PRESIDING OFFICER. The time the Senator from Virginia has yielded to himself has expired.

Mr. ROBERTSON. Mr. President, I yield myself 1 more minute, so that at this time I may yield to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 1 more minute.

Mr. ROBERTSON. Mr. President, at this time I yield to the Senator from Florida [Mr. HOLLAND].

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. HOLLAND. Mr. President, the Senator from Virginia will recall that numerous suggestions have been made, some from the White House, and some from other sources, that we appropriate large sums for the construction of public schools. One suggestion was for an appropriation up to $2 billion, and I think one was for up to $4 billion.

How does the Senator from Virginia think the Senate could defend itself against such a huge program, if it proceeded now to agree to the request for the allowance of $50 million for the construction of school rooms for the education of college students?

Mr. ROBERTSON. It would be difficult to do so.

I think the Senate should realize that when the President took the last look at this matter, he was correct; and the Senate should sustain him in that connection.

Mr. HOLLAND. I agree with the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I reserve the remainder of the time available to me.

Mr. BUSH. Mr. President, will the Senator from Illinois yield to me 5 minutes, on the amendment?

Mr. DIRKSEN. I yield 5 minutes on the amendment to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. BUSH. Mr. President, with reference to what has just now been stated about the bill which was introduced on behalf of the administration, let me say that no doubt reference was made to Senate bill 1017; and that bill would provide the $500 million over a period of not less than 20 years or more than 50 years. So it is hardly appropriate to talk about a grant of $500 million, without mentioning the time involved in connection with the expenditure of that amount of money.

The fact that the bill is before the Committee on Labor and Public Welfare is of course an additional reason why this classroom provision is out of place in this particular housing bill—as my distinguished friend, the Senator from Utah [Mr. BENNETT], pointed out earlier in the afternoon.

So, for that reason, I would support the amendment offered by the distinguished Senator, the chairman of our full committee.

This is a housing bill. It seems to me that a provision for classroom construction should—as many Members of the Senate believe—properly come within the jurisdiction of the committee which deals with health, education, and welfare matters; namely, the Committee on Labor and Public Welfare. After all, this matter relates to education.

It has been stated, as the distinguished Senator from Virginia has said, that the President is quite opposed to this classroom provision, on the basis that it would begin an entirely new program.

From my own discussions with members of the administration, I believe that this provision is the basis of one of the President's most serious objections to the pending measure, and it is one of the several to which his objections are very serious, indeed. Others provide for the program for housing for the elderly and for the time limitation upon the FHA program; namely, October 1, 1960. I believe that my distinguished friend, the Senator from Utah [Mr. BENNET], will offer an amendment as to that.

At any rate, I am delighted that the Senator from Virginia [Mr. ROBERTSON], the chairman of the committee, has offered his amendment. I hope all Senators will support it.

Mr. BENNETT. Mr. President, will the Senator from Connecticut yield to me?

The PRESIDING OFFICER. The additional time yielded to the Senator from Connecticut has expired.

Mr. BUSH. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The time now being taken is from the time available on the bill.

Mr. BUSH. Mr. President, I refer to the time available to us on the amendment.

Mr. ROBERTSON. Mr. President, I yield to the Senator from Connecticut 2 minutes on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 2 additional minutes.

Mr. BUSH. I thank the Senator from Virginia.

Mr. BENNETT. Mr. President——

Mr. BUSH. Mr. President, at this time I yield to the Senator from Utah.

Mr. BENNETT. I should like to ask the Senator from Connecticut this question: Does not he think it inappropriate to have this provision remain in the bill, and thus have the money loaned for the construction of college classrooms, for the reason that in that event the Housing and Home Finance Agency, rather than the Department of Health, Education, and Welfare, would operate the program, and thus the bill would place the program under that unrelated agency?

Mr. BUSH. That is correct.

Mr. President, at this time I should like to read a brief article which appears in Time magazine for August 17. The title of the article is "Breakthrough?". I ask the Senator from Virginia to yield an additional 2 minutes to me, so that I may read the article.

Mr. ROBERTSON. First, will the Senator from Connecticut yield to me, so that I may ask a question?

Mr. BUSH. Of course.

Mr. ROBERTSON. Does the Senator from Connecticut feel that if we sent to the White House another housing bill which contained this college-classroom provision, we would be inviting another veto?

Mr. BUSH. As I have said, I think this provision is one of the two or three most important provisions of that sort in the whole bill, although I would not think this one more important than the others.

Mr. SPARKMAN. Mr. President, before the Senator from Connecticut reads the article to which he has referred, will he answer a question: Did he say this is the most important provision, insofar as the possibility of a veto is concerned?

Mr. BUSH. Mr. President, someone is trying to pin me down, I am afraid.

Mr. SPARKMAN. But did I correctly understand what the Senator from Connecticut said?

Mr. BUSH. I have said I think it is one of the two or three most important provisions of this kind in the bill—so important, in fact, that I cannot overemphasize its importance.

Mr. SPARKMAN. Does the Senator from Connecticut believe that the President would veto the bill if this provision were to remain in it?

Mr. BUSH. Of course I cannot answer that question categorically. But I think the inclusion of this provision would tempt the President in that direction.

Mr. President, I wish to read now the article entitled "Breakthrough?" which appeared in Time magazine for August 17. It reads as follows:

BREAKTHROUGH?

Much of the furor over soaring enrollment sounds as if U.S. colleges and universities might go broke by 1968 trying to handle some 6 million students each year. Not so, says the Council for Financial Aid to Education. The monster invasion will indeed cost a staggering amount —$11.5 billion for new buildings and equipment alone in the "crisis" decade 1957–67. But the council found "grounds for hope that we are at last approaching a breakthrough." Main evidence: construction has consistently matched rising enrollment. Since 1955, colleges and universities have apparently been able to spend some 20 percent more a year ($925 million in 1957–58)—and from now on will need to spend only about 6.5 percent more annually to house the invaders by 1967.

The key: private gifts, which will make up some 21 percent of the total cost of higher education in 1969. If gifts flow as freely in the next decade as they do now, the council reported, the United States "can and will pay the big bills that are beginning to fall due. . . . The Nation possesses the means and will provide the support."

Mr. FULBRIGHT. Mr. President, will the Senator from Connecticut yield to me?

The PRESIDING OFFICER. The additional time yielded to the Senator from Connecticut has expired.

Mr. BUSH. Mr. President, I yield myself 2 minute on the bill, in order that I may yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for an additional 2 minutes.

Mr. BUSH. I now yield to the Senator from Arkansas.

Mr. FULBRIGHT. I understand that the pending amendment merely would strike from the bill the authority to appropriate funds for college classroom construction.

Mr. BUSH. That is correct.

Mr. FULBRIGHT. But do I not correctly understand that it will compensate by increasing the amount available for borrowing for the construction of college housing. Is that correct?

Mr. BUSH. That is correct. Of course, I know why the Senator from Arkansas has asked me that question.

Let me say to him that an arrangement has been made, I believe, for one Member of the Senate—I believe it will be the distinguished chairman of the subcommittee—to offer an amendment which will transfer the $50 million, which was set aside for classroom construction, so that it will be made available to the college housing program, in addition to the sums provided in the bill. My understanding was that the distinguished Senator from Alabama [Mr. SPARKMAN] would submit such an amendment. If he does not do so, I will.

Mr. SPARKMAN. No, I must disclaim that. As a matter of fact, I am opposed to the amendment.

I am supporting the committee bill, for the fifth time; this is the fifth time that the bill, with the college classroom construction provision in it, has been before the Senate; and for the fifth time I am supporting the bill as reported by the committee.

Mr. BUSH. Mr. President, at this time I yield further to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I wanted to make my position clear. I am much interested in keeping the colleges going and in trying to give them reasonable financing for construction of their facilities. I have been in the past especially interested in college housing. I think that so long as the overall amount is made available for college housing, that fact is more important than to try to divide the amounts made available, because if the colleges can devote their resources to housing under this program, it relieves the pressure of other funds for the classrooms. So the division of the funds is not important.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. BUSH. Mr. President, I yield myself 2 additional minutes.

Mr. FULBRIGHT. I would not be willing to support the amendment without any assurance that at least the amount there provided is added under the authority to borrow now in existence with respect to college housing. I would not want to risk that not being done by voting for this amendment and depending on a later vote to increase the amount for college housing. So unless the two are coupled and the amount is increased for college housing, I could not consider supporting the amendment. As a matter of fact, I approve making funds available for classrooms, but I recognize, as the Senator has indicated, and as other Members of the Senate have indicated, this proposal is especially offensive to the President, and I would not want to prejudice the bill by insisting on the matter, when we could compensate for it by increasing the amount for college housing.

Mr. BUSH. I had prepared an amendment which would accomplish the deletion of the classroom provision and the deletion of the $50 million in one amendment.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. BUSH. I yield myself 2 additional minutes.

In deference to my colleague who wanted to offer the amendment, I yielded, but, Mr. President, I now send to the desk an amendment in the nature of a substitute, which would accomplish both purposes.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. It is proposed, on page 75, line 20, to strike out the figure "$1,175,000,000" and substitute in lieu thereof the figure "$1,225,000,000."

On page 75, strike out line 25 to line 21 on page 78 and insert in lieu thereof the following:

SEC. 602(a). Title IV of the Housing Act of 1950 is amended by adding the following new subsection at the end of section 402.

On page 79, line 24, strike out "; and".

On page 80, strike out line 1 through line 3.

Mr. BUSH. Mr. President, I yield myself 5 minutes on the new amendment, or will the Senator from Illinois yield me 5 minutes?

Mr. DIRKSEN. Mr. President, under the unanimous-consent agreement, the substitute would make available 15 minutes on each side. Is that correct?

The PRESIDING OFFICER. The amendment is being examined now to ascertain whether it is a substitute.

The Senator's amendment would not be in order until all time had expired on the pending amendment.

Mr. BUSH. Mr. President, will the Senator yield me 2 minutes?

Mr. DIRKSEN. I yield 2 minutes to the Senator from Connecticut.

Mr. BUSH. I hope this is sufficient assurance for the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I did not understand what the Chair ruled.

Mr. DIRKSEN. The Chair stated that the amendment was not an actual substitute for the pending amendment.

The PRESIDING OFFICER. The amendment is not in order until all time on the pending amendment has been exhausted.

Mr. BUSH. The Chair stated that the time would have to expire on the pending amendment before this amendment would be in order.

Mr. DIRKSEN. Mr. President, may I inquire what the time situation is?

The PRESIDING OFFICER. Three minutes remain to the proponents; 15 minutes to the opponents.

Mr. DIRKSEN. Mr. President, who controls the time in opposition to the amendment?

Mr. ROBERTSON. Mr. President, the Senator from Virginia has 3 minutes remaining. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBERTSON. The Senator from Virginia wants to take 10 seconds to say he is opposed to this amendment to his amendment.

If the Senator from Illinois needs any time to join the Senator from Virginia in opposing the amendment, the Senator from Virginia will yield it to him.

Mr. BUSH. Mr. President, I will withdraw the substitute, in order that we may clarify the situation.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Do I correctly understand that as soon as the time lapses on the amendment of the Senator from Virginia, the amendment of the Senator from Connecticut will be in order?

The PRESIDING OFFICER. A proper amendment would be in order.

Mr. FULBRIGHT. Is it not a proper amendment?

The PRESIDING OFFICER. From our examination of it, it does not appear to be in the nature of a substitute. It relates to a different portion of the bill.

Mr. FULBRIGHT. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. Then, the only way to reach the objective of the Senator from Connecticut is to defeat the pending amendment. The amendment of the Senator from Connecticut would then be in order. Is that correct?

Mr. BUSH. Mr. President, if the Senator will yield, that is not the only way to do it at all. If I may say so, I think the way to do it would be to accept the amendment, vote for the amendment of the Senator from Virginia, and then vote on the addition of the $50 million.

Mr. FULBRIGHT. But suppose that fails; what then?

Mr. BUSH. I assumed all the "ducks" were in a row.

Mr. FULBRIGHT. There is one "duck" here that obviously is not in the row. [Laughter.]

Mr. DIRKSEN. Mr. President, will the Senator from Virginia yield to me 5 minutes?

Mr. ROBERTSON. I will yield to the Senator such time as I have left.

The PRESIDING OFFICER. The Senator from Virginia has 2 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield myself 3 minutes on the bill if I have need of it.

The pending amendment is the Robertson amendment to strike out two allusions to money amounting to $50 million for classrooms and related matters. Is that correct?

Mr. ROBERTSON. That is correct. The amendment is to strike out the whole classroom section.

Mr. DIRKSEN. Incidentally, this goes a little further than classrooms. It includes all structures. It includes facilities. It includes laboratories. It includes initial machinery and equipment and modernization. If that does not add up to $500 mililon in the future, then I have not seen any of these evolutionary amendment here.

Mr. President, the amendment ought to prevail. This is a new function. As the Senator pointed out, it has no business in the housing bill.

To be sure, the officials are going to advise with the Office of Education in the Department of Health, Education, and Welfare, but that does not take the curse off the proposal. It is still a new function. There will be demands for it in the future. Sometimes I say regretfully, the committee has caved in on these demands. With respect to urban renewal, already there are applications on hand at the end of July amounting to $320 million, and another $230 million are ready. That makes a total of $550 million. If that is what they ask for, there is a tendency to give it to them. If they get it, it is only an incentive for everybody else to head for Washington and ask for money.

Mr. President, the amendment ought to prevail, because it will wipe out a new function that has no business in the housing bill.

Secondly, expressing a wholly individual viewpoint, I hope we will not increase the provision for college housing by another $50 million. The President asked for only $200 million. S. 57 contained an item of $300 million. It was $100 million over the President's request. Now comes a compromise item of $250 million in the instant bill.

It is proposed now to take the $50 million for classrooms and add it to the college housing and dormitories provision. That would put the figure back to $300 million. Then the bill would provide for $300 million over the President's request for college housing.

That may be a compromise, but it sounds a little like a horseburger—one horse and one rabbit. It is all to the good of one side and not of the other.

I hope, therefore, that the amendment of the distinguished Senator from Virginia will prevail. I hope the Senate will not write in the $50 million it would recoup under that amendment by adding it to the college dormitories and college housing provision.

What will happen? Will we invite another veto for the bill? I do not know what the President will do about it.

I notice, however, with regard to the 30 substantive changes to which the committee referred, 16, or more than half, did not even concern themselves with the veto message. There were seven deletions. That is what the committee report says. Two of those had nothing to do with the veto, and one did not meet the veto objections. The committee report says there were 15 modifications. Six of those modifications had nothing to do with the veto, and six did not meet the President's objections completely.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

There are eight additions. That is what the committee report says. It is like the billboard signs which advertise cigarettes, "Something new has been added." There have been eight additions. Those things have been added. None of them, so far as I know, were requested by the President. Are we going to commit mayhem on this modified bill and invite another veto? I hope not.

I hope, therefore, that the Robertson amendment will prevail, and that we will not add the $50 million to college housing, because it will still be $100 million over the budgetary request.

Mr. President, I yield myself 1 additional minute.

I suppose there is a belief that I have a fetish about the budget. Well, I have, Mr. President. The Budget and Accounting Act was enacted in 1921. We set up the Comptroller General's Office. We set up the Budget Office. We provided a budget officer not merely for one branch of the Government, not merely for the Congress, but a budget officer of the Government of the United States. His business is to correlate, to revise, and to do those things which are effective. That is what the Budget and Accounting Act provides. He has expressed deep concern about some of these items in the bill, because of their impact on the budget.

It has been our hope that the budget would be balanced and that in the balancing we would not scatter the money in additional places, taking out in one

place and compensating by increases in others.

The PRESIDING OFFICER. The time of the Senator has again expired.

Mr. DIRKSEN. I hope the Robertson amendment will prevail.

Mr. SPARKMAN. Mr. President, I yield 3 minutes to the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. Mr. President, the argument has been made with reference to the $50 million loan fund—the revolving fund for college classrooms and related facilities, such as laboratories, libraries, and other facilities—that it is not relevant to the bill.

Mr. President, first of all, the Housing and Home Finance Agency has within it a bureau which handles what we call community facilities. Under community facilities funds can be authorized for or allocated to sewers, water, curbing, municipal buildings or a host of other facilities which make up what we know as community facilities.

The college classrooms or college dormitories program is to be administered by this bureau which handles the community facilities. The college classroom program would be administered by the same bureau.

Secondly, Mr. President, the opponents of the college classroom funds point out that this would violate the budget statement of the President. Mr. President, this same President of the United States, through his Cabinet officers, reminds us again and again that the interest rates on Government bonds must follow the dictates of the market. The President says, when it comes to paying interest on Government securities, that the Congress should have little or nothing to say, but the market conditions should determine—the need and the demand should determine the rate. If we are going to have need and demand control the price of interest on Government bonds, what about the question of need and demand with regard to college classrooms? We can at least apply the same principle.

This amount of money is $50 million on a loan fund. As the Senator from Illinois so well put it a while ago, by his question, the administration has recommended far more in terms of grants for schools than is being recommended now in terms of loans for college classrooms.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. I would add one final thought. Mr. Khrushchev is coming to the United States to pay us a visit. Mr. Khrushchev is coming here not because we like him and not because the President likes him.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, will the Senator yield me 1 additional minute?

Mr. SPARKMAN. I yield 1 additional minute to the Senator from Minnesota.

Mr. HUMPHREY. Mr. Khrushchev is coming here because he is the leader of a powerful nation, our adversary on the world scene. What makes the Soviet Union powerful today? One reason, at least, is its educational system.

Admiral Rickover traveled with our Vice President. He came home to warn the American people to "get on the ball" with regard to education. He has warned us of the need for more college classrooms, more facilities, and more laboratories, yet when we see one hope and one chance for additional funds for classrooms before us the Congress of the United States is being asked to turn it down, when it involves a matter of national security.

I think Mr. Khrushchev's visit should shake us into a realization that we have much work to do in this country to keep America strong. I vigorously oppose the amendment of the Senator from Virginia.

Mr. SPARKMAN. Mr. President, I yield 5 minutes to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. President, let us first dispose of this talk about a veto of this phase of the bill. Nobody has a higher regard for the common sense of the President of the United States than I. Senators should not tell me that the President of the United States, who has sent to Congress a recommendation for $500 million of grants to higher educational institutions in the United States of America, is going to veto a bill which will allocate $50 million of loans—one-tenth the amount—for the same purpose.

The President knows, and I know, that the two Senators from Alabama know better than anybody else, that the President's program of $500 million for grants is never going to see the light of day. So we have a situation where the Congress in its infinite wisdom has decided that it would rather have a $50 million loan program than a $500 million grant program, so far as the present session of Congress is concerned.

I have too high a regard for the President of the United States to think that he is going to veto a bill which cuts down the amount he recommends to one-tenth.

What about the need for this program? Before our committee appeared able representatives of every single association of higher educational institutions in the United States of America. These representatives testified without contradiction that the enrollment in our colleges has doubled since 1940, and will double again before 1970. They testified that $250 million was what we really needed for this college classroom program, to start it out right, and that the $62.5 million which was provided in S. 57 was the minimum amount they could get along with. They thought it would cost $11.5 billion to satisfy the total building and academic needs for the immediate future.

Mr. President, these representatives also testified—and testified eloquently—that private funds were not available to build an overwhelming majority of these college facilities. I should like to quote from what Mr. John A. Hannah, president of Michigan State University, told our committee. Mr. Hannah, incidentally, is a member of the President's Civil Rights Commission. He said:

> We simply cannot build fast enough through our normal revenue sources to meet the need. Borrowing in substantial amounts is inevitable if our colleges and universities are to provide the required campus facilities for our young people * * *
>
> We submit that the financing of needed * * * academic facilities by Government loans, at the average rate paid by the Government for its borrowed funds, plus one-fourth of 1 percent for administration, is as sound an investment in the welfare and security of our people as the Government can make. As we see it the charge that a subsidy is involved in this interest rate is not supported by the facts * * * The funds made available to the colleges under the (housing and proposed classroom) program are loans, not grants and each year an increasing amount of the principal is being repaid to the Government. We are proud to say that there is no record of a default ever having been made on one of these loans to a college. (Hannah, p. 370.)

Finally, Mr. President, let me say, in support of the bill, that the same witnesses testified that in their judgment the need for academic facilities was substantially greater than the need for dormitories and eating houses, because so many of our college students in the future will be living at home.

One does not receive a great deal of higher education sleeping in a dormitory or eating in a cafeteria; but he can learn a great deal about the knowledge of the past and the hopes of the future in classrooms, libraries, laboratories and many other academic facilities so desperately needed by our institutions of higher learning, which are falling so far behind the need of the present day, which will be greater tomorrow.

I urge that the amendment be overwhelmingly defeated.

Mr. President, I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I yield 1 minute to the Senator from Oregon.

Mr. MORSE. Mr. President, all I wish to say is that I am very much disappointed that the administration is opposed to the $50 million item for college classrooms, laboratories, and libraries.

One of the reasons it is opposed to it is that it is said that it would replace private credit.

We have never yet evaluated the educational system of the country on a profit motive basis. On the contrary, I believe we all recognize that it is the needs of our educational system which are of primary importance, and that we must build classrooms if we are to meet the training needs of the increased number of boys and girls who will be going to higher educational institutions in the next few years. Whether any profit is derived from them is far less important than whether they are actually built in sufficient number.

I remind the Senate that when we had before us the proposal for national defense scholarships, college administrator after college administrator came before us and testified that they did not know what they would do with the additional scholarship students, because they

did not have the facilities for the normal increase in enrollments, and therefore they were not enthusiastic about an increase in scholarship funds. It was a pretty sad day when we had to listen to that sort of testimony.

As the distinguished Senator from Minnesota [Mr. HUMPHREY] pointed out, we must have facilities in which to educate young men and women if we are to keep pace with the great brain power threat of Russia in the half century ahead.

Therefore I hope the proposal of the Senator from Virginia will be overwhelmingly defeated.

Mr. SPARKMAN. Mr. President, I yield 3 minutes to the Senator from Texas [Mr. YARBOROUGH].

Mr. YARBOROUGH. Mr. President, first I wish to compliment the distinguished Senator from Alabama for his leadership in the field of housing, including college housing, over the years. His years of diligent labor have made better housing available to millions of American families. His leadership has put dormitories on many college campuses.

I believe this college classroom amendment is one of the most vitally needed programs; it is not really an appropriation, because this proposal is merely a provision for loans to colleges, and not for grants. The able Senator from Alabama is to be commended for this provision. This modest $50 million sum will put students in college classrooms where there are no classrooms.

Why do we need it?

In 1960 the enrollment in colleges of students from 18 to 21 years of age, projected on the basis of already known figures, will be 3½ million. By 1965 the enrollment in colleges of students in this age group will be 4,600,000, and by 1970 the enrollment in American colleges will be over 6 million. That represents a great increase in the percentage of persons going to college. The percentage of persons going to college increases every year, because American families know that a college education is the hope of the future for most of their sons and daughters, and they sacrifice everything to get their sons and daughters into college. While this great demand for college education puts new pressures on colleges, they lack the classrooms to meet them.

The percentages of young people of college age who are in college are going up year by year. In 1958, in California, 60 percent of all the people of college age went to college. In Massachusetts, 53 percent of all those of college age went to college in 1958. The figure for my home State of Texas was 31½ percent, but in some States the percentage of students of college age, actually in college, was as low as 18 percent. But the people of those States with a low percentage of college attendance are not going to be content to see only 18 percent of their boys and girls go to college, while in California 60 percent of all those of college age go to college, and in my own State 31½ percent go to college.

The question is asked, "Who wants this program?" The answer is that the colleges want it.

I have had letters from both State-supported colleges and privately supported colleges in my home State for these loans.

Many letters came to me during the hearings this year on the GI bill, though they were meant primarily for the Committee on Banking and Currency. I believe that if Senators had time to read the 20 pages of testimony which the able Committee on Banking and Currency heard, as recorded on pages 473 to 493 of the printed 1959 hearings on the housing bill, the Senate would vote overwhelmingly to defeat the pending amendment against loans for college classroom construction.

The figures show who wants this program: the American Association of Land Grant Colleges and the State universities, the Association of American Colleges, the Association for Higher Education of the National Education Association, the American Council on Education, and many others. Every national association of colleges in this country has given testimony as to the current need. They have also shown what their estimate were in 1953 of projected college enrollments in 1960. We know now, in 1959, that their estimates of projected college enrollment for 1960, made 6 years ago, were 1 million too low. We know in 1959 that there will be 1 million more young Americans in college in 1960 than the college authorities thought in 1953 would be there.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I ask the distinguished Senator from Alabama to yield me 2 minutes on the bill.

Mr. SPARKMAN. Mr. President, I yield 2 minutes on the bill to the Senator from Texas.

Mr. YARBOROUGH. With this growing college enrollment rate, the necessity for the program becomes clearly apparent. It is necessary if the youth of America are to be permitted to go to college.

The able Senator from Minnesota [Mr. HUMPHREY] mentioned the report of Admiral Rickover as to what he saw in Russia; that which frightened him was not the present arms system of the Russians, but their educational system.

An article appeared less than a month ago in the Sunday magazine supplement of many of our great newspapers, containing the testimony of Dr. Teller, acknowledged as inventor of the H-bomb. He said that unless we step up our educational activities, by 1969 Russia will be ahead of us in science.

College presidents and college witnesses testified that scientific equipment is greatly needed. That is one field in which we are lagging. We lack proper buildings and equipment to train the youth of our country. This bill makes a small start in the right direction. The Congress lags more in educational fields than in any other field of governmental endeavor. Is the Congress afraid to educate the American people? It is time we passed measures to stimulate the education of the youth of this country, not to stifle it.

Mr. SPARKMAN. Mr. President, how much time remains on the amendment?

The PRESIDING OFFICER. Four minutes remain on the amendment, and 25 minutes on the bill.

Mr. SPARKMAN. Mr. President, I shall speak very briefly on the amendment. I hope it will be rejected.

I have a great respect for the wishes of the President of the United States. I believe our committee has gone more than the "extra mile" in order to meet his objections, as expressed in his veto message.

Regardless of his disapproval of this program, I believe that the testimony before our committee more completely substantiates the need for this program than is the case with respect to any other program with the possible exception of housing for elderly persons.

There was a question as to the jurisdiction of the committee. On our committee are members who are also members of the Committee on Labor and Public Welfare. Before this provision was ever written into our bill that is S. 4035, I discussed this subject with my colleague from Alabama [Mr. HILL], who is chairman of the Committee on Labor and Public Welfare. That was last year.

This proposal is not something new. To hear many people talk about it, one might think that it was a brandnew program. This is the fifth time it has been before us. The provision was contained in S. 4035 which was passed by the Senate last year. The provision was in S. 57 which passed on February 5 of this year. The provision was in the conference report on S. 57. It was in the legislation, which the President vetoed, and was therefore considered when we took up the veto. As I say, this is the fifth time it has been before us. It is nothing new.

Mr. President, I am glad that the Senator from Texas [Mr. YARBOROUGH] referred to the testimony before our committee. I hope the Members of the Senate will read the testimony given to us by Dr. Hannah, who is president of Michigan State University, and was representing all of the different associations of colleges here with the exception of one. By the way, Dr. Hannah is a member of this administration, and has been for some time.

The PRESIDING OFFICER. The time on the amendment has expired.

Mr. SPARKMAN. I yield myself 3 minutes on the bill.

Dr. Hannah has been a member of this administration, in one capacity or another, practically since the administration went into office. I challenge anyone to read his testimony and then say that the program we present is not needed—and badly needed. We will fall behind if we do not start doing something right away.

It is true that S. 1017 has been before the committee so ably presided over by

my distinguished colleague from Alabama. Reference was made repeatedly to that bill. There is an objection to the $50 million college classroom item in S. 57. Yet S. 1017 is a bill which the administration itself sought, which proposes underwriting a $2 billion program with grants of $500 million. In contrast, S. 2539 provides for loans—loans that will be paid back, and with interest.

Mr. BUSH. Will the Senator yield?

Mr. SPARKMAN. Let me complete my very brief statement; then I will yield.

Let me say another thing. Bill S. 1017 pertains only to private colleges so far as those grants are concerned, if I understand correctly, whereas under what is proposed in S. 2539 private schools, private colleges, tax-supported colleges, all may apply and borrow money and pay it back. Not at the subsidized interest rate as stated by my friend from Illinois, the minority leader, but an interest rate based upon a formula which guarantees the return of the money cost to the Federal Government, plus one-quarter of 1 percent. It is not a subsidized interest rate.

Mr. President, I yield now to the Senator from Connecticut.

Mr. BUSH. Mr. President, if the Senator will permit, I call his attention to the fact that the figures which he used with respect to Senate bill 1017 are applicable over a period of from 20 to 50 years.

Mr. SPARKMAN. That is true.

Mr. BUSH. It is hardly fair to compare them with the $50 million program which is immediately upon the Senate.

Mr. SPARKMAN. Yes; I would have been glad to point that out. It is an underwriting of a $2 billion undertaking over a period of 20 years, with $500 million of outright grants in addition to the $2 billion underwriting. Yes; that is true.

Mr. BUSH. Will the Senator yield further?

Mr. SPARKMAN. Yes; I yield to the Senator from Connecticut.

Mr. BUSH. I think that again the Senator is a little bit mistaken in his figures on the bill. The figure for loans over a 20- to 50-year period is $1 billion. Grants-in-aid amount to $500 million over a similar period. If we squeeze those down to an annual basis, it makes an entirely different picture from that the Senator is painting. That is all I care to point out.

Mr. SPARKMAN. Nevertheless, the administration itself is proposing a tremendous figure, and yet is saying that we should not in S. 2539.

Mr. President, I ask to have included as a part of my remarks the introductory part of Dr. Hannah's statement when testifying before our committee. This statement will introduce Dr. Hannah and also Dr. Calvert M. Ellis, president of Juniata College of Huntingdon, Pa., who was here representing the Association of American Colleges. I also present a condensation of the testimony given by Dr. Hannah.

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

Mr. HANNAH. Mr. Chairman, members of the committee, my name is John A. Hannah and I am president of Michigan State University at East Lansing, Mich.

As chairman has indicated, I am authorized to testify today on behalf of five major organizations in the field of higher education which are united in their positions on legislation authorizing loans for college housing and academic facilities.

The five organizations are the American Association of Land-Grant Colleges and State Universities, the American Council on Education, the State Universities Association, the American Association of Junior Colleges, and the Association for Higher Education, which is a department of the National Education Association. A sixth major organization, the Association of American Colleges, also is in agreement but will be represented by another witness, President Calvert N. Ellis of Juniata College.

The membership of the American Council on Education includes both educational organizations and colleges and universities in its membership. This includes 142 educational organizations and 1,047 institutions, among them nearly all the accredited colleges, universities, and junior colleges in the United States.

The American Association of Land-Grant Colleges and State Universities, of which I am a past president, includes 70 major colleges and universities of which 68 are land-grant institutions. The State Universities Association includes the 24 major State universities which are not land grant.

The American Association of Junior Colleges has 510 members.

The Association of Higher Education of the NEA is an individual membership organization with about 16,000 members, all of them college administrators or teachers.

* * * * *

STATEMENT OF CALVERT N. ELLIS, PRESIDENT, JUNIATA COLLEGE, HUNTINGDON, PA.

Mr. ELLIS. I am Calvert Ellis, president of Juniata College, Huntingdon, Pa. I am today representing the Association of American Colleges which, as you know, is the national organization of colleges of liberal arts and sciences, and includes in its membership of 778 institutions nearly all the accredited liberal arts colleges and universities of the United States.

We are glad to have this opportunity of joining with our sister organizations in testifying to this committee on the vital importance of the college building loan program to American higher education.

My association represents a wide variety of institutions, large and small, public and private, church related and secular. Regardless of their type of governance, they are united in their support of this program, as witness the resolutions we have unanimously adopted year after year at our annual meetings, and the testimony that we have offered this committee year by year over the last 5 years.

I have therefore no reason to pursue the interests of any one kind of institution rather than another, but I cannot help speaking from my personal experience as president of a relatively small private college.

Since the start of the college housing loan program, nearly two-thirds of all approved projects, representing slightly more than half of all the money loaned, have been undertaken by private institutions. I am certain that without Federal loans for dormitory and dining facilities, those colleges could never have met the steadily rising demand for admission.

* * * * *

Dr. HANNAH. The educational organizations for which I speak (all institutions of higher education) are emphatically in favor of an expanded program of college housing loans, and in favor of the extension of such a program to include academic facilities. I share this attitude.

Earlier this year witnesses for the organizations I represent today asked for an expansion of $500 million in the loan authority for college dormitories, faculty housing, and related facilities. This was a figure covering both the 1959 and 1960 fiscal years. Since we thought then and we think now that this is a conservative estimate of need, the figure of $300 million—some of which is for non-college housing—in Senate bill 57, is an absolute minimum.

In testimony earlier this year we supported also the inauguration of a new program of loans for academic facilities—classrooms, laboratories, libraries—patterned after the successful college housing loan program. The figure we proposed was $250 million. The $62.5 million finally approved by the Congress, which is only one-fourth of our recommendation, is clearly an absolute minimum.

Perhaps it should again be emphasized that the funds made available to the colleges under this program are loans, not grants, and that each year an increasing amount of the principal is being repaid to the Government. We are proud to say that there is no record of a default ever having been made on one of these loans to the colleges.

Attacks on the college housing interest rate seem to be based on the charge that the present formula involves a subsidy. It is our position that the present formula, based on the average rate of interest on all Government securities, plus one-fourth of 1 percent for administration, was adopted by the Congress in 1955 as fair and equitable.

The demand for a new and higher interest rate charge against the colleges is not justified by a close look at the record. In fact, the history of this program demonstrates that a temporary rise or fall in the general interest does nothing to destroy the validity of the present interest rate formula.

When the Government rate went up this year, the college rate on July 1 was adjusted to $3\frac{1}{8}$ percent, again giving a fair reflection of what the Government pays for its money. Thus the record demonstrates, we believe, that the formula adopted in 1955 has provided adequate protection to the Government, and has been effective in encouraging construction of the student housing which is essential to the welfare and strength of the Nation. We submit that the formula is quite as good today as when it was adopted in 1955, and that it should be retained.

Mr. DIRKSEN. Mr. President, I believe I have 6 minutes left on the bill.

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. DIRKSEN. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I rise to speak only because I am a member of the subcommittee, and I voted in a way which probably would be considered rather different from normal for me, because I voted for this amendment in committee, and I intend to vote for it here, for the following reason:

I believe that we must understand that in this Chamber we voted on a veto which could not be overridden, though I voted to override it.

Each one of us has to make up his mind what is the straw that will break the camel's back. For myself, I believe

the pending amendment could be, because it is a new program, perhaps the straw which would induce the President to veto again, though I hope that is not so, which would again lose us that degree of support on the floor which is necessary if we really want to impress the President with the fact that this is the housing bill we want.

Mr. President, in view of the fact that we probably have another opportunity to render Federal aid to the colleges, I do not believe that the program proposed for housing is really risking breaking the camel's back. I would rather have housing for the elderly, public housing for urban renewal, for every other part of this bill. I believe that in the final analysis the President would sign such a bill, but I entertain grave doubts whether he would sign the pending bill if we added a brandnew program that called for classrooms.

It is for that reason, Mr. President, that I think, with our overall interest in housing, none of us should go around with a chip on his shoulder and say to the President, "Here it is. We dare you to knock it off."

I think we have to use our own best judgment as to how best to place this bill in such shape that if he does not sign it, there will be at least enough support here to impress him that he ought to sign it.

I think this new program could very well be the straw that would break the camel's back. Hence I voted as I did in committee, and expect to do the same here.

I shall support the amendment of the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Connecticut [Mr. BUSH] to add this money which is taken out of college housing, because that is a going program, and I do not believe the President would veto the bill on that ground alone.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum without charging the time to either side.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DIRKSEN. I yield myself one-half minute.

Mr. President, I understand the question recurs on the amendment offered by the distinguished Senator from Virginia [Mr. ROBERTSON], and that the purpose and object of the amendment is to strike out $50 million and also the authorization for a new program embracing college classrooms, laboratories, initial machinery and equipment, and the modernization of structures.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia. All time for debate has expired. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ALLOTT. On this vote I have a pair with the junior Senator from Missouri [Mr. SYMINGTON]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I withhold my vote.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. JORDAN] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—yeas 40, nays 53, as follows:

YEAS—40

Aiken	Dworshak	Prouty
Anderson	Eastland	Robertson
Beall	Ervin	Russell
Bennett	Frear	Saltonstall
Bridges	Goldwater	Schoeppel
Bush	Hickenlooper	Scott
Butler	Holland	Smith
Byrd, Va.	Hruska	Talmadge
Carlson	Javits	Thurmond
Case, N.J	Keating	Wiley
Cooper	Kuchel	Williams, Del.
Cotton	Lausche	Young, N. Dak.
Curtis	Martin	
Dirksen	Morton	

NAYS—53

Bartlett	Hartke	Mansfield
Bible	Hayden	Monroney
Byrd, W. Va.	Hennings	Morse
Cannon	Hill	Moss
Capehart	Humphrey	Mundt
Carroll	Jackson	Murray
Chavez	Johnson, Tex.	Muskie
Church	Johnston, S.C.	Neuberger
Clark	Kefauver	Pastore
Dodd	Kennedy	Proxmire
Douglas	Kerr	Randolph
Ellender	Langer	Smathers
Engle	Long	Sparkman
Fulbright	McCarthy	Stennis
Gore	McClellan	Williams, N.J.
Green	McGee	Yarborough
Gruening	McNamara	Young, Ohio
Hart	Magnuson	

NOT VOTING—5

Allott	Jordan	Symington
Case, S. Dak.	O'Mahoney	

So Mr. ROBERTSON's amendment was rejected.

Mr. SPARKMAN. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. JOHNSTON of South Carolina. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider the vote by which the amendment was rejected.

The motion to lay on the table was agreed to.

Mr. BUSH. Mr. President, I submit an amendment which I send to the desk; and at this time I shall submit a brief explanation of the amendment.

Mr. JOHNSON of Texas. Mr. President, before the Senator does so, and if he will yield to me, I ask unanimous consent that 10 minutes be allowed for debate on the amendment, to be divided equally between the Senator from Connecticut and the chairman of the subcommittee.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BUSH. Mr. President, on the question of agreeing to the amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. SPARKMAN. Mr. President, a parlimentary inquiry: Will the agreement which has been entered into preclude the making of a point of order against the amendment?

The PRESIDING OFFICER. No, it will not.

Mr. GORE. Mr. President, I object, inasmuch as the amendment has not yet been read to the Senate.

Mr. JOHNSON of Texas. To what does the Senator from Tennessee object?

Mr. GORE. To the requested agreement.

Mr. JOHNSON of Texas. I understood that the agreement had been entered into.

The PRESIDING OFFICER. That is correct.

Mr. GORE. Mr. President, I ask unanimous consent that the agreement be rescinded until the amendment is read.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the amendment will be read.

The LEGISLATIVE CLERK. On page 75, in line 20, it is proposed to strike out "$1,175,000,000," and to substitute in lieu thereof $1,225,000,000."

On page 75, it is proposed to strike out all beginning in line 25 through line 21 on page 78, and to include in lieu thereof the following:

Section 602(a) Title IV of the Housing Act of 1950 is amended by adding the following new subsection at the end of section 402:

Mr. BUSH obtained the floor.

Mr. SPARKMAN. Mr. President, I wish to make a point of order.

Mr. BUSH. Let me inquire in whose time the Senator from Alabama is speaking.

Mr. SPARKMAN. I wish to make a point of order, and I assume that the time required therefor will not be charged to the time available on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut has the floor, and——

Mr. BUSH. Mr. President——

Mr. SPARKMAN. I would like to hear what the Chair said.

Mr. BUSH. The Chair said I have the floor.

Mr. SPARKMAN. Yes; but the Chair said something else, too.

Mr. BUSH. Mr. President, I ask unanimous consent that I may yield to the Senator from Alabama, in order that he may make his point of order, and that the time required therefor not be charged to the time available to either side on the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, from hearing the amendment—which I have not had an opportunity to see—I understand that part of the amendment seeks to negate the vote taken only a moment ago in the Senate, as the result of which

the Senate, by majority vote, rejected the previous amendment. So I make the point of order, that it is not in order to seek in this way to reverse that action.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut is in order, for it deals with only part of the subject matter of the previous amendment, which was rejected.

Mr. SPARKMAN. Mr. President, the Chair has stated that the pending amendment deals with only a part of the previous amendment, which was rejected. But the vote taken only a few minutes ago on the previous amendment sustained the action of the committee in providing for college classroom construction. As I understand, the pending amendment would strike out that provision. Thus, I fail to understand how the pending amendment deals only in part with that subject matter. Instead, it seems to me that the pending amendment deals with it in toto.

Mr. BUSH. Mr. President, the Chair has ruled that my amendment is in order; and at this time I should like to explain the amendment.

The sole purpose of the amendment is to do two things together: One, to make a substitute the $50 million which was provided for in the classroom construction part of the bill, by placing it in the college housing program. I do not intend to labor that point. I have already made my argument against the classroom construction provision; I have stated that it would begin a new program which could grow and grow and grow.

I believe that the college housing program, which already has been established, needs this amount of money more than the classrooms do. I have submitted to the Senate evidence on that point, as have other Senators.

So I urge Senators to vote for the pending amendment, in order that we may vote to increase the college housing program, and to eliminate the highly controversial program which, as other Senators have stated, may indeed imperil enactment of this housing bill.

Mr. FULBRIGHT. Mr. President, will the Senator from Connecticut yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Connecticut yield to the Senator from Arkansas?

Mr. BUSH. I yield.

Mr. FULBRIGHT. I wish to make two brief points in regard to the Senator's remarks.

First, I wish to refer to the opposition of the administration to the classroom program, which would authorize appropriations. Let me say that even if the administration did not veto the bill on that account, there would be no way, under that authority to appropriate, to make the administration request and spend the funds. On the other hand, the regular college dormitory program, which the amendment of the Senator from Connecticut would increase by $50 million, is the traditional and established college housing program which provides authority to borrow on the basis of a formula which has been fought out and approved by the Senate for several years now.

Finally, the overall amount available for the colleges is more important, it seems to me, than a new program for classrooms.

Therefore, I shall support the amendment.

Mr. AIKEN. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield.

Mr. AIKEN. I should like to state——

Mr. RUSSELL. Mr. President, I call for order.

The PRESIDING OFFICER. The Senate will be in order.

Mr. AIKEN. Mr. President, I should like to make clear one point: Much as I dislike back-door financing, I will support the amendment of the Senator from Connecticut, for the reason that I do not know why the $50 million for loans for dormitories has been deducted and put in this bill, by the last vote, as an appropriation for classrooms over the express opposition of the President. I hope it is not for the purpose of getting a veto. But if this $50 million item remains in the bill and there is a veto, I shall then vote to sustain the veto.

On the other hand, if a reasonable bill is sent to the President, without any of these defiant provisions, and is vetoed, then I shall probably vote to override the veto. So what we do may indicate whether we are going to have a housing bill enacted or not. If we do not get any housing bill enacted, the blame will rest where it belongs.

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

Mr. BUSH. I yield to the Senator from Ohio.

Mr. LAUSCHE. I will support the amendment. I will do so because I think the President is on sound ground when he vigorously opposes the enactment of new programs. The expenditure of $50 million in fiscal 1960 under the new program will probably run into $250 million by 1962.

I think by transferring the $50 million item into the college housing fund, we remain on safe ground by eliminating a new program.

I also fear if $50 million is provided for college classrooms, the next step will be to give funds for public school classrooms; and there will be no end to it.

My position has been that I will subscribe to no new programs. On that basis, I support the Senator from Connecticut in his amendment.

Mr. BUSH. I thank the Senator.

Mr. President, I am prepared to yield back the time remaining to me, if the other side will do likewise.

Mr. SPARKMAN. Mr. President, I am not prepared to yield back my time, because I have not used any of it.

First, I yield to the Senator from Pennsylvania 3 minutes.

Mr. CLARK. Mr. President, by a vote of 52 to 40 the Senate has just gone on record as being in favor of creating a program of loans for academic facilities in institutions of higher learning. It is proposed to reverse that vote by indirection. What they cannot do directly, the opponents of the program want to do indirectly. They want to do it by the clever device of taking the $50 million authorization for classrooms and putting it into the dormitory program, thus killing the classroom program which we just voted, by a vote of 52 to 40, to sustain.

I sat through all the testimony during which the academic witnesses appeared before our committee. Without a single dissenting vote, it was the opinion of the educators of this country that for the years ahead we need infinitely more money to be spent for the construction of libraries, laboratories, and classroom academic facilities, than we do for the boarding and lodging of students, many of whom will live at home. So if we take this money away from the classroom facilities program and put it into the dormitory and hashhouse program, we shall be taking it out of the higher priority of classroom facilities for American higher education and putting it into a lower priority.

I hope the Senate will take the same action on this amendment that it did on the amendment a few minutes ago, when our friends across the aisle attempted to kill that program.

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

Mr. CLARK. I yield.

Mr. PASTORE. What is wrong with a new program that allows an institution of learning which does not have the room to accommodate young men and women who want to go to college to borrow money that it has to pay back, in order to make the facilities available to accommodate those students?

Mr. CLARK. There is nothing wrong with it.

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

Mr. CLARK. I yield to the Senator from Indiana.

Mr. CAPEHART. I think a good argument might be made against the college housing program, which means dormitories and places to sleep. One also might make a good argument against classrooms. But it seems to me that classrooms are needed more than are places to sleep, because in the big cities a great part of the students live at home and attend the colleges and universities.

Mr. President, one is either for or against the whole program. I thought a moment ago we were trying to save money. It looks like we are merely trying to trade horses. There are good arguments in both directions, but it seems to me that if a Senator is going to vote for college housing, he realizes that classrooms are needed more, or certainly as much as housing is needed at the moment.

Mr. SPARKMAN. Mr. President, I hope the amendment will be defeated and the action taken by the Senate only a few moments ago will be sustained. I want to call attention to the fact that there are really three questions involved in this proposal. One is to do way with what the Senate voted for just a few minutes ago, that is, the provision for college classrooms, which, according to all the testimony before our committee, is mostly badly needed in our colleges

and institutions of higher learning today.

The second would boost college housing, cafeterias, and so forth, by the same amount as that provided for college classrooms.

Mr. President, I am strongly in favor of the college housing program. I introduced the bill for that program that was originally written into law back in 1950. It was rejuvenated in 1953 or 1954. It has been a good program. I am for it. I believe in it. However, we have provided not as much as I would like to have had provided, but more than the President suggested for it.

The third point involved is this, and it may be a harmless little thing. In order to make this amendment proof against, a point of order a third point was brought into the proposal, which will be found on page 80 of the bill. This would have provided that funds may be borrowed for nonprofit student housing provided the loan is cosigned by the educational institution. This provision strengthens the college housing program; but in order to get at the other provision, an effort is made to throw it out.

I want to say to my good friend the distinguished senior Senator from Vermont [Mr. AIKEN] that, certainly, I am not inviting a veto. If the Senator was on the floor, he heard me put the question directly to the Senator from Connecticut, and I now put it to any Senator who may know: Will the President veto this bill if this item is in it? If any Senator knows, let him say so. I have not been told so.

It is true this is one of the points to which the President objected, but there are many others. Just a few days ago he said at Gettysburg that his statement did not mean we had to comply with every single objection he had to the bill.

After the veto message, when we began to consider the matter, I started with the idea that this would be one of the items we would drop from the program. Another was the provision for direct loans for housing the elderly. They were new programs. I sat through the hearings and heard all of the testimony. I heard every word of it. When the hearings were over I felt strongly, and I feel strongly now, that these two items were the most strongly substantiated parts of the bill.

Mr. President, if we believe in this program I do not think that we ought to back down simply because somebody says the President may veto the bill. We have a responsibility.

I respect the responsibility of the President of the United States in all his official functions. I respect the President's right to exercise the veto when he believes it ought to be exercised. But, Mr. President, that does not relieve the Congress of the United States of the responsibility which is given to it under the Constitution of the United States to pass upon what we ought to enact into law. That is our job. I believe we ought to speak out this afternoon with the same determination with which we spoke on the amendment a few minutes ago.

I hope the Senate will reject the amendment.

Mr. President, I am prepared to yield back my remaining time.

Mr. BUSH. Mr. President, I am not quite ready to yield back the time. I desire to yield 1 minute to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I want to associate myself with the remarks of the senior Senator from Vermont [Mr. AIKEN]. This is the third time we have had to vote on a housing bill. I want the bill to pass. I do not want to vote again to sustain a Presidential veto unless there is substantial reason. I must say I agree with the Senator that if the committee and Senate deliberately courts a veto we may be placed in the position of voting to sustain one. It may not be the intent of the committee to court a veto, but objectively it could lead to the same result. This is a new program. It has no relation or predecessor in any previous housing program. It is not a housing program for college students. It is a Federal aid to education bill, to build classrooms for colleges—which starts at $50 million a year, but will cost eventually $2 billion. I do not believe that Federal aid for college classrooms is a proper part of the housing bill.

It would take good reasons to persuade me to vote again to sustain a veto and defeat a housing bill this year. I will not do it unless there are good and strong reasons to support it.

However, the committee and the Senate ought not to court—and I use the word "court" advisedly—a veto by including this extraneous provision in the bill.

If those on the majority side who are insisting on this course continue to do so—they may bring about the defeat of a housing bill this year—and without reason.

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

Mr. BUSH. Mr. President, I yield such time as the distinguished minority leader desires.

Mr. DIRKSEN. Mr. President, first I ask unanimous consent that the time on the bill be extended by 1 hour, to be equally divided. I think we are nearly out of time on the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. CAPEHART. Mr. President, I am not sure I want to agree. What is the request?

Mr. DIRKSEN. I ask that the time on the bill be extended 1 hour, to be equally divided.

Mr. CAPEHART. How much time remains at the moment?

Mr. DIRKSEN. The time on the bill, on this side, has nearly been exhausted.

Mr. JOHNSON of Texas. The Senator has 4 minutes remaining.

Mr. CAPEHART. How much time is there on the other side?

The PRESIDING OFFICER. 22 minutes remain on the other side.

Mr. CAPEHART. There are 22 minutes on the other side and 4 minutes on this side?

The PRESIDING OFFICER. The Senator is correct.

Mr. CAPEHART. The Senator asked to extend the time for an hour. I have no objection.

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

Mr. DIRKSEN. Mr. President, I find myself in a quandary. I must ask myself a question. How much do we get for $50 million?

I voted for the Robertson amendment. I am opposed to the new activity. I think it would ultimately snowball and run into a cost of hundreds of millions of dollars. I believe, also, it has no appropriate place in a housing bill.

As I indicated before, the proposal calls only for consultation with the Office of Education in the Department of Health, Education, and Welfare. If we are going to do something in the school field, then we should put the authority where it belongs, in the Office of Education. That is not contemplated.

Mr. President, I wanted to see the so-called classroom provision entirely deleted from the bill. Now, however, the $50 million which was authorized in the bill for classrooms is to be transferred to and consolidated in the item in the bill for college housing.

The President asked for $200 million. S. 57, the original housing bill which was vetoed, carried $300 million. The committee compromise cut it in half, and made the figure $250 million. If we transfer this $50 million to the college housing, we will have $300 million, and we will be $100 million over the budget.

So we would add $50 million to the bill for college housing. It is a pretty difficult equation to solve, to provide what I think is a durable and substantial answer, in view of the vote on the Robertson amendment.

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

Mr. DIRKSEN. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, is it not true that if the money is transferred from the classrooms to the college housing program, it would make available to the colleges $50 million which they might otherwise have had to spend for dormitories and so forth?

Mr. DIRKSEN. The Senator is quite correct.

Mr. BUSH. Actually, we are not cutting them down at all. We are increasing their whole potential by $50 million. In my view, it would not in the least injure the classrooms, by the keeping out of a new program for the Federal Goverment.

Mr. DIRKSEN. My disposition is to vote for the substitute amendment which is now on the desk, in the hope that perhaps the $100 million over the budget request might ultimately be excised also. I know of course, if we do not do it the House still must impress its will upon this bill.

So I am going to vote for the amendment to get rid of this activity, and we will see what we can do about disposing of the $300 million for college hous-

ing, and whether all of that amount should be left in the bill.

Mr. CAPEHART. Mr. President, will the Senator yield me 1 minute?

Mr. DIRKSEN. Mr. President, I have the floor. I yield the floor, Mr. President.

Mr. CAPEHART. Mr. President, I should like to ask a question.

Why are some Senators willing to appropriate $300 million for beds for students to sleep in and opposed to appropriating $50 million for the chairs for students to sit in in the classrooms? What is the reasoning.

I can understand some Senators being opposed to anything for either program. I am a member of the committee, and I listened to the testimony. I think I know, judging from the testimony, that there is more need for chairs in classrooms and for classroom equipment in these colleges in the United States than for the beds. There is not a single one of the colleges that has enough of the proper equipment to teach our students the science and engineering subjects.

Why are some Senators perfectly willing to vote for $300 million for dormitories and not willing to vote for $50 million for classrooms, when a great number of the students live at home, sleep at home, and are looking for classroom facilities.

Mr. SPARKMAN. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 2 minutes.

Mr. SPARKMAN. Mr. President, a good bit has been said here, and a good bit was said in the course of the hearings from time to time, regarding the bill pending in the Committee on Labor and Public Welfare, that is S. 1017. All the testimony before us indicated that we cannot expect anything to come from this proposed legislation.

I have no desire to duplicate programs. I believe we ought to get started. We ought to get started now. My feeling is that if a college classroom program is started and later some other such program comes about as the result of the administration's proposal which takes care of the same facilities in a reasonably comparable manner, there is no reason why the program proposed in this bill could not be phased out or merged into the other program. Let me reiterate I have no desire to set up a duplicating service which will run on through the years. S. 2539 is a way to get started quickly on a program which is sorely needed.

Mr. President, I simply wanted to advance that thought, because it does represent my thinking.

Mr. DIRKSEN. Mr. President, is there any time remaining on the amendment?

The PRESIDING OFFICER. The Senator from Connecticut has 4 minutes remaining and the Senator from Alabama has 1 minute remaining.

Mr. BUSH. Mr. President, I yield 2 minutes to the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I wish to answer the distinguished Senator from Indiana [Mr. CAPEHART].

In my judgment, there is a great deal of difference between this program and the analogy he undertakes to paint. In the first place, we have a college housing program. It is under way. I do not know that I was too happy about it, but it is here. So in that sense we are dealing with an existing program.

The proposal before us is a new program. The language of the bill includes machinery, equipment, laboratories, structures, and so forth. It is not a very far cry from a microscope in a laboratory to a book, and it is not a very far cry from a textbook to tuition.

So there is quite a difference in this program. I intend to vote for the amendment of the Senator from Connecticut, and I still hope that we can reduce the appropriation to the President's budget.

Mr. SPARKMAN. Mr. President, I yield back the remainder of my time.

Mr. BUSH. Mr. President, I yield back any time I have remaining.

The PRESIDING OFFICER. All time has been exhausted or yielded back.

The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. BUSH]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT (when his name was called). Mr. President, on this vote I have a pair with the junior Senator from Missouri [Mr. SYMINGTON] I am informed that if he were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Missouri [Mr. SYMINGTON] is absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Wyoming [Mr. O'MAHONEY] would vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—yeas 41, nays 53, as follows:

YEAS—41

Aiken	Dworshak	Martin
Anderson	Eastland	Morton
Beall	Frear	Prouty
Bennett	Fulbright	Robertson
Bridges	Goldwater	Russell
Bush	Hayden	Saltonstall
Butler	Hickenlooper	Schoeppel
Byrd, Va.	Holland	Scott
Carlson	Hruska	Smith
Case, N.J.	Javits	Thurmond
Cooper	Keating	Wiley
Cotton	Kuchel	Williams, Del.
Curtis	Lausche	Young, N. Dak.
Dirksen	McClellan	

NAYS—53

Bartlett	Gore	Kerr
Bible	Green	Langer
Byrd, W. Va.	Gruening	Long
Cannon	Hart	McCarthy
Capehart	Hartke	McGee
Carroll	Hennings	McNamara
Chavez	Hill	Magnuson
Church	Humphrey	Mansfield
Clark	Jackson	Monroney
Dodd	Johnson, Tex.	Morse
Douglas	Johnston, S.C.	Moss
Ellender	Jordan	Mundt
Engle	Kefauver	Murray
Ervin	Kennedy	Muskie
Neuberger	Smathers	Williams, N.J.
Pastore	Sparkman	Yarborough
Proxmire	Stennis	Young, Ohio
Randolph	Talmadge	

NOT VOTING—4

Allott	O'Mahoney	Symington
Case, S. Dak.		

So Mr. BUSH's amendment was rejected.

Mr. SPARKMAN. I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. SPARKMAN. Mr. President, I have an amendment which I do not believe will be controversial, proposed by myself and the Senator from Indiana [Mr. CAPEHART], which I send to the desk and ask the clerk to report.

The PRESIDING OFFICER. The clerk will report the amendment.

The LEGISLATIVE CLERK. The Senator from Alabama proposes an amendment for himself and the Senator from Indiana [Mr. CAPEHART], as follows:

On page 9, beginning with line 24, strike out all through line 5 on page 10, and insert in lieu thereof the following:

"SEC. 107. (a) (1). Section 217 of the National Housing Act is amended by striking out '$7,000,000,000' and inserting in lieu thereof '$15,000,000,000'.

"(2) Section 217 of such Act is amended effective October 1, 1960, by (A) striking out 'July 1, 1956' and inserting in lieu thereof 'October 1, 1960', and (B) striking out that part of the first paragraph which follows clause (a) and inserting in lieu thereof the following: ', and (b) the principal amount of all outstanding commitments to insure on that date'."

Mr. SPARKMAN. Mr. President, if I may have the attention of the Senate, I think I can explain this amendment in very short order.

I yield myself 5 minutes, Mr. President.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 5 minutes.

Mr. SPARKMAN. There has been some discussion about the action that the full committee took in limiting the FHA general insurance authorization to 1 year.

Let me say that we started out at first with the idea of placing the authorization on a 2-year basis so that we would not have to have a housing legislation next year. It became apparent, however, as we proceeded, that we were not going to be able to accomplish this aim. Urban renewal funds, for instance, probably will not last 2 years. College housing funds probably will not last 2 years. Therefore we decided that since we would have to have a housing bill next year, we would hold title I, the home improvement program, to 1 year; that is, continue it to October 1, 1960; and we would do the same thing with the FHA insurance authorization; that is, extend it to October 1, 1960.

We provided a cutoff this date so that it would be necessary to get additional

authorization in order for the FHA to continue in operation.

Somehow the understanding has gotten abroad that we were abolishing FHA effective October 1, 1960. Of course, nothing of that kind was ever in our minds.

The reason that some people got that idea was because we said the FHA could not use any of the general insurance authorization beyond that time; nor could the agency issue any agreements to insure that it has been issuing; nor could the agency use any part of the revolving fund.

Mr. President, this amendment proposes to let the provisions of S. 2539 stand with the exception that the FHA may continue to use that portion of the authorization which rolls over.

By the way, this is not money. It is authorization to insure which revolves presently at the rate of approximately $2 billion a year.

Under this amendment we would authorize an additional $8 billion for the general insurance authorization. Some $4 billion of the increase will be necessary to wipe out the agreements to insure that FHA has been issuing since October of last year. We make it very clear in the bill that we do not regard this practice as legal and we do not want any more of it. As a matter of fact we prohibit it. Four billion dollars plus the amount the revolving fund returns will be available to take care of new FHA insurance commitments.

Mr. CAPEHART. Mr. President, I want to say that it is my idea in the first place, as it was the able Senator from Alabama, that we might provide general insurance authorization for 2 years or 3 years or 4 years. However, I do not see that it makes much difference because during the last 25 years we have increased this authorization from year to year on the theory that we ought to take a look at the FHA each year.

If we extend the authorization for longer than a year in this particular bill, we will be doing something that we have not done in the last 25 years. So I think it is six of one and half a dozen of the other as to whether it is 1 year or 2 years. If it is 2 years, of course, we do not have to consider it next year. If it is 1 year, then it has to come up next year.

Mr. SPARKMAN. We recognize that the FHA mortgage insurance programs are good programs and we do not intend to stop them. So Congress will make whatever authorization may be necessary to keep these programs going whenever it is necessary.

I yield to the Senator from Illinois.

Mr. DOUGLAS. Of course, it is true that the housing bill is really a composite of a series of individual programs and various groups in the country are attached primarily to one program or to another program.

The most powerful group is the group which wants more and more insurance under FHA. Frequently, commonly they go along, somewhat unwillingly perhaps, with other measures, such as urban renewal, a modicum of public housing, housing for the elderly, college housing, but in 1958 they were able to get a special bill through which provided for them and then they had no interest whatsoever in a housing bill. The result was that we had no housing bill last year. If we provide amply for them, are they not likely to lose interest in a general housing bill next year?

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. SPARKMAN. I yield myself 3 additional minutes.

Mr. DOUGLAS. Can children be left freezing on the doorstep? Can we leave urban renewal, public housing, housing for the elderly, and cooperative housing to themselves? I do not want to see them left as children starving to death or freezing to death.

Mr. SPARKMAN. I am confident that none of them will starve to death or freeze to death. Urban renewal is a program which I think can stand on its own feet. But this may not be true of all the housing programs.

I am certain that Congress will provide adequately for college dormitories, for urban renewal, for FHA, and for many of the programs. I am certain there will be a housing bill next year. I believe this amendment provides for FHA to operate through October 1, 1960, and that it is a good proposal.

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

Mr. SPARKMAN. I yield.

Mr. BUSH. I was not able to hear the Senator distinctly. Does the Senator give us to understand that his amendment provides for a rollover which amounts to approximately $2,500,000 a year?

Mr. SPARKMAN. That is correct.

Mr. BUSH. That this is all the amendment provides?

Mr. SPARKMAN. That is all.

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

Mr. SPARKMAN. I yield.

Mr. CLARK. I should like to be certain I understand the Senator's amendment because of the necessity of its being phrased in rather technical language. As I understand, the Senator's amendment keeps in the bill as it was reported by the committee the cutoff date of October 1, 1960, for the utilization of the $8 billion of additional FHA authorization. Is that correct?

Mr. SPARKMAN. The Senator is correct?

Mr. CLARK. The Senator's amendment simply provides that after October 1, 1960, the FHA can live on its rollover as long as it can roll over.

Mr. SPARKMAN. That is true.

Mr. CLARK. In effect, the figures which the staff furnished us indicate that the rollover would be at the rate of about $2,500 million a year, which in terms of recent history would not be nearly enough to keep them going at the rate they want the program to go.

Mr. SPARKMAN. That is correct.

Mr. CLARK. I am happy to support the amendment.

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

Mr. SPARKMAN. I yield.

Mr. MONRONEY. If I understand the Senator's amendment correctly, Congress will be in control of regulating this program in October 1960. Is that correct?

Mr. SPARKMAN. That is correct.

Mr. MONRONEY. We then will have the right to prohibit the escalation, if we desire, by Government mandate and by administrative action in the FHA, and the inflationary spiral of charges for home building.

Mr. SPARKMAN. We will have that power or that right. Whether we exercise it or not is another thing.

Mr. MONRONEY. Has the Senator from Alabama had any assurance from the head of the FHA whether he will use his full statutory power again to get this up through the stratosphere, a policy which this administration has consistently followed, and which has created inflation by Government action, and will, I fear, increase the $10 billion we are talking about by taking the full limit of their authorization and raising from 5¼ percent to the statutory limit of 6 percent the cost to the home buyer, adding $2,250 million to the $10 billion we are putting up over the 30-year length of these mortgages?

I wonder if the committee, feeling as they do, that the interest rate has gone through the stratosphere already, would give any advice as to whether the 1-year cutoff will allow Congress to review effectively the interest rate policy which is, in itself, very inflationary and adds 20 percent over the 30-year period to the price of a home costing about $20,000.

Mr. SPARKMAN. Congress certainly will have the right and the duty to review the program. We do have some interest increases in the bill. As the Senator knows, we adopted them heretofore.

Mr. MONRONEY. That is correct.

Mr. SPARKMAN. But we did not go as far as FHA asked us to go. We have no assurance that they will or will not go to that ceiling. However, we do have this experience to go by. For several years FHA has had the right to raise interest rates on FHA insured mortgages to the level of 6 percent. They have not gone above 5¼ percent. That is where the interest rate is today.

So I think we can assume that setting a ceiling at a certain level does not mean that that level will be reached. It does provide a certain amount of flexibility.

Mr. MONRONEY. I have an amendment at the desk which I had intended to call up, which I shall not call up, because it affects only rental projects under FHA, which I understand is only about $400 million out of some $30 billion in financing. But this escalates up the interest rate on rental housing loans from 4½ percent to 5¼ percent. I wish the chairman of the Subcommittee on Housing would state that this is not an invitation and is not an open sesame and has nothing to do with the existing rate on the title II housing, which applies to normal home construction.

Mr. SPARKMAN. The raises we made, as I said, were less than the administration asked for. In presenting their request, officials of the Administration told us that it did not mean that they were going to raise their rates to

those levels, but they wanted the flexibility to enable them to maneuver.

Mr. MONRONEY. But the increase in the rental housing rate has nothing whatever to do with encouraging them, through the action of Congress, to raise the interest rate which is now in effect due to the statutory limit.

Mr. SPARKMAN. Not at all.

Mr. GORE. Mr. President, I oppose the amendment.

The PRESIDING OFFICER. The Senator must first obtain time.

Mr. SPARKMAN. Mr. President, who has control of the time in opposition to the amendment, under the unanimous-consent agreement? Do I have any time remaining?

The PRESIDING OFFICER. The Senator from Alabama has 5 minutes remaining.

Mr. SPARKMAN. I yield that much time to the Senator from Tennessee.

Mr. GORE. Mr. President, I hardly understand what I see and hear. The Committee on Banking and Currency has reported to the Senate a bill which it has recommended; yet we have an amendment offered by the chairman of the Subcommittee on Housing which does not have the approval of the committee. I make no criticism; I simply say it is a bit unusual.

I remind the Senate that just a short time ago the veterans' housing program was snatched out and dealt with separately. Now, by establishing, permitting, authorizing, condoning, and endorsing this use of the revolving fund, we are snatching out the FHA. I warn Senators that this means the death knell of the college classroom program and the programs for college housing, urban renewal, and public housing. I think this is an unwise move.

I should like to have the opportunity, as I should like the Senate and Congress to have the opportunity, 1 year from now to review the housing program. If this amendment should be adopted and if it should become law, the FHA will then have become virtually self-sufficient, and with its revolving fund capacity can go on almost ad infinitum and will not be a part, necessarily, of another housing bill.

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

Mr. GORE. I yield.

Mr. SPARKMAN. I say in all sincerity that the Senator from Tennessee is wrong in his statement. As the Senator from Pennsylvania, I believe it was, stated a few minutes ago, the average of $200 million a month from the revolving fund is not enough to keep the FHA going. As a matter of fact, we are giving them $4 billion for each year. I think our committee can assure the Senator from Tennessee that there will be a housing bill next year and that this amendment does not pull the FHA out of omnibus housing legislation. That has been our whole purpose. Only the revolving fund will be allowed to continue to operate.

Mr. GORE. If that be the case, what is the reason for this amendment; and if there is a need and a reason for it, why did not the subcommittee propose it?

Mr. SPARKMAN. I am not at all certain that when it was submitted to the committee, we were fully aware of the effect it would have on the revolving fund. I do not know this to be certain, but I wonder whether we were fully aware of the effect that this provision would have had on that fund.

At any rate, as I said a while ago, the rumor had gotten around that we were killing the FHA as of October 1, 1960.

Mr. GORE. I have not said that.

Mr. SPARKMAN. But I have heard it said by others, and I have received telephone calls about it, and various persons have spoken to me about it. The reason for the misapprehension is that the bill, as we wrote it, would have stopped the use of the revolving fund as well as the use of new funds we were making available.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The time available to the Senator from Tennessee has expired.

Mr. GORE. I should like to have 5 minutes on the bill.

Mr. JOHNSON of Texas. I yield 5 minutes on the bill to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for an additional 5 minutes, on the bill.

Mr. GORE. I thank the Senator from Texas.

Mr. President, I still do not understand why the amendment is before us. Was it considered by the committee?

Mr. CLARK. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. CLARK. I have been reluctant to support this amendment, for somewhat the same reasons as those stated by the Senator from Tennessee. Nevertheless, after going into the figure as carefully as I could with the staff and with the Senator from Alabama, I do not believe we shall be running into any danger by adopting the amendment.

For example, in the fiscal year 1959 the total net use of insurance authority was $6,500 million. If the rollover is only $200 million a month or approximately $2,500 million a year; this would amount to scarcely more than one-third of the amount that is needed.

The Senator from Tennessee wishes to know why it is proposed that the amendment be adopted, inasmuch as it was not considered in either the subcommittee or the full committee. The reason is that we wish to see the bill go through the Senate and through the House without a great deal of wrangling, and be placed on the desk of the President.

I call upon the Senator from Alabama, who knows more about these matters than I do, to state the detailed reasons. However, I may state that I believe this amendment will make it possible to get the bill through the House in a hurry; and therefore I intend to support the amendment.

Mr. SPARKMAN. As a matter of fact, this morning I received a telephone call from the chairman of the subcommittee of the other body. He told me about the reports which had been coming to him about this matter. He said he hoped the House would be able to accept immediately the bill which is sent to it by the Senate. I told him it was not my purpose to kill off the FHA. That is why I favor the adoption of this amendment.

Mr. GORE. For many, many years I have been reviewing and voting on this program, but this is the first time I have heard the suggestion that we should make it permanent. It seems to me that the prudent course——

Mr. SPARKMAN. If I may interrupt, let me say there is no permanency. As a matter of fact, the President asked for it in his veto message. But the amendment does not give it permanency, because the rollover fund would not be enough to permit FHA to function more than a couple of months.

Mr. GORE. Is it true that the only real motivation for this amendment is to try to make this program more acceptable at the other end of the avenue? If so, I can understand the reason for the amendment.

Mr. SPARKMAN. No. In my opinion, if we had really thought or realized how this measure would effect the revolving fund, we would have taken care of this matter in the committee, because we want to keep the revolving fund alive; and I do not believe we would have voted to cut it off.

Mr. GORE. Does the Senator from Alabama believe that this amendment would separate the FHA program from the urban renewal program, or would give the former preferential treatment?

Mr. SPARKMAN. Not at all. No Member of the Senate—as I believe the Senator from Tennessee will recall—is more eager than I am to see a well-rounded, sound housing program go on all the time.

Mr. GORE. I agree.

Mr. SPARKMAN. And I would not support any measure which I believed would prevent us from having proper housing programs as the needs develop.

Last year, when we provided for taking care of the housing needs, and when the FHA showed no interest in a housing program after that time, I said on this floor that, so far as I was concerned, there would never be a bobtailed housing bill which would have the effect of preventing the passage of a good, sound, adequate housing program; and I stand on that statement.

Mr. GORE. I recognize the interest and the enthusiasm of the able Senator from Alabama——

The PRESIDING OFFICER. The additional time yielded to the Senator from Tennessee has expired.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Minnesota will state it.

Mr. HUMPHREY. Is not time available for a Senator who opposes the amendment?

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Tennessee from the time available on the bill, if he wishes to have further time.

Mr. GORE. I should like to have an additional 5 minutes.

Mr. JOHNSON of Texas. Very well; I yield 5 minutes on the bill to the Senator from Tennessee.

Mr. HUMPHREY. The Senator in control of the time in opposition to the amendment is out of the Chamber, and that creates a rather ridiculous situation.

Mr. JOHNSON of Texas. Time on the bill is still available and under my control; and I yield 5 minutes of that time to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for any additional 5 minutes, on the bill.

Mr. GORE. I thank the Senator from Texas for yielding time to me.

Let me say that I realize the interest and the desire of the Senator from Alabama for a well-rounded housing program.

But I should like to ask him if the following is the case: Would this amendment make it possible for the FHA program to operate beyond 1960, until January 1961, whereas the other programs could not do so? If that be the case, I must persist in my opposition to the amendment. If that is not the case, I shall not persist in my opposition to the amendment.

Mr. SPARKMAN. As a matter of fact, one of the most popular programs, and one of the largest, is that under title I, for home improvement. That would expire October 1960 under the new bill. Does the Senator from Tennessee believe we should let it expire?

Mr. GORE. Mr. President, will the Senator from Alabama respond to my question?

Mr. SPARKMAN. Yes. The FHA could continue to operate beyond October 1, 1960, for a limited time. I am not sure that it would be able to operate until January 1, 1961.

However, let us remember that under the provision we have made, it will no longer be able to issue the letters of intent; and $200 million a month simply will not be sufficient to run the FHA.

Mr. GORE. Then the first statement I made is substantiated, and this amendment would give preferential treatment to the FHA, by allowing it to continue through 1960, whereas the other programs will not be treated likewise.

Mr. HUMPHREY. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. SPARKMAN. First, if the Senator from Tennessee will yield first to me, I should like to say that we do have housing programs which run beyond that date.

Mr. GORE. Very well; I yield to the Senator from Alabama.

Mr. SPARKMAN. For instance, we extended to 1962, if I recall correctly, the authority to make direct loans under the veterans housing program. I believe that authority was extended to 1962, although I do not have that bill before me at this time.

Mr. GORE. Of course if we begin to give preferential treatment to individual programs, each program will soon stand alone.

Mr. SPARKMAN. The program for the construction of farm housing continues to 1962, and the program for special defense housing, under section 809, continues until 1961; and we have various other programs which will continue for various lengths of time.

But we have certain important programs which we know will require either extension or new funds in 1960.

So I say with absolute confidence that the Senate can rest quite assured that there will be a housing bill in 1960. There simply must be.

Mr. GORE. I think the need to extend the FHA might help to insure that.

Mr. HUMPHREY. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. HUMPHREY. In connection with these matters, my tendency is to go along with the views of the members of the committee, because they have studied this measure in much more detail than the rest of us, who are not members of the committee, have been able to do.

But I have just heard an argument which disturbs me. Although I want very much to support the distinguished chairman of the subcommittee, because I admire so much his leadership on these housing matters, I still feel some concern which I must express.

In the first place, the veterans housing program is now operating independently. The so-called Capehart and Wherry housing programs are under separate authorizations, with separate termination dates. These are programs for homebuilders, not what we call public service programs, not urban renewal programs, not programs for slum clearance or for public housing.

What I worry about is that if we begin to divide the total housing program, and if we begin to provide for different date lines for different parts of it—for further authorization and continuity and overlapping for some, but for cutoffs on others, pretty soon the housing program package will be divided into so many small pieces that we shall not be able to put together a housing program which will enlist majority support.

Let me give the Senator a good example of what I talk about. This is what happened to the agricultural program. We started out to enact a program for wheat, or cotton, or corn, or another product, each by itself. Pretty soon we had what some call a farm program, but which cannot be dignified by that name. We have a shambles. I hope that does not happen to the housing program.

Why do we need this amendment, if we have not had it before? What is the concern on the part of the FHA or homebuilders now that they did not have in previous years? Perhaps the chairman of the subcommittee can give me the answer.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask the acting minority leader [Mr. KUCHEL], who is in charge of the opposition time, to yield to me 5 minutes.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Am I correct in assuming that since the majority leader has indicated he favors this bill, then the 15 minutes are available for the acting minority leader to allocate?

The PRESIDING OFFICER. The Senator is correct.

Mr. KUCHEL. Do I have the full 15 minutes to allocate?

The PRESIDING OFFICER. The Senator is correct.

Mr. KUCHEL. Can anyone on this side indicate he would like to speak on this proposal?

Mr. SCOTT. I would like to speak.

Mr. KUCHEL. First, Mr. President, I yield 5 minutes to the Senator from Minnesota.

Mr. HUMPHREY. The Senator from California is very kind. I wanted to be able to continue the debate, with the participation of the Senator from Tennessee, and obtain answers to what are sincere questions, even though they may not always be the most informed questions.

I should like to ask the Senator from Alabama why it is that this particular amendment is needed in this particular bill, when, if my recollection serves me correctly, such a provision was not in the bill 2 years ago.

Mr. SPARKMAN. Mr. President, the subcommittee reported the bill with the recommendation that the program continue until October 1, 1961. We had a 2-year program. When we got into the committee and realized we were going to have a 1-year urban renewal program and a 1-year college housing program, we felt there was a necessity for cutting back the title I home improvement program and the FHA general insurance authorization to October 1, 1960.

The question came up last October, as the Senator knows, when the FHA ran out of insurance authorization. The FHA started issuing agreements to insure, commonly referred to as ATIs. The majority of our committee did not like this procedure. A good many people believed these ATIs were illegal. We decided to prohibit the FHA from using this practice in the future. We devised language to prohibit it, but in doing so eliminated the FHA general insurance authorization revolving fund, which had not been done before.

Mr. HUMPHREY. Had the revolving fund been continued before?

Mr. SPARKMAN. Yes; ever since 1954 there has been a revolving fund.

Mr. HUMPHREY. How much time was there provided for the mortgage insurance?

Mr. SPARKMAN. To October 1, 1961, which was 2 years. We cut it back to 1960. What made the matter become involved was the fact that agreements to insure were being made. In devising language to eliminate this practice, we also cut out the use of the revolving fund.

The Senator mentioned the veterans' direct home loan program and the farm housing program. These programs have revolving funds. These funds have never been cut off and have been allowed to revolve steadily. Whenever it becomes necessary to replenish those funds, we do it. The same applies to

the FHA general insurance authorization. There is nothing strange or dangerous about this procedure.

Mr. HUMPHREY. I am sure there is nothing strange or dangerous about it, or the Senator from Alabama would not sponsor it; but let me say it disturbs some of us when we see the veterans' housing program pass quickly on its own merits, with special arrangements out of the general housing package——

Mr. SPARKMAN. I believe the Senator will recall it was passed in our general bill.

Mr. HUMPHREY. Yes.

Mr. SPARKMAN. As a matter of fact, for the last three times the direct home loan program has been extended, the extension has been accomplished in that manner because of a jurisdictional question. Our committee happens to have jurisdiction of the program on this side of the Capitol, and the Veterans' Affairs Committee has jurisdiction of that matter on the House side. Several times the Senate has passed an extension of the VA direct home loan program as a part of the general housing bill. That is the way we generally do it. In the meantime, the House will pass a bill relating to the program. We usually wait until a conference, and then decide the matter in conference, or we pass a separate bill.

Mr. HUMPHREY. There are some American proverbs that pass through my mind when we do this kind of thing. One is that we shall either hang together or assuredly hang separately. Sometimes I worry that we may not be putting these different matters together correctly. Another proverb is that in unity there is strength. When we put enough of these items in one bill, we can get enough votes to get a program passed; but when we start trying to put a program together by having one item stand on its own feet, and then another item stand on another pair of feet, we find that the feet of the public interest get knocked out from underneath the program. That is what I do not want to happen.

Mr. SPARKMAN. All of us have given careful thought to this question. The Senator can rest assured that this proposal is not breaking down the law of unity.

Mr. HUMPHREY. I thank the Senator for his assurance.

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

Mr. HUMPHREY. Mr. President, I yield whatever time I have left to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, is it not true that as to the so-called rollover funds, consisting of monthly payments on interest, plus forefeitures, as the total amount of insurance increases from $30 billion to $38 billion, there will be an increase in the monthly rollover of $200 million a month, or $2,400 million a year——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SPARKMAN. Mr. President, will the Senator from California yield enough time to the Senator from Illinois so that he may complete his question?

Mr. KUCHEL. I yield 1 minute to the Senator from Illinois.

Mr. DOUGLAS. Is it not true that the rollover funds will increase from $2,400 million a year to at least $3 billion a year, so that more leeway will be given to FHA than it would seem at first sight?

Mr. SPARKMAN. There will be a slight increase, but nothing like the amount mentioned by the Senator in that short a time. I do not know how we can calculate the figures. I suppose it can be done, but I believe the increase over the present figure of $200 million a month would be slight.

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

Mr. SPARKMAN. I do not have the time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I yield 5 minutes to the Senator from Pennsylvania [Mr. SCOTT].

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SCOTT. Mr. President, may I ask a question of the able Senator from Alabama, as a matter of interest? Does he happen to know what the legal rate of interest is in the State of Alabama?

Mr. SPARKMAN. Yes. It is 6 percent. It is 8 percent on contract.

Mr. SCOTT. So there is a legal rate of interest in Alabama above 6 percent. Is that correct?

Mr. SPARKMAN. By contract; by special agreement; yes.

Mr. SCOTT. I am sorry the Senator from Oklahoma [Mr. MONRONEY] is not present, because I rose to make this observation. We have heard so much about inflation. We have heard so much about high-interest rates. I am in favor of this bill.

I again suggest, as I have suggested before, that the executive department has no money which the Congress does not award to the Executive for the purpose of carrying out the intent of the legislature. If there are Senators who believe that the appropriations of these large sums of money is inflationary, I would respectfully suggest to them that they vote against the bill. If they fear that it is the administration which raises the cost of money, and if they fear that it is the administration which is responsible for these appropriations, let them vote against the bill. I, myself, will not, because I think this is a worthy bill. I will support it as I supported its predecessor.

I cannot quite see the motivation of the kind of argument which says—when the legislature votes to spend money, and when the Federal Reserve banks, plus the other agencies available to the Executive, are concerned with the raising of the money—when interest rates increase, as they have under several previous administrations at times, that somehow it indicates the administration is deliberately engaging in inflation. On the contrary, on my judgment it certainly is not. I am satisfied in my own mind that the administration would like to pay as low a rate of interest as possible, if the market permitted it.

On another subject, several Senators have mentioned the importance of making the bill palatable at the other end of the avenue. I would suggest that a better way to make the bill palatable, although I will support the amendment of the Senator from Alabama, would be to extend the authority to FHA for 2 years instead of 1 year. This piecemeal, rather picayune act of limited generosity would permit the continuance of certain functions for a matter of an undetermined number of months, and presumably, according to the Senator from Alabama, less than 3. I suggest that agreeing to the next amendment, as I anticipate it, to extend these authorities to the FHA, perhaps might be the best way to make the bill more palatable.

I conclude by saying I am still of the opinion I was when I entered this body, that the cost of interest in this country is not due to action of the administration, but is due to the action of the legislature and to the inevitable operation of the law of supply and demand and of the market value of money.

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

Mr. SCOTT. I believe my time has expired.

The PRESIDING OFFICER. Does the Senator from California yield?

Mr. KUCHEL. I yield an additional minute to the able Senator from Pennsylvania.

Mr. SCOTT. I am happy to yield to the Senator from Tennessee.

Mr. GORE. Is the Senator aware that the Federal National Mortgage Association only last week increased by one-half of 1 percent the discount at which it would buy Government guaranteed mortgages, thus deliberately and purposely putting on pressure for higher interest rates?

Mr. SCOTT. The fact which the Senator states is a fact. The conclusion which the Senator draws from the fact is not necessarily accurate. The Senator uses the word "deliberately" as if some malice or unkind intent existed on the part of the Federal National Mortgage Association.

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

Mr. SCOTT. I am happy to yield.

Mr. GORE. For what purpose was the discount rate increased?

Mr. SCOTT. As I have just said, in order to be able to raise the money in the market.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SCOTT. If the Senator thinks interest rates are not subject to market value and to the law of supply and demand, then there is nothing I can say which would further enlighten him.

Mr. BENNETT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BENNETT. Mr. President, the Senator from Utah has an amendment which he wishes to offer as an amendment to the amendment of the Senator from Alabama. At what point will it be be proper to offer the amendment of the Senator from Utah?

The PRESIDING OFFICER. The Chair will state that the Senator from Alabama has 5 minutes remaining. At the end of that time, or at any time the Senator relinquishes his time, the Senator from Utah may offer his amendment.

Mr. BENNETT. So the amendment of the Senator from Utah may be considered before a vote is had on the amendment of the Senator from Alabama?

The PRESIDING OFFICER. The Senator is correct.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Does that mean it is required of the author of the pending amendment that he exhaust all his opportunity to discuss his amendment before an amendment to the amendment is in order?

The PRESIDING OFFICER. That is the effect of the unanimous-consent agreement.

Mr. KUCHEL. Mr. President, does the minority have any additional time available?

The PRESIDING OFFICER. The time is exhausted.

Mr. KUCHEL. If no one wishes to speak in opposition to the amendment, Mr. President, the acting minority leader is prepared to yield back his time on the amendment, with the understanding that the able Senator from Alabama will do likewise.

Mr. SPARKMAN. Mr. President, I am ready to yield back the time on the amendment, and I ask for a vote.

The PRESIDING OFFICER. All time has been yielded back on the amendment.

Mr. BENNETT. Mr. President, I offer an amendment to the amendment of the Senator from Alabama, to change the date in section 2 of the amendment by striking out the date "October 1, 1960" and by inserting in lieu thereof the date "October 1, 1961."

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. DIRKSEN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What was the announcement of the Presiding Officer?

The PRESIDING OFFICER. There was not a sufficient second.

Mr. DIRKSEN. How many seconds are required, on the basis of the last vote?

The PRESIDING OFFICER. The requirement is for one-fifth of 93 votes, or 19 seconds.

Mr. DIRKSEN. Mr. President, I renew the request for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. BENNETT. Mr. President, I yield myself 5 minutes on the amendment.

Mr. President, as Senators have heard the chairman of the subcommittee say, when the subcommittee reported the bill to the full committee the date in the bill was October 1, 1961, but that date was taken out by action of the full committee. It seems to me that the subcommittee, which heard all the testimony, made the wiser decision of the two.

The full committee took the date out as a part of the program, as Senators have heard the chairman say, under which there was also taken out of the bill the privilege of the FHA to use the rollover funds.

The effect of the bill as it came to the floor—I will say parenthetically at this point, that effect has been corrected or will be corrected, if the Senate agrees to the amendment offered by the Senator from Alabama, either with or without the amendment now offered by the Senator from Utah—would have been complete death for FHA October 1, 1960. There would have been no money out of new authorizations, and FHA would not have been allowed to use, as it has been allowed to do since the beginning of the program, whatever funds may be available to it from what is called the rollover, or the right-to-use-again authorization, previously created, which had been used once and had been, in effect, reestablished, because the purpose for which it had been used had been satisfied and the amount of the authorization was free again.

As the bill came to the committee, I think this was a most serious situation, for several reasons. As I say, in the past we have never chopped off FHA completely at any point. There have been times in the past when we have continued it to times further in the future and increased its authorization.

We have done so for the purpose of having an opportunity to look at it in the future, but never with the intention of cutting it off entirely.

The risk of cutting it off entirely has been minimized, and probably eliminated, by the proposal of my friend from Alabama. But the continuation of the date of October 1, 1960, has a very interesting effect—or at least it seems so to the Senator from Utah. Senate bill 57, which was vetoed by the President, was a 2-year bill. There was a 2-year authorization for urban renewal, specifically, and in other respects it was a 2-year bill. The bill before us, particularly with respect to urban renewal authorizations, has an open end. There is an amount of $500 million available until it is used. If we cut the program down into a 1-year program, rather effectively by leaving the date of October 1, 1960, in the bill, we encourage—in fact, we rather definitely establish—the assumption that this is $500 million for urban renewal, to be spent in 1 year. This has the interesting effect of actually increasing, on a 1-year basis, the amount available for urban renewal, which is $500 million, whereas under Senate bill 57, it was $550 million for 2 years.

I am sure the Senator from Alabama is correct when he tells this body that he has no intention of seeing FHA's authority to guarantee mortgages grind to a stop. On that basis, I cannot see why he would not agree to the original suggestion of the subcommittee, that the privilege of authorizing insurance, including the privilege, now, of rolling over previous authorizations, should be made available until 1961.

This would then preserve the 2-year aspect of the bill, and would remove from the supporters of the bill the charge that they are using the FHA private insurance program as a hostage in order to make sure that Congress comes back next year to increase urban renewal, to increase college housing, to increase classroom loans, and other features in the bill.

We have debated the classroom provision at great length. It is pointed out that the amount involved is $50 million, and that it is only a beginning. I assume that if the date of October 1, 1960, remains in the bill, we must come back and act on a bill next year, because the FHA insurance program, which is the basis today of the erection of some $1.25 billion of new housing starts, will then be in jeopardy. We must act on it. We must come back.

This is a very interesting situation. Originally the housing legislation had to do with a program to make it possible for private individuals, with a Government guarantee of their mortgages, to build homes for themselves. This program has proliferated to the point where as we have heard in the discussion today, this part of the program is apparently regarded with some disfavor by those who are eager to see it developed into what I call an institutional program—programs of loans, at subsidized interest, for schools, urban renewal, public housing, and all the rest of the institutional uses.

Frankly, I think we would be better off if we followed the recommendation of the subcommittee and protected the FHA insurance program past the next election. That would permit it to operate as the subcommittee originally intended.

When my friend from Alabama offered his amendment, he took most of the sting out of the situation. I will admit that he took away a good part of the necessary justification for my amendment.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. BENNETT. I yield myself 2 more minutes.

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

Mr. BENNETT. Let me finish.

In a sense, the amendment I am proposing is not nearly as vital as it would have been if the Senator from Alabama had not offered his amendment. I hope the Senate will vote to give assurance to the home buyers and home builders of the United States that the FHA mortgage guarantee program is assured for at least 2 years more.

I now yield to the Senator from Tennessee.

Mr. GORE. Mr. President, I have listened to the able Senator with care. I hold him in very high and warm regard, because we have served on the same committee, and have had pleasant associations. Therefore I have listened intently and sympathetically.

The only reason I have heard him give for the extension which he proposes,

or for that which the junior Senator from Alabama proposes, is to get FHA past the election. Will the Senator be so kind as to say what virtue there is in getting FHA by the 1960 election, and not getting the classroom, urban renewal, public housing, college housing, and other programs by the election?

Mr. BENNETT. Let me say to my friend from Tennessee that there is no time limit on the other programs. That money is available until it is used.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. BENNETT. I yield.

Mr. GORE. Must I infer from that that the Senator suggests a stretch-out, and that the money available for other programs must suffice so long as the money for FHA suffices, which, with the revolving fund, would carry it perhaps to January or February 1961? Does that, in fact, not indicate that the adoption of the Senator's amendment would mean no housing bill in 1960?

Mr. BENNETT. I think the question of whether or not we need a housing bill in 1960 should depend upon the conditions we face.

Take the urban renewal program. There is an open-ended authorization for $500 million. It requires a great deal of time to develop the applications and develop the justification for urban renewal programs. I have no way of knowing—nor do I think the Senator from Tennessee has any way of knowing—whether that $500 million will be used up in 1959, 1960, or later.

The PRESIDING OFFICER. The time of the Senator from Utah has again expired.

Mr. BENNETT. Mr. President, I yield myself 5 additional minutes.

However, because the FHA program is a well-established program, with a complete history and with a pattern of experience, and because we know that the building of private homes is proceeding at a record rate, we are pretty sure that if we do not extend the program into 1961 we shall be forced to come back here to consider this problem, and open up the other programs. I am perfectly willing to agree that if the funds available in the other programs are, in fact, exhausted, they should be opened up. In no sense am I trying to cut them off. But in the same spirit, I do not believe that the Senate should be trying to cut off the FHA program a little more than a year from now, when we have had a generation of experience with it, and we know of its value. Certainly no Member of this body tends to abandon it or destroy it.

Mr. GORE. Will the Senator yield?

Mr. BENNETT. I will be happy to yield to the Senator from Tennessee.

Mr. GORE. It is not my desire to put words in the mouth of the able Senator. It does seem to me that it is reasonable to conclude from his remarks that the real purpose of this program is to avoid the necessity of a housing bill next year. It does provide FHA with sufficient revenue to operate beyond the next legislative session, beyond 1960, with the usual slowup in November and December of construction, perhaps into January, even February, through the use of the revolving fund.

I submit to the Senate that the adoption of the Senator's amendment would endanger the opportunity of enactment of a housing bill next year.

Mr. BENNETT. I would like to change one word in the statement of the Senator from Tennessee to me.

I do not think my proposal eliminates what the Senator indicates. The Senator from Tennessee used the words "the necessity for a housing bill." I feel that my proposal makes it possible for us to consider a housing bill next year if it should be necessary.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BENNETT. I shall take 2 more minutes. The effect of my proposal is not automatically to require any other program whether we need it or not.

Mr. CAPEHART. May I have 1 minute?

Mr. SPARKMAN. I yield 1 minute to the Senator from Indiana.

Mr. BENNETT. Do I have any more time?

The PRESIDING OFFICER. The Senator has 3 minutes.

Mr. CAPEHART. Mr. President, I do not care whether the program is for 1 year or 2 years. We have had FHA now for 25 years and we have always extended it. If we now extend it 2 years, we will be doing something we have not done in the last 25 years.

I do not think it makes any difference. I think the question revolves itself around whether or not we want to have a housing bill up next year.

I remember years ago an attempt was made to get it extended for 2 or 3 years, and I was opposed to it. It is six of one and half a dozen of the other to me. I think the record shows that heretofore we have extended it from year to year.

On the pending question, for whatever my recommendation to the Senate is worth, it is that Senators vote any way they desire to vote, because in my opinion, it does not make a particle of difference.

Mr. BENNETT. I yield my 3 minutes to the Senator from Connecticut.

Mr. BUSH. Mr. President, I strongly support the amendment of the Senator from Utah because I disapprove fully of legislating in the way suggested.

The question covered by the amendment came up in committee, and the distinguished chairman of the committee at that time said that he thought it would be a good idea to take the question out of politics, and that we should make the date for the FHA extension October 1, 1961. All the members agreed to that. Following that, along came the amendment on urban renewal, which put the program on a basis of $550 million, with $100 million subject to the discretion of the President, without time limit.

The effect of that is simply that instead of the urban renewal program being a program without time limit, a lever is put into the hands of those who wish to expand the programs rapidly, namely, the FHA deadline of October 1, 1960.

This is a piece of legislative trickery, Mr. President, to which I object very strongly because I think these programs should stand on their own feet.

I have objected before to this omnibus bill type of treatment with these enormous programs, many of which are unrelated, and should be considered separately on their merits.

If the pending bill shall be passed as its supporters propose, we are simply putting a gun into the hands of those who have special interests to plead, and we are going to find that they will threaten not to extend the FHA program unless we give them this and unless we give them that; that that is the reason why the deadline was advanced from October 1, 1961, to October 1, 1960. That is why I think the Senator's amendment should be agreed to. I believe we should take that weapon out of the hands of those who intend to use it for the expansion of programs which are not expanded merely on their own merit, but through the use of these threats to get it done.

Mr. LAUSCHE. Why will it be simpler to accomplish in 1960 than in 1961 some of the objectives which the Senator just implied he had in mind?

Mr. BUSH. What I say is simply that they will use the deadline of October 1, 1960, as a threat, saying "We won't give you an extension of the FHA insurance program unless you give us this and unless you give us that."

Mr. LAUSCHE. Why would they want it to do it in 1960 and not wait until 1961?

Mr. BUSH. Purely for political reasons, in my humble opinion.

Mr. LAUSCHE. Does the Senator mean to say it will be because 1960 will be an election year?

Mr. BUSH. Oh, yes; I certainly do.

Mr. LAUSCHE. I am surprised.

Mr. BUSH. Well, the Senator should not be surprised.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. Mr. President, the distinguished senior Senator from Connecticut is so good a personal friend of mine that I know when he spoke of legislative trickery he was not referring either to me or to any member of the subcommittee who strongly oppose the pending motion, but I think I know him well enough to know that we can take rule XIX, section 2, in our stride, and not ask each other to sit down.

I say to him that if there is any legislative trickery involved, it has proceeded from and is the effort of those who want an extension of the law for 1 additional year, thus making it possible—and I weigh my words carefully—thus making it possible for the well-to-do, upper middle income groups to continue to get unlimited Government insurance for high priced homes, while the people who have to live in public housing, the people who need urban renewal, the colleges which need the housing program, are cut off without any possibility of getting the broad basis of support which is necessary in order to pass the pending bill.

If the Senator from Connecticut thinks it is legislative trickery to say, "you cannot have an extension of FHA, if you are not going to give an adequate grant to

urban renewal, if you are not going to give an adequate grant to public housing, you are going to have to do it over my dead body."

Mr. BUSH. That is exactly the point I am making, Mr. President. I am glad the Senator made that point.

Mr. SPARKMAN. I am sorry that the distinguished Senator from Utah offered this amendment. Frankly, I do not feel that it is necessary. I stated here on the floor of the Senate several times this afternoon, and I am as confident as I can be, that there will be a housing bill next year. When the Senator speaks about the political implications of having one or not having one, I do not see that we would have anything to gain by not having a housing bill next year. If there are some housing programs which need to be extended or need to be replenished, I am confident that if the urban renewal funds run out before the end of the present fiscal year, Congress will support the replenishing of those funds. I have the same opinion with reference to title I, having to do with home improvement, one of the most popular programs in housing. I have the same thought with reference to college housing. I have every confidence that there will be a housing bill, and I certainly see no need of moving the date from 1960, as we have it now, to 1961.

Here we are caught more or less between two fires. We are caught by those that say that we need it to go on because there may not be a housing bill next year, and we have the other ones that say we ought not to allow this rollover to FHA because then it would remove the necessity of a housing bill. I do not believe that either one has merit.

I just checked some figures. In 1955 they might have gotten by with a rollover during the last 3 months of the year and the first month of 1956. They would have needed $44 million in addition to the rollover during the months of October, November, December, and January. During the same corresponding months in late 1956 they could have gotten by, too, but in late 1957 they would have needed $746 million in addition to the rollover to get by.

In late 1958 they would have needed $1,504,000,000, in addition to the rollover, in order to get by. So I do not think there is anything to be afraid of. We are not holding FHA as a hostage. We are playing fair and square and aboveboard. We remember the old saying that a burnt child dreads the fire. Last year we gave FHA just exactly what it asked for. What happened? FHA lost all interest in the housing bill, and we went through last year without one. That is the reason why we are having so much trouble this year.

Goodness knows, we are not trying to hide this or keep it a secret. I have said it a dozen times on the floor of the Senate. I strongly support FHA. But I support the other housing programs too. I try conscientiously to carry out the directives which Congress has given to us. That is the line which I try to follow. I favor a comprehensive housing program, and I shall continue to do so.

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

Mr. SPARKMAN. I yield.

Mr. MONRONEY. As I understand, the purpose of the Bennett amendment is to stretch out in a 2-year program the $500 million for urban redevelopment, whereas the original bill, which the President vetoed, would have provided $950 million.

Mr. SPARKMAN. I do not understand the Bennett amendment to apply to anything except FHA.

Mr. BENNETT. That is correct.

Mr. SPARKMAN. It does not apply to urban renewal. Does the Senator mean that urban renewal is analogous to FHA?

Mr. MONRONEY. That is correct. By giving FHA continuing authority to go through the following year, we will not have a chance to review, we will not be instructing the Budget Bureau to provide for the other funds necessary for other housing programs, will we?

Mr. SPARKMAN. To be perfectly frank, I do not think the amendment would have any particular effect, because I am convinced there will be a housing bill next year, and therefore the matter will be considered.

Mr. President, I am ready to yield back the remainder of my time and ask for a vote.

Mr. BENNETT. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that there may be a quorum call, the time for the quorum call to be charged to neither side.

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

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

All time has been yielded back. The question is on agreeing to the amendment of the Senator from Utah to the amendment of the Senator from Alabama. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Montana [Mr. MURRAY] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Wyoming [Mr. O'MAHONEY] each would vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE], is absent because of death in his family.

The result was announced—yeas 37, nays 56, as follows:

YEAS—37

Aiken	Curtis	Prouty
Allott	Dirksen	Robertson
Beall	Dworshak	Russell
Bennett	Eastland	Saltonstall
Bridges	Goldwater	Schoeppel
Bush	Hickenlooper	Scott
Butler	Hruska	Smith
Byrd, Va.	Keating	Thurmond
Capehart	Kuchel	Wiley
Carlson	Lausche	Williams, Del.
Case, N.J.	Martin	Young, N. Dak.
Cooper	Morton	
Cotton	Mundt	

NAYS—56

Anderson	Hartke	McNamara
Bartlett	Hayden	Magnuson
Bible	Hennings	Mansfield
Byrd, W. Va.	Hill	Monroney
Cannon	Holland	Morse
Carroll	Humphrey	Moss
Church	Jackson	Muskie
Clark	Javits	Neuberger
Dodd	Johnson, Tex.	Pastore
Douglas	Johnston, S.C.	Proxmire
Ellender	Jordan	Randolph
Engle	Kefauver	Smathers
Ervin	Kennedy	Sparkman
Frear	Kerr	Stennis
Fulbright	Langer	Talmadge
Gore	Long	Williams, N.J.
Green	McCarthy	Yarborough
Gruening	McClellan	Young, Ohio
Hart	McGee	

NOT VOTING—5

Case, S. Dak.	Murray	Symington
Chavez	O'Mahoney	

So Mr. BENNETT's amendment to Mr. SPARKMAN's amendment was rejected.

Mr. SPARKMAN. Mr. President, I move that the vote by which the amendment to my amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, I move that the vote by which my amendment was agreed to be reconsidered.

Mr. JOHNSON of Texas. I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. FREAR. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 74, in line 7, it is proposed to strike out "thirty-seven" and insert in lieu thereof "twenty-five."

Mr. FREAR. Mr. President, the amendment is a very simple one. It pertains to public housing, and simply would strike out the provision for 37,000 units of public housing, and would insert a pro-

vision for 25.000 units of public housing. The amendment is that simple.

I think the President wants only 25,000 units of public housing. If he does not want that many, this bill will not force him to have that many, regardless of whether the Senate votes for 37,000 or for 25,000.

So, in order to help the President have a housing bill, I think we might just as well provide him with authority for 25,000 units of public housing, rather than with authority for 37,000 units.

That is all I have to say on the amendment.

Mr. SPARKMAN. Mr. President, who controls the time in opposition to the amendment.

Mr. FREAR. I will control it, if the Senator from Alabama wants me to do so.

The PRESIDING OFFICER. Probably the majority leader is in control of the time in opposition to the amendment.

Mr. JOHNSON of Texas. I yield to the Senator from Alabama whatever time he may need.

Mr. SPARKMAN. Mr. President, I rise in opposition to the amendment. It is a simple amendment, and it was well explained by the Senator from Delaware.

However, in connection with the amendment, I believe a few things should be called to the attention of the Senate.

The committee worked very carefully in regard to the number of units of public housing to be provided for; and the number 37,000 is not just a guess or a number pulled out of the air.

Senators must also remember that we have an urban renewal program and we have an interstate highway program. Under the laws which established those programs, a city or a town or a municipality cannot engage in and have a program of either urban renewal or interstate highway construction, through the city or through the area, unless it can show that it has decent, safe, and sanitary housing for the families which will be displaced. Of course, urban renewal and slum clearance projects lie primarily in slum areas. Interstate highways often go through the poorest areas of cities and towns. About half of the people who are displaced are not able to pay for new houses, for economic reasons. That is the principal reason why the provision for public housing was put in the bill.

Mr. BUTLER. Mr. President, will the Senator from Delaware ask for the yeas and nays?

Mr. FREAR. I certainly have no objection. I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

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

Mr. SPARKMAN. Yes, I yield.

Mr. JAVITS. On the one hand, we have to be careful not to break the camel's back on a veto; but, on the other hand, we had better be careful not to break the housing bill, too. This whole fuss has been about a modest amount of public housing. In my State public housing comes to about 4 percent of the total number of new starts. That is minimal enough. If we are going to break the camel's back by having any bill, we may as well have a clear-cut issue. Either we are going to be in favor of public housing or none at all. I do not think providing for 25,000 units would have either effect.

In the process of trying to keep the President in favor of the bill, let us not go overboard and surrender completely the whole thing we have been fighting about.

The number of units provided in the bill is the minimum number of units needed. We have hedged on it by allowing credit for all those units that are deadwood. That is certainly pressing this matter down to an absolute minimal basis.

I hope the Senate will not permit itself to be misled into completely destroying the bill, after the long fight and difficulties we have had with it.

Mr. SPARKMAN. I appreciate the remarks of the Senator from New York.

Mr. President, the 37,000 figure was not an accidental one. We took the testimony of the officials representing the administration. They testified and gave us a list, which list is in the record of hearings.

Mr. President, I ask unanimous consent to have that list printed in the RECORD at the conclusion of my statement as a part of my remarks.

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

(See exhibit 1.)

Mr. SPARKMAN. Mr. President, as to those projects, in various cities and towns throughout the United States, applications are already on hand and ready to go. A total of approximately 58,000 units was called for. The testimony of Mr. Mason and of Mr. Slusser, head of the Public Housing Administration, was to the effect that there could be an attrition of about one-third. We simply took one-third from 58,000, and that left approximately 37,000.

We decided this was the minimum number to which the administration officials themselves testified was needed in order to take care of the backlog which is already on hand.

That is the reason why the number of 37,000 units was arrived at. I believe we ought to adhere to that number and that the amendment of my friend from Delaware ought to be defeated.

EXHIBIT 1

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract

Units in "Under reservation" column relate to projects for which applications were received when authorization to enter into annual contributions contracts had not yet run out. Reservations were granted on a general showing of need for the units, with no requirement that the site be chosen or that plans and specifications be submitted. Units in "Application pending" column relate to applications made after it was clear that existing authorization would not be sufficient to cover the units. Accordingly, there has been no processing of the applications to determine the general need.

State and place	Application pending	Under reservation
Total	18,494	39,097
Alabama:		
Adamsville		115
Anniston		36
Ariton	150	
Ashland		28

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Alabama—Continued		
Birmingham		750
Blountsville		20
Boaz	150	
Brent	80	
Carbon Hill	50	
Cherokee	60	
Childersburg	80	
Clanton	200	
Collinsville		20
Columbiana	75	
Cordova		40
Demopolis	200	
Detroit	30	
Flomaton	100	
Gadsden		200
Gardendale		62
Geneva		34
Goodwater		18
Graysville		74
Hobson City		20
Kennedy	50	
Kimberly		62
Leeds	50	
Leighton		30
Lineville	50	
Millry		14
Mobile		2,180
Mulga		230
New Brockton	150	
Newbille	150	
Northport	400	
Opp	60	
Ozark	120	
Parrish	25	
Red Bay	40	
Sylacauga	250	
Arizona:		
Maricopa County		150
Tolleson		20
Arkansas:		
Camden		80
Dequeen		28
Dierks		26
Horatio		2
Lewisville		16
Little Rock		72
Lockesburg		10
Mineral Springs		8
Nashville		34
California:		
Atwater		15
Blythe	26	
Calipatria area		25
Eureka		60
Holtville area		50
Imperial area		25
Colorado: Denver		1,500
Connecticut:		
Ansonia		60
East Hartford		50
Groton	500	
New Haven		130
New London		176
Norwich	500	
Putnam		1
Rockville	100	
Stratford		36
Southington		50
Willimantic		50
Delaware: Wilmington		500
Florida:		
Altha	75	
Bristol	150	
Carrabelle	150	
Cottondale		6
Graceville	20	
Jacksonville		1,266
Lauderdale		66
Levy County	350	
Miami		168
Milton	150	
Monticello	150	
New Smyrna Beach	150	
Ocala		98
Pensacola		328
Titusville		54
Wewahitchika	150	
Georgia:		
Adairsville	50	
Americus	100	
Ashburn	20	
Austell		18
Bainbridge	100	
Barwick	80	
Bowman	125	
Buchanan		8
Camilla	50	
Canton	300	
Cave Spring	50	
Cumming		30
Dublin		100
Eastman	35	

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Georgia—Continued		
East Point		150
Elberton		20
Ellaville	150	
Ellijay		10
Fairmont	50	
Fayetteville	50	
Grayson	40	
Lincolnton	200	
Lynes	200	
Macon		400
Manchester	50	
Morven	50	
Norman Park	80	
Ochlochee	100	
Patterson	50	
Pinehurst		6
Ringgold	300	
Rochelle		6
Royston	34	
Savannah	400	
Sparta	110	
Swainsboro	100	
Thomson		21
Unadilla	100	20
Vernon	50	
Vienna		28
Villa Rica	62	
Wadley	50	
Warwick		10
Hawaii:		
Hilo		100
Honolulu		120
Illinois:		
Brighton		6
Brooklyn		100
Brussels		2
Carlinville		10
Centralia	20	
Chicago		1,425
De Witt County	25	
East Alton		50
Gillespie		30
Golconda		20
Granite City		100
Hamburg		4
Joliet		342
Maywood		100
Pinckneyville		14
Rock Island	20	
Salem	20	
Sparta		8
Staunton		24
Stonefort		8
Streator		25
Tamaroa		10
Virden		10
Waukegan		260
Indiana:		
Kokomo		25
Muncie		520
New Albany	75	
Kentucky:		
Catlettsburg		50
Covington		50
Cumberland		60
Frankfort	75	
Morehead		30
Murray		62
Nicholasville		50
Owensboro		74
Paintsville		52
Paris		30
Prestonburg		40
Louisiana:		
Abbeville	50	
Arnaudville	50	
Berwick		30
Breaux Bridge	50	
Church Point	60	
Cotton Port	50	
Duson	30	
Elton		8
Erath		4
Esterwood	75	
Grand Cocteau	50	
Gueydan	50	
Iota	75	
Jefferson Parish		300
Kenner		60
Kinder		16
Lake Arthur	25	
Mermentau	75	
Morse	40	
New Orleans		111
Oberlin		14
Patterson		30
Plaquemine		124
Scott	60	
Sunset	50	
Ville Platte	30	

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Maine:		
Norway	175	
Van Buren	40	
Maryland:		
Baltimore		749
Cumberland		65
Hagerstown	30	
Rockville	125	
Massachusetts:		
Boston		150
Cambridge		325
Fall River		200
Lowell		116
Medford		54
Newburyport		100
Pittsfield		200
Somerville		142
Taunton		76
Michigan:		
Alpena		18
Baraga		10
Bessemer		30
Mount Clemens	100	
River Rouge	100	
Minnesota:		
Chisolm		4
Hibbing		50
Minneapolis		1,054
St. Paul		701
Virginia		50
Winona		40
Mississippi:		
Ackerman	100	
Baldwin	75	
Booneville	60	
Bude	120	
Cleveland	120	
Collins		18
Hernando	100	
Laurel		176
Leakesville	120	
Louin	30	
Meadville	60	
Meridian	60	
Mount Olive		10
Newton		30
Prentiss		16
Tupelo		30
Tylertown	100	
Yazoo		12
Missouri:		
Kansas City		326
St. Charles		2
St. Louis County		110
New Hampshire: Portsmouth		1
New Jersey:		
Asbury Park	50	
Atlantic City		278
Bayonne		4
Burlington		100
Camden		164
Edison Township	40	
Franklin Township		30
Jersey City		82
North Bergen		40
Orange		20
Passaic		46
Paterson		8
Rahway		79
Trenton		10
Union City		45
West New York	200	
New York:		
Buffalo		1,583
Cohoes		130
Herkimer	50	
Lackawanna		150
New York City		1,787
Niagara Falls	100	
Rome	180	
Troy		80
North Carolina:		
Apex	100	
Concord		90
Jacksonville		50
Laurinburg		73
Wake Forest	100	
Wayne County		45
Wendell	100	
Zebulon	100	
North Dakota: Williston		16
Ohio:		
Cincinnati		5
Cleveland		2,074
Columbus		648
Dayton		200
Lorain		12
Portsmouth		190
Oregon: Portland		398
Pennsylvania:		
Abington Township		50

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Pennsylvania—Continued		
Altoona		500
Ambridge		44
Carnegie		90
Connellsville		100
East Pittsburgh		100
East Stroudsburg	56	
Greensburg		100
Jeannette		100
McKees Rocks		14
Nanty Glo		50
New Brighton		2
Philadelphia		2,230
Pittsburgh		748
Portage	200	
Scalp Level Borough	200	
Scranton		100
Sharon		50
Smith Township		60
Stoud Township	44	
Rhode Island:		
Pawtucket		222
Providence		206
South Carolina:		
Bennettsville		65
Charleston		557
Chester	250	
Duncan		10
Winnsboro		68
Tennessee:		
Bolivar	200	
Chattanooga		500
Decaturville	250	
Etowah	100	
Franklin		16
Gallatin		40
Jamestown		40
Knoxville		577
La Follette		50
Lake City		50
Laurenceburg	300	
Lebanon	60	
Livingston	100	
Manchester		40
McMinnville	240	
Morristown	330	
New Tazewell		14
Oneida		25
Paris		64
Parsons	250	
Sparta		50
Springfield		50
Waverly	112	
Texas:		
Alice	200	
Anahuac		10
Bryson		4
Cross Plains		10
Crystal City	70	
Daingerfield		20
Dallas	250	
Del Rio		70
Deport		10
Dodson	50	
Donna	50	
Fort Worth		200
Frisco	75	
Jacksonville	200	
Levelland		40
Liford		10
McGregor		12
Mercedes	100	
Panhandle		10
Port Arthur		132
Post		28
Robstown		70
Roby		10
Rotan		36
San Antonio		1,500
Sinton		36
Stamford		4
Tahoka		2
Terrell		140
White Settlement		100
Virginia:		
Charlottesville		225
Richmond		6
Roanoke		300
South Norfolk		30
West Virginia:		
Fairmont	100	
Huntington		500
Wisconsin: Milwaukee		868
Puerto Rico:		
Arecibo	300	
Barceloneta		1
Carolina	200	
Cayey	250	
Ceiba	80	
Guanico	150	
Humacao	200	

Public Housing Administration list of places with outstanding applications for reservations, or with units reserved, but not yet under annual contributions contract—Con.

State and place	Application pending	Under reservation
Puerto Rico—Continued		
Isabella	200	
Lares	80	
Las Marias	30	
Loiza	100	
Manati	200	
Mayaguez		1
Ponce	500	
Salinas	50	
San Lorenzo	200	
San Sebastian	200	
Yanco	250	

Mr. FREAR. Mr. President, after the Senator from Alabama has made his statement, I am inclined to agree that the amendment is not as simple as he indicated it was.

I yield back the remainder of my time.

Mr. SPARKMAN. I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I announce that at the conclusion of the yea-and-nay vote there will be certain routine business transacted, but we do not anticipate any more rollcalls or votes this evening. So Senators may make their plans accordingly.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the amendment of the Senator from Delaware. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. ALLOTT (after having voted in the affirmative). Mr. President, on this vote I have a pair with the junior Senator from Missouri [Mr. SYMINGTON]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withdraw my vote.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. ELLENDER], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Wyoming [Mr. O'MAHONEY] is absent because of illness.

I further announce that if present and voting the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent because of death in his family.

The result was announced—40 yeas, 51 nays, as follows:

YEAS—40

Aiken	Dirksen	Kerr
Beall	Dworshak	Kuchel
Bennett	Eastland	Lausche
Bridges	Ervin	McClellan
Bush	Frear	Martin
Butler	Goldwater	Morton
Byrd, Va.	Hickenlooper	Moss
Carlson	Holland	Mundt
Cotton	Hruska	Prouty
Curtis	Jordan	Robertson
Russell	Stennis	Williams, Del.
Saltonstall	Talmadge	Young, N. Dak.
Schoeppel	Thurmond	
Smathers	Wiley	

NAYS—51

Anderson	Gruening	McGee
Bartlett	Hart	McNamara
Bible	Hartke	Magnuson
Byrd, W. Va.	Hayden	Mansfield
Cannon	Hennings	Monroney
Capehart	Hill	Morse
Carroll	Humphrey	Muskie
Case, N.J.	Jackson	Neuberger
Church	Javits	Pastore
Clark	Johnson, Tex.	Proxmire
Cooper	Johnston, S.C.	Randolph
Dodd	Keating	Scott
Douglas	Kefauver	Smith
Engle	Kennedy	Sparkman
Fulbright	Langer	Williams, N.J.
Gore	Long	Yarborough
Green	McCarthy	Young, Ohio

NOT VOTING—7

Allott	Ellender	O'Mahoney
Case, S. Dak.	Murray	Symington
Chavez		

So Mr. FREAR'S amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 11 A.M.

Mr. JOHNSON of Texas. Mr. President I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 11 o'clock a.m. tomorrow.

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

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Banking and Currency may meet during the session of the Senate tomorrow.

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

TRANSACTION OF ROUTINE BUSINESS

The PRESIDING OFFICER. The Chair will inquire of the majority leader whether any of the time consumed in routine business is to be charged to the time on the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it may be in order to transact routine business without the time being charged to either side.

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

THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE BILL

Mr. HUMPHREY. Mr. President, earlier today the Senate voted to send the labor-management reporting and disclosure bill, S. 1555, as amended by the other body this past week, to conference. I supported this action and am pleased that such action was taken.

I was rather disturbed at reports which were circulating this past week end to the effect that some of our colleagues were considering a move to have the Senate adopt S. 1555 exactly as approved by the House of Representatives rather than to follow the customary procedure of having the bill referred to conference committee.

This is far too important and complex a measure, Mr. President, to rush through without full and careful study. In my judgment the Senate would have committed a grave error if it had agreed to shortcut the regular procedure and accept the House version in toto. The House amended the Senate bill with approximately 80 amendments—many of significant importance.

The better course of action is the one which we have adopted. After the conference committee has had the opportunity to sit down, to study and to discuss this complex measure, I am sure that it will reach agreement on a bill which will reflect the best features of both the Senate and House versions of S. 1555.

Let me make it clear that I am for a strong and effective labor-management reform bill. It was my privilege and honor to join as an original cosponsor on S. 1555. This bill, as approved by the Senate Committee on Labor and Public Welfare, was effectively designed to eliminate the crooks and racketeers in the labor-management relations field. It was a strong bill with teeth in it, and yet it was, in the true sense of the word, a reasonable and responsible bill. By that I mean it would with proper enforcement, eliminate the corrupt practices brought to light through the work of the Senate Committee on Improper Activities in the Labor or Management Field, while at the same time not infringing upon legitimate activities of management and labor unions in the labor-management field.

I am confident that the conferees in considering S. 1555 will bear in mind that the purpose of this measure is to eliminate corrupt practices. There are some, I fear, who are more interested in punishing the overall labor movement than in eliminating the unsavory practices of a few discredited union officials.

The object of labor reform legislation should not be to punish labor unions. Rather it should be to pass a bill which will protect union members and the public interest from unethical practices of either labor or management officials. We should pass legislation to hit at corruption, gangsterism, and racketeering.

With such an objective in mind, the conferees will agree on a measure which deals effectively with the recognized problem and yet is effective, fair and well

balanced. This is the type of bill Congress should pass and which I am confident will be passed before this session ends. The American people expect constructive action by the Congress. They expect us to pass an effective labor-management bill before we conclude the first session of the 86th Congress.

I concur in this view of the American people, and hope the Congress will act effectively and expeditiously.

PRESIDENT'S RADIATION COUNCIL CALLED INADEQUATE

Mr. HUMPHREY. Mr. President, over the weekend the President announced the appointment of a Federal Radiation Council. The Federal Radiation Council announced by the President is designed to correlate and coordinate the activities of the several Federal agencies concerned about radioactive fallout.

The trouble with the President's proposal for a Federal Radiation Council is that it is not adequate to cope with all the problems raised in the radiation field.

The President's order is a belated and long overdue recognition that the administration has finally realized that serious problems exist in the entire field of radiation standards.

The most serious defect in the President's order, as I have indicated, is the establishment of an interdepartmental committee of high level politically appointed policymaking officers to handle a problem which should have little to do with politics or policy.

The levels of radiation which could cause harmful effects in human beings ought to be determined by a scientific body on the basis of independent, objective research. Employment figures are not set by a politically appointed partisan committee. They are set on the basis of carefully worked out studies, based upon objective statistical evaluations. Likewise, levels of radiation should not be a matter of political policy. Rather, they should be based upon careful technical and scientific analysis.

I am afraid that the President's solution, coming at a time when the Atomic Energy Commission and the Pentagon are attempting to set the stage for resuming nuclear weapons' tests, must be watched carefully to see what will follow. It should be followed by the establishment of a scientific group whose basic concern is for the health of the American people, to determine, on the basis of objective data, what radiation standards should be set. If further steps are not forthcoming, I suggest that Congress itself must act.

I realize, of course, that the President's Radiation Council will attempt to do a good job; but the fact that it is an interdepartmental committee of politically appointed officers does not lend itself to what the scientific community would call the objective and scientific approach. The subject of radiation, and the dangers involved in radiation fallout, are of such importance that this subject matter should be studied only by men who are respected in the field of science and technology, and have no particular political axe to grind, and no particular political policy to serve.

USE OF U.S. CROP SURPLUSES IN AMERICAN FOREIGN POLICY

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Disposing of Surpluses," published in the Wichita (Kans.) Eagle of July 9, 1959.

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

DISPOSING OF SURPLUSES

A new farm legislation battle is shaping up in Washington with the administration on one side and Congress on the other. It is due to come to a head in hearings next week.

This time the problem is how to dispose of U.S. crop surpluses overseas.

Senator HUBERT HUMPHREY, Democrat, of Minnesota, is pushing a food-for-peace bill that would set up a Peace Food Administrator to handle the disposal program on a long-term basis. The Administrator would have 5-year authority to sell surplus crops for foreign currencies.

Opposing this in testimony this week were spokesmen for the U.S. State Department and Agriculture Department. The first said such a program would disrupt American relations with other food-exporting countries; the second said "there is little to be gained" by such a plan.

Next week the House Agriculture Committee will hold hearings on a hopper full of disposal bills, the chief of which is Committee Chairman HAROLD COOLEY's bill for extending the present disposal program 1 year and expanding trading of crops for strategic materials.

Secretary Benson wants a 1-year authority to dispose of $1½ billion worth of surpluses; this would be an emergency measure to extend the present law which expires December 31.

HUMPHREY emphasizes that what is needed is to get away from the emergency approach and put surplus disposal on a continuing basis, using it as an instrument of foreign policy.

Out of all this may come some benefits for surplus-crippled agriculture. Certainly some should result.

The difficulties are enormous but logic argues that some method can be found for getting our food to have-not nations without ruining our foreign policy. Maybe through some kind of an international "food bank" or United Nations effort.

Mr. HUMPHREY. This particular editorial refers to the food-for-peace bill, which would establish a Peace Food Administrator to handle disposals of surplus agricultural products on a long-term basis. As the Senate knows, this bill has been reported favorably by the Senate Committee on Foreign Relations. I am hopeful that it will receive the wholehearted support of the Senate Committee on Agriculture and Forestry.

The food-for-peace bill represents a constructive approach to the utilization of America's agricultural abundance for purposes of American foreign policy, as well as for humanitarian purposes, in serving the needs of people throughout the world who are the victims of hunger or disease.

KI-ANN DANCERS TO PERFORM

Mr. McGEE. Mr. President, this week the State of Wyoming will attempt to inject a note of interesting and diversionary entertainment into the hectic pace of Capitol Hill life.

It is my pleasure to call to the attention of the Senate the fact that at high noon Thursday, in the parking lot area directly in front of the East Front of the Capitol, the Ki-Ann Indian Dancers from Cheyenne, Wyo., will perform for the Members of this body and the interested public.

This group of 30 teenage Cheyenne youths, dedicated to the preservation of authentic Indian dances, is truly one of the most entertaining and spectacular groups in the Nation today. Some of you may have had the opportunity to witness the lavish performance of the Ki-Anns before, since they have now performed over 600 times in nearly every major city of the United States and Canada.

The group is now on tour of the Eastern United States and during their visit to Washington they have graciously consented to present their program for the enjoyment of both Houses of Congress and the public.

I find that words are not enough to tell my colleagues what they may expect to see. This dedicated group of boys has over $30,000 invested in costumes alone—and thousands of hours of back-breaking work invested in equipment and perfecting the over 125 different dances they are capable of performing.

Perhaps the most conclusive testimonial to the authenticity of the dances of the Ki-Anns comes from the American Indians themselves. The Sioux Tribe of Pine Ridge has asked this group to teach their children their own native dances.

In closing, Mr. President, may I urge every Member of this body to take advantage of this opportunity Thursday noon. The color, pageantry, and lore of the Ki-Anns will not, I predict, be soon forgotten on Capitol Hill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolutions of the Senate:

S. 822. An act to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, Puerto Rico, in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes;

S. 1330. An act to amend the act entitled "An act for the relief of the city of Fort Myers, Fla., and Lee County, Fla.," approved July 22, 1958;

S. 1590. An act for the relief of the Government of the Republic of Iceland;

S. 2099. An act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State;

S. 2210. An act to provide for the disposition of the Philadelphia Army Base, Philadelphia, Pa.;

S.J. Res. 16. Joint resolution to designate the lake to be formed by the waters im-

pounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake";

S.J. Res. 24. Joint resolution authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand; and

S.J. Res. 106. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. ROGERS of Texas, Mr. POWELL, Mr. SAYLOR, and Mr. WHARTON were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 7509) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes, and it was signed by the President pro tempore.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 17, 1959, he presented to the President of the United States the enrolled bill (S. 746) to amend the act entitled "An act to regulate the placing of children in family homes, and for other purposes," approved April 22, 1944, as amended, and for other purposes.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I now move that the Senate stand in adjournment until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 36 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, August 18, 1959, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 17, 1959:

DEPARTMENT OF STATE

Eric H. Hager, of Connecticut, to be Legal Adviser of the Department of State.

DEPARTMENT OF COMMERCE

Philip A. Ray, of California, to be Under Secretary of Commerce, vice Frederick Henry Mueller, elevated.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior assistant surgeons

Joseph A. Barnes
Robert N. Butler
Lawrence F. Dietlein, Jr.
Louis Gillespie, Jr.
J. Donald Hawthorne
Albert Kapikian
Roger W. O'Gara
Donald C. Walsh

To be senior assistant dental surgeon

Robert O. Wolf

To be assistant dental surgeon

Rex A. Warnick

To be senior scientist

Fay M. Hemphill

II. FOR PERMANENT PROMOTION

To be senior assistant sanitary engineer

James H. McDermott.

U.S. MARSHAL

John H. Phillips, of Mississippi, to be U.S. marshal for the northern district of Mississippi for the term of 4 years, vice John W. T. Falkner IV, deceased.

U.S. MARINE CORPS COMMANDANT

Maj. Gen. David Monroe Shoup, U.S. Marine Corps, to be commandant of the Marine Corps with the rank of general for a period of 2 years from the first day of January 1960.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

The following-named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law.

To be first lieutenants

Abene, Gasper V., O84931.
Adams, James E., O75330.
Allanach, Jack W., O81571.
Anderson, Joseph L., O84938.
Areheart, Henry W., Jr., O85400.
Armstrong, Hart R., O81575.
Banner, Thomas A., O75333.
Barber, James J., O84944.
Barborak, Franklin D., O85401.
Baumeister, Harold J., O79553.
Baun, Richard A., O85402.
Beck, Frederick S., O78226.
Bennett, Ferrell R., O75919.
Berg, George A., O75335.
Biberstein, Billy J., O85126.
Biernacki, Richard G., O85293.
Binder, Fremont E., O85403.
Blaker, William J., O74082.
Bomar, Hobby J., Jr., O78231.
Boswell, Leonard LeR., O78572.
Briggs, Charles F., O85297.
Briggs, Thomas J., O85299.
Britton, John A., O74967.
Bryant, James W., O85404.
Buel, Charles J., O83639.
Carmody, Robert W., O79564.
Castelli, Joseph G., O74970.
Chandler, Richard L., O74972.
Chaney, Bobby J., O77813.
Clark, Gary L., O81601.
Clark, Ray L., O85409.
Cleaver, George A., Jr., O83644.
Collar, Robert D., O78262.
Cofoni, Peter J., O85308.
Conklin, Willard D., O79567.
Connell, Jerry L., O83646.
Conroy, Arthur T., Jr., O85510.
Cook, John E., O74975.
Cothran, Paul E., O75342.
Coughlin, James L., O83647.
Coull, James M., O75343.
Cowles, Phillip R., O74977.
Crawford, Jack F., O75344.
Curran, Francis R., Jr., O85516.
Davies, Peter G., O75345.
Davis, Harold M., Jr., O79570.
Davis, Warren L., O74941.
Dawes, Robert C., O74980.
DelVecchio, William P., O85412.
Denmark, Sumner J., Jr., O74982.
Desonier, Richard J., O75347.
Devereaux, Raymond A., O84975.
Donker, Leo M., O85314.
Doolittle, Lloyd W., O85525.
Duhon, Ben E., O85315.
Durr, Donald D., O85528.
Dwayer, William M., O78290.
Dyer, Howard B., O85415.
Ellis, Gary L., O84981.
Engle, Phillip D., O85319.
Fader, Jerome H., O85531.
Fiske, William S., O78302.
Fleming, Jerry L., O75355.
Fournier, Joseph J., O85538.
Fries, Cecil E., Jr., O79577.
Fritz, Richard L., O83652.
Garner, John J., Jr., O83653.
Gomon, Charles W., O74991.
Gordon, Harold J., O74223.
Groetken, David L., O85175.
Guillory, Larry G., O85553.
Hall, George W., Jr., O79578.
Handley, Charles B., Jr., O85328.
Hanlin, Richard W., O85329.
Harris, Robert E., O76197.
Harrison, William H., O77432.
Harts, William G., O78343.
Harvard, Thomas P., Jr., O75370.
Hearne, William D., Jr., O74996.
Hehle, Joseph P., O85560.
Hettinger, John R., O75063.
Hill, Robert G., O82275.
Holmes, David R., O85332.
Honsinger, Larry E., O85185.
Hopper, Samuel R., O84524.
Hoyt, Richard E., O79585.
Hummel, Richard H., O85420.
Humphreys, George D., O85421.
Ingman, John F., O75000.
Izatt, James, O85579.
Jacobs, Irwin M., O78364.
Jewett, Richard E., O85335.
Johnson, James C., O78370.
Jones, Walter R., O75379.
Judy, Jerry E., O79589.
Kegelman, Theodore J., Jr., O85191.
Kelley, John W., Jr., O85588.
Kelly, John J., Sr., O79590.
Kelly, Ted W., O85426.
Kelly, Thomas W., O85427.
Kerver, Thomas J., O85192.
Kessinger, John McF., O75008.
King, Charles M., O84089.
Kircher, Jacob F., 3d, O75009.
Kirkwood, John H., O79592.
Kleypas, Kenneth A., O79593.
Kysar, Alverado F., Jr., O83656.
Lanham, Michael C., O75012.
Latturner, George J., O85601.
Leger, Jean C., O81685.
Lewis, Robert C., O85604.
Lipmanson, Joel D., O85607.
Logan, Laddie B., O75390.
Lorms, John L., O76352.
Lucas, Ronald M., O85203.
Machen, Bobby, O76359.
Malone, K. H., Jr., O85617.
Marmaras, Ernest, O85207.
McAfee, Floyd H., O75017.
McConkey, Rodney F., O85434.
McGarvey, Bruce H., O75396.
Mettan, Richard E., O75398.
Miller, Robert F., O85215.
Mills, Lawrence L., O74396.
Modica, Giac P., O85216.
Montalvo, Martin T., O79605.
Mortensen, Theodore J., Jr., O85626.
Moxley, Thomas T., O75024.
Mullins, Donald G., O85224.
Nelson, Clifford R., O75401.
Nemeth, Philip K., O75402.
Newman, Charles D., O85632.
Newton, George F., O85440.
Nicks, John G., O84528.
Noakes, Edmund D., O85225.
Noyer, Gary R., O75406.
Oakes, Leslie C., O85226.
Offan, Kenneth J., O85357.

O'Rourke, Lewis C., O74424.
Owens, Ronald E., O74930.
Paas, Alfred O., O74798.
Palmertree, Tommy R., O85230.
Pare, Harold J., O85064.
Parke, Walker M., O85358.
Parrack, Jim M., Jr., O75408.
Passailaigue, Edward P., Jr., O85232.
Patterson, Earl A., Jr., O84715.
Perry, Mervin E., O85234.
Peterson, Harlan F., O85444.
Pettersen, Clifford D., O85359.
Philpott, Lawrence D., O75412.
Place, Berwyn L., O85236.
Polk, John C., O75415.
Powe, Carl M., Jr., O86660.
Powell, Raymond G., O85237.
Prichard, Alvin L., Jr., O75080.
Prossor, John E., O84717.
Rahm, Richard R., Jr., O75027.
Rawls, Paul L., O85365.
Reeves, Donald W., O85240.
Rhodes, Howard E., O75029.
Riviere, Francis, O85242.
Roberts, Donald A., O75030.
Roberts, Donald M., O84532.
Roberts, Roy A., O85653.
Rudrow, Robert G., Jr., O85657.
Salonen, William L., O75032.
Sanchez, James, O85450.
Schroeder, Eldon K., O85663.
Schwoppe, Edwin G., Jr., O81735.
Selch, Glenn C., O74499.
Seybold, Lawrence C., Jr., O85253.
Shannon, Douglas, O84719.
Short, Robert J., O79618.
Siegel, Lewis A., O74957.
Simpson, William F., Jr., O75429.
Skahan, Michael N., O83664.
Skelton, Robert C., O85258.
Smith, Carl D., O85668.
Smith, Derald H., O78508.
Smith, George O., O85670.
Snow, William Z., O83665.
Stamps, John R., O75035.
Stewart, John P., O75038.
Stewart, William R., O74858.
Stycos, John S., O75041.
Swagerty, Daniel L., O78520.
Swayne, Charles J., O75042.
Terrana, Vincent, O77950.
Tilly, Clyde C., Jr., O75044.
Toolson, John M., Jr., O75308.
Torf, Arthur S., O85682.
Truett, Curtis P., O85683.
Turk, Roy M., O74574.
Van Herpe, William H., O85456.
Van Houten, Peter F., O75048.
Wade, Merle L., O78143.
Wagner, Keith A., O85276.
Walker, Harry D., O76725.
Walker, Robert E., Jr., O85460.
Wall, Walter F., O85096.
Watson, James H., O83669.
Wharton, Walter N., O75438.
Whatley, Howard G., O75439.
Whiddon, Orren R., O85386.
Willey, John L., O85462.
Williams, John K., O78548.
Williams, William J., Jr., O75442.
Willies, Edward J., O85464.
Wilson, John W., O85704.
Winkler, Carl G., O85705.
Wise, Harry L., Jr., O85707.
Young, Richard B., O80233.
Zitz, Joseph S., O85713.

To be first lieutenant, Women's Army Corps

Whitman, Annie M., L560.

To be first lieutenants, Medical Service Corps

Adams, Louis H., O84933.
Amidon, Charles D., Jr., O80304.
Browning, Robert D., O75336.
Charlton, John L., Jr., O85499.
Decker, Walter J., O85519.
Harding, Clarence E., Jr., O84339.
Johnson, David E., O85422.
Oswalt, Harris G., O75407.
Steinberg, Marshall, O83846.
Stowe, Charles L., O85107.

The following-named persons for reappointment to the active list of the Regular Army of the United States, in the permanent grade of colonel, Regular Army, and the temporary grade of brigadier general, Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, sections 1211, 3442, and 3447:

Greeley, Leonard J., O15449.
Rolfe, Onslow S., O8637.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3288, 3287, 3286, and 3285:

To be majors

Chester, Michael C., O1307371.
Fayle, Orin A., O1104146.
Kennedy, Richard J., Jr., O1289271.
Martin, Charles W., O1000622.
Schofield, Rudolph J., O414502.
Thornley, James F., O1650774.

To be captains

Anthony, Richard D., O2263657.
Cronin, Walter J., Jr., O1917630.
Edwards, Grey H., O1330400.
Howard, G. B., O938142.
Juskowiak, Joseph L., O1545990.
LaVache, Emil J., O1688731.
Mejia-Flores, Francisco, O934463.
Shahrabani, Maurice G., O1924918.
Weygand, Leroy C., O2262206.
Wheeler, Richard G., O2209288.

To be first lieutenants

Cain, David L., O4019385.
Deringer, Clifton H., Jr., O2028436.
Guptill, Colin K., O1922974.
Jones, Glenwood E., Jr., O4022049.
King, Whitfield, O4042777.
Levine, Edwin R., O4021003.
Martin, Humphrey J., O2293572.
McCarthy, John W., O4036986.
McLean, Raymond O., O4013666.
Merklinger, George J., O4017200.
Nash, John N., O4075260.
Nestler, Carl M., O4041333.
Pannier, Leon G., Jr., O1894157.
Ratcliff, Robert H., O2033739.
Sikorski, Bennie W., O1940552.
Summers, Richard A., O4057586.

To be second lieutenants

Bostancic, James F., O4069565.
Carruth, George A., O4071535.
Derr, William R., O5300506.
Duvall, Norman L., O4059499.
Fabis, Ronald B., O4061468.
Frey, James L., O4071809.
Fuller, James R., O5401163.
Garman, Robert T., O1892192.
Hamilton, William A., O5400034.
Harrell, Hugh W., O5201874.
Ingram, Julian T., O5302396.
Kelly, William T., O5302942.
Kerr, Paul J., O5304225.
Mazo, David R., O5301775.
McInnes, Thomas J., O5505529.
Meier, Morris G.
Miller, Richard H., O5300560.
Neely, Carl C., Jr., O5202943.
O'Brien, James W., O5200096.
O'Hern, Robert P., Jr., O4084517.
Ozier, Larry G., O5303185.
Rosenberg, David C., O1928599.
Stanborough, Robert M., O5202035.
Weary, Sheron E., O4069735.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3294, 3291, 3288, 3287, 3286, and 3285:

To be captains

Adams, Laurence J., MC, AO1853767.
Bachmeyer, Janet A., ANC, 773302.
Lindholm, Virginia I., ANC, N774856.
Renegar, Velma F., ANC, N790357.
Tyndall, Arnold E., MSC, O1335363.

To be first lieutenants

Barcus, Billie J., ANC, N902074.
Bjornson, Jon, MC, O2295013.
Brannock, Joseph E., Jr., MSC, O4058974.
Cox, Sherman L., DC.
Gerster, Paul W., MC, O2289836.
Harris, Davis P., MSC, O4063412.
Kelly, Phillip L., Jr., MC, O2289723.
Klinar, Karl L., DC, O4033983.
Leaver, Robert C., MC, O2291381.
Messinger, Alan J., MC, O2295061.
Meyer, James A., MC, O2291708.
Mullins, Charles E., MC, O2290046.
Nusynowitz, Martin L., MC, O2291816.
Pena, Heriberto, MC.
Pierce, Clovis H., MC, O2290207.
Strader, Lorenzo D., Jr., MC, O2290241.
Triano, Donald H., MSC, O4007195.
Ungar, Ralph F., MSC, O2270174.
Valpey, Jack M., MC, O2289742.

To be second lieutenants

Berland, Maynard C., MSC, O5504046.
Duffy, Paul F., MSC, O2284396.
Hackendahl, Arthur H. L., II, MSC, O5503806.
Madden, John T., Jr., MSC, O4056783.
Russillo, Michael P., Jr., MSC, O5001756.

The following-named persons for appointment as chaplain in the Regular Army of the United States in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 3288, 3287, 3286, and 3285:

Cox, Billy H., O2289769.
Davis, Pat H., O1874463.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3288, 3287, 3286, and 3285:

Danhouser, David C.
Reynolds, Sonny D.

The following-named person for reappointment to the active list of the Regular Army of the United States in the grade of colonel, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

Dusenbury, Carlisle C., O11672.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 17, 1959

The House met at 12 o'clock noon.

The Rev. Dr. Alfred J. Thomas, pastor of the First Evangelical United Brethren Church, Williamsport, Pa., offered the following prayer:

Father of us all, we invoke Thy blessing and ask Thy direction upon the business of this day's session of the U.S. Congress.

We feel keenly our humanity and in humility we reach out to grasp Thy hand. Give us the wisdom to think and to speak clearly. Give us honesty of mind and spirit that we may maintain the integrity of our hearts in every moment of every day's living. Grant us courage to speak when duty requires it and to remain quiet when it is wise to listen and to ponder. We ask that Thou will bless every person in our fair land and may we prove a blessing in the community of the world.

This we pray in the name of Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Friday, August 14, 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, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On August 6, 1959:

H.R. 3460. An act to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes.

On August 7, 1959:

H.R. 1219. An act to amend section 2038 of the Internal Revenue Code of 1954 (relating to revocable transfers);

H.R. 2067. An act to authorize the Honorable Thomas F. McAllister, judge of the United States court of appeals, to accept and wear the decoration tendered him by the Government of France;

H.R. 2594. An act 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, 1952;

H.R. 2846. An act for the relief of Dorman William Whittom;

H.R. 2909. An act relating to the maintenance and travel expenses of judges;

H.R. 3290. An act to amend title 10, United States Code, to eliminate the requirement that each chaplain make an annual report to the Secretary of the Navy;

H.R. 3320. An act to amend the act of June 21, 1950, relating to the appointment of boards of medical officers;

H.R. 3321. An act to amend title 10, United States Code, with respect to crediting certain service as a member of the Women's Army Auxiliary Corps, and for other purposes;

H.R. 4068. An act to amend title 10, United States Code, by repealing section 7475, which restricts the increasing of forces at naval activities prior to national elections;

H.R. 4340. An act to amend sections 43 and 34 of the Bankruptcy Act (11 U.S.C. 71, 62) to simplify the filing of referee vacancies;

H.R. 6319. An act to amend chapter 55 of title 38, United States Code, to establish safeguards relative to the accumulation and final disposition of certain benefits in the case of incompetent veterans;

H.R. 6436. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act so as to include nematocides, plant regulators, defoliants, and desiccants, and for other purposes;

H.R. 6587. An act to authorize certain generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments;

H.R. 6717. An act for the relief of Mrs. Kathrene LeTang; and

H.J. Res. 280. Joint resolution consenting to an interstate compact to conserve oil and gas.

On August 10, 1959:

H.R. 5674. An act to authorize certain construction at military installations, and for other purposes.

On August 11, 1959:

H.R. 4413. An act to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes; and

H.R. 6714. An act for the relief of Abraham Fye.

On August 14, 1959:

H.R. 697. An act to authorize the Secretary of the Navy to acquire certain real property in the county of Solano, Calif., to transfer certain real property to the county of Solano, Calif., and for other purposes;

H.R. 3322. An act to amend title 10, United States Code, and certain other laws to authorize the payment of transportation and travel allowances to escorts of dependents of members of the uniformed services under certain conditions, and for other purposes; and

H.R. 6769. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 1555) entitled "An act 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," agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. MCNAMARA, Mr. MORSE, Mr. RANDOLPH, Mr. GOLDWATER, Mr. DIRKSEN, and Mr. PROUTY, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7509) entitled "An act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to Senate amendment numbered 15 to the above entitled bill.

THE LATE HONORABLE KENNETH MILLS REGAN

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to address the House.

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

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, it is my sad duty and with profound regret, that I announce to the House the passing of one of its former Members, who represented the 16th Congressional District of Texas, which I now serve.

Kenneth Mills Regan, who was a Member of this body from mid-1947 through 1954, passed away Saturday, August 15, 1959, in Sante Fe, N. Mex., after an illness of several months.

Ken Regan was born March 6, 1893, in Mount Morris, Ill. He was educated in the public schools of Mount Morris and at Vincennes University. He served his Nation as a member of the Armed Forces in both World War I and World War II, holding the rank of captain in each conflict.

After moving to west Texas, Mr. Regan was many times honored with public office by the people of that area. He served as president of the Pecos, Tex., Chamber of Commerce, then served 3 years as city alderman in Pecos before being elected to two terms as mayor of that city. He served a term as State senator from the 29th senatorial district of Texas, and was elected to Congress August 23, 1947. As a Member of Congress for some 7½ years, Mr. Regan served on the House Interior and Insular Affairs Committee and on the House Administration Committee. At the time of his death, Mr. Regan lived in Midland, Tex., and was employed by the American Association of Railroads as a Washington representative. Many of Ken Regan's former colleagues in this House had the opportunity to renew their friendships with him here during the past few months.

I know the House is saddened by his passing, and there are many Members here today who served with Mr. Regan, and who shall forever recall fond memories of their association with their honored former colleague.

I knew Mr. Regan to be a man sincere in his deep convictions, and his return to Washington early this year gave me the opportunity to become better acquainted with him personally. Our association was cordial and I grew to respect him. I do not think it presumptuous to say that we became friends, and had a mutual understanding of each other.

I have already transmitted to his bereaved widow, Roberta, an expression of deepest sympathy from myself and my wife. I know this House shares in these expressions, and will want to send its prayers and best wishes to Mrs. Ken M. Regan.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks in the RECORD on the life and accomplishments of Kenneth Mills Regan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THOMPSON of Texas. Mr. Speaker, I was very deeply grieved to learn of the passing of our mutual friend and former colleague, the Honorable Ken Regan, of Texas. Ken and I were elected to Congress in the same special election back in 1947. I had already known him in Texas, but our real acquaintance did not flourish until we came up here together some 12 years ago. We were always warm and intimate friends, and we enjoyed that same close relationship in our homes.

Ken was a devoted public servant. He frequently used to comment that he supposed he should stay home and attend to his personal affairs but that he felt he owed it to the public to give of his time and talents in the interest of the people. He would always comment that as long as they desired his services, he felt that they had a prior right to them.

Those of us who served with Ken will remember him as a warm and loyal friend who, above all, loved his fellow man. We will recall him as a fearless legislator who voted his convictions and never looked back. This Congress is a better place because Ken once worked here. Each one of us is a better man because we once knew and worked beside him.

Mrs. Thompson's sympathy and my own go to Mrs. Regan and all who survive him.

Mr. THORNBERRY. Mr. Speaker, I was saddened to hear the news of the passing of our former colleague and my close friend, the Honorable Ken Regan. Ken Regan was a Member of the House when I first came here in January 1949. From the time I came here until he retired we were personal friends and he was always very helpful to me and considerate of my needs.

Both Ken and Roberta Regan were close friends to Mrs. Thornberry and me and we enjoyed the wonderful personal association and friendship we had with them.

Ken Regan has rendered an outstanding service to his State and Nation in public service. He made many friends here, all of whom are sorry to hear of his passing.

My family and I extend our deep sympathy to Mrs. Ken Regan with the hope that she will receive understanding and comfort from the fine and useful life he lived and all the many friends both of them have here in the Congress and in Washington.

Mr. BURLESON. Mr. Speaker, the passing of our former colleague, Ken Regan, leaves a feeling of deep sorrow in the hearts of many of us. Even on a short acquaintance was to know, enjoy, and admire him.

Serving with him for several years in the Congress, and particularly as a member of the Committee on House Administration, I came to know him well. He was my friend.

Ken Regan was a devoted public servant and I know of no one who ever questioned his motives, his integrity, or his genuineness.

His wife Roberta was also known to many people in the city of Washington. On leaving the Capital City they were both missed, and hardly a week passes that some of their friends do not make inquiry of them.

Many join us in extending our deepest sympathy to Roberta, and we trust she may receive divine strength to support her in her deep sorrow.

Mr. KILGORE. Mr. Speaker, the long stretch of the Texas-Mexico border lost an able and amiable gentleman when Ken Regan died over the weekend.

While he served in the House, he made many friends in the border country. I was not in the House during Ken's tenure here—but he worked frequently with my predecessor, Lloyd Bentsen, Jr., and they both served with distinction on the Interior and Insular Affairs Committee on problems of mutual interest to the particular part of the Nation they represented.

The exigencies of time made Ken's and my friendship a brief one—but the "adios" is as sincere as if it were backed up by the years of service which endeared him to so many in the House.

Mr. MAHON. Mr. Speaker, I wish to pay tribute to the late Ken Regan, who served in the House from August 1947 to January 1955. I had not met Ken Regan until he came to Washington as the Representative of the great 16th Congressional District, which joins on the south and west the district which I have the honor to represent.

Ken Regan was a man of good will. As colleagues from west Texas we worked together on many problems for the public good. Ken was cooperative, understanding, and effective in his work.

Ken Regan had a big district. He had a big heart. He was big in his thinking. He loved his district and the people of his State and Nation. He served them well in Washington. I wish to join with others in paying tribute to a departed friend. I wish also to extend sympathy to his wife, Roberta Regan, who survives him, and who shared his interests during their years in Washington.

Mr. PATMAN. Mr. Speaker, there are many Members of this House who will remember with feelings of friendship and respect the late former Congressman from my State, Kenneth Mills Regan, who died Saturday, August 15, in Santa Fe, N. Mex. He served here in the House during the 80th Congress as the Representative from the 16th Congressional District, demonstrating great loyalty for the people whose battles he fought in committee and on the floor, and great devotion to Texas and to his country. He was reelected to the 81st Congress. I rise to speak in behalf of his memory not only because I have been for years his friend as he was mine and regarded him with affection but because he was during his incumbency as a national legislator one with whom I took frequent counsel and one who had the good grace to acknowledge and respect the value of my advice, experience, and cooperation. He regarded me not merely as a fellow Texan and a friend, but as a fellow American. It was a source of no little pride for me to note that Ken Regan was quite as capable of seeing the Nation as a whole when he was confronted by a decision, as he was eminently astute in recognizing the needs of the area he represented and its people.

Regan's career—broadly speaking—was not unlike that of many of us here in this Chamber. He attended public school and studied at Vincennes University in Vincennes, Ind. He engaged in the real estate business and since 1920 was an oil operator. He began his political career as an alderman for the city of Pecos and was that city's mayor from 1929 through 1932. Then from 1933 through 1937 he was a member of the State senate. He participated in both World Wars—I and II—serving with the rank of captain. Many of us knew him here in the House when he was elected to fill the vacancy caused by the resignation of the Honorable Robert Ewing Thomason. Among his legislative interests here were a deep concern for the ending of the Korean war, proposals for improving the water situation in our State, problems on reclamation and mining, the protection of trademarks, immigration problems, questions involving oil and gas leases—a field in which he was expert—and other issues that confronted our State, his district, and our Nation. He did much for El Paso and for rehabilitation projects along the Rio Grande.

Ken Regan was in his 66th year and while his passing is a source of regret to his family, his friends, the thousands whom he befriended, and the country, it is satisfying to know he had a full and highly satisfying life. He made good, many times over, his obligations as a leader, and accomplished much for the public interest. I want from the Chamber of the House of Representatives to offer my condolences to his widow, Mrs. Regan, the former Roberta Katherine McGary of El Paso, and to express as formally and respectfully as possible, the regrets of the House of Representatives on the death of this distinguished and able former associate.

Mr. FISHER. Mr. Speaker, I desire to join with my colleagues in the House in paying deserved tribute to the late Ken Regan, a former Member of this body. He was a dedicated public servant. He was a true patriot of the old school, and always willing to fight for the cause of good government whenever the occasion arose. Few men have ever served in this body who were more devoted, more courageous, and more deserving of commendation.

Ken Regan was my personal friend. I visited with him frequently. I was always inspired by his pleasant mannerisms and by his philosophy. He was a friend of friends, a bighearted and generous person, who always had a good word and a pleasant thought.

This Nation needs more men of the stature of Ken Regan. He was a man who always put the welfare of the country ahead of petty politics. He voted the way he thought, the way he believed, never looked back. The one test that he applied to every issue was: Is it right or is it wrong? Ken always associated himself actively with the economy-minded bloc in the House. He warned of the dangers of inflation and the importance of balanced budgets. He was a man of great foresight who thought more of the future than he did of the political benefits that might accrue at a given moment.

I extend to his wife, Roberta, my deepest sympathy in her bereavement.

LEGISLATIVE BRANCH APPROPRIATIONS, 1960

Mr. NORRELL. Mr. Speaker, I call up the conference report on the bill H.R. 7453, making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 905)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 45 and the amendment of the House thereto to the bill (H.R. 7453) "making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment No. 45: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by the Senate amendment, and the amendment of the House thereto, insert the following:

"Hereafter, the Architect of the Capitol is authorized, without regard to the Classification Act of 1949, as amended, to fix the compensation of three positions under the appropriation 'Salaries, Office of the Architect of the Capitol', of one position under the appropriation 'Capitol Buildings', and of one position under the appropriation 'House Office Buildings' at a basic rate of $7,700 per annum each: *Provided,* That this provision shall not be applicable to the positions of Architect, Assistant Architect, or Second Assistant Architect of the Capitol.

"Hereafter, the Architect of the Capitol is authorized, without regard to the Classification Act of 1949, as amended, to fix the compensation of one position under the appropriation 'Senate Office Buildings', at a basic rate of $7,020 per annum."

And the House agree to the same.

W. F. NORRELL,
MICHAEL J. KIRWAN,
CLARENCE CANNON,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

JOHN C. STENNIS,
CARL HAYDEN,
STYLES BRIDGES,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate numbered 45 to the bill (H.R. 7453) making appropriations for the legislative branch for the fiscal year ending June 30, 1960, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendment, namely:

ARCHITECT OF THE CAPITOL

Amendment No. 45: Provides a basic salary rate of $7,700 for five positions under the Architect of the Capitol instead of $8,000 rate as proposed by the House; and includes the Senate provision for one position under the appropriation "Senate Office Buildings", at $7,020 per annum.

W. F. NORRELL,
MICHAEL J. KIRWAN,
CLARENCE CANNON,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

Mr. NORRELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

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

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

There was no objection.

Mr. NORRELL. Mr. Speaker, this conference report settles the one amendment remaining in connection with the legislative branch appropriation bill for 1960. All other amendments of the Senate to the bill were agree to in the House on June 29. The one remaining amendment covered by this report concerns certain salary provisions under the Architect of the Capitol included in the bill as it passed the House but which the Senate had stricken.

Briefly, the House bill included provision for salary adjustment on five key positions in the Architect's organization. The Senate did not agree. As explained in the statement of the managers, just read by the Clerk, we have reinstated the provision but at a lower figure than the House had believed justified. Under the circumstances, we believe the settlement is reasonable.

To summarize the whole bill at this point, the totals are as follows:

Budget estimates considered by House	$105,460,005
House bill	100,279,350
House reduction	5,180,655
Budget estimates considered by Senate	133,648,180
Senate bill	128,797,380
Senate reduction	4,850,800
Conference total	128,797,380

AMENDING MINERAL LEASING ACT OF 1920—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 214)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 6940, "An act to amend the Mineral Leasing Act of 1920 in order to increase certain acreage limitations with respect to the State of Alaska."

An unrestricted doubling of the present maximum allowable holding of oil and gas leases or options—which H.R. 6940, in the case of Alaska, would authorize—would not, in my judgment, be in the best interests of Alaska or the Federal Government.

Rather than providing an inducement to the development of oil and gas resources in Alaska, the bill would tend to produce an excessive concentration of control over such potential resources, and there is no assurance provided by the bill that the interests so held would at any time be developed.

Development contracts and unit agreements already provide relief from acreage limitations when circumstances justify their approval. Any additional concentration of ownership would among other things deter participation in these existing and successful programs which are designed to provide specific assurance of the expenditure of funds for exploration and development work. The need is for further progress under existing programs, not just speculative or control holding of excessive acreages, if the development of oil and gas resources on public lands is to occur and the interests of Alaska and the Nation are to be served.

I am aware that allowing increased acreage holdings might be of immediate financial importance to our 49th State, but I believe this to be a shortsighted goal for it eventually could well result in depriving both the Alaskan and Federal Governments of substantial revenues. Sacrificing sound principle and the long-run public interest in order to achieve a limited immediate gain does not seem to me to be wise.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *August 17, 1959.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. ASPINALL. Mr. Speaker, I move that the bill and message be referred to the Committee on Interior and Insular Affairs and ordered to be printed.

The motion was agreed to.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AMENDING TITLE 38, UNITED STATES CODE, TO PROVIDE ADDITIONAL COMPENSATON FOR VETERANS

The Clerk called the bill (H.R. 268) to amend title 38 of the United States Code to provide additional compensation for veterans having the service-incurred disability of deafness of both ears.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

INCREASED COMPENSATION FOR CERTAIN SERVICE-CONNECTED DISABLED VETERANS

The Clerk called the bill (H.R. 283) to amend section 314(k) of title 38, United States Code, to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

RESOLUTION RELATING TO DISPOSAL OF COCONUT OIL FROM THE NATIONAL STOCKPILE

The Clerk called the joint resolution (H.J. Res. 441) relating to the disposition of coconut oil from the national stockpile under the Strategic and Critical Materials Stock Piling Act.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this measuse be passed over without prejudice.

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

There was no objection.

EDUCATIONAL ASSISTANCE FOR ORPHANS

The Clerk called the bill (H.R. 4306) to provide education and training for the children of veterans dying of a service-connected disability incurred after January 31, 1955, and before the end of compulsory military service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 of title 38, United States Code, is amended by adding at the end thereof the following:

"(28) The term 'induction period' means the period beginnng on February 1, 1955, and ending on the day before the first day thereafter on which individuals (other than individuals liable for induction by reason of a prior deferment) are no longer liable for induction for training and service into the Armed Forces under the Universal Military Training and Service Act."

SEC. 2. Paragraph (1) of subsection (a), and subsection (c), of section 1701 of title 38, United States Code, are each amended by striking out "or the Korean conflict" and inserting in lieu thereof the following: "the Korean conflict, or the induction period".

SEC. 3. In the case of any individual who is an "eligible person" within the meaning of section 1701(a)(1) of title 38, United States Code, solely by virtue of the amendments made by this Act, and who is above the age of seventeen years and below the age of twenty-three years on the date of enactment of this Act, the period referred to in section 1712 of title 38, United States Code, shall not end with respect to such individual until the expiration of the five-year period which begins on the date of enactment of this Act.

With the following committee amendments:

On page 2, line 3, insert the following:

"SEC. 2. Subsection 1701(a)(1) of title 38, United State Code, is amended to read as follows:

"'(1) The term 'eligible person' means a child of a person who died of a service-connected disability arising out of active military, naval, or air service—

"'(A) during World War I, World War II, or the Korean conflict, or

"'(B) as a direct result of armed conflict or while engaged in extrahazardous service (including such service under conditions simulating war) during the induction period,

but only if such service did not terminate under dishonorable conditions. The standards and criteria for determining whether or not a disability is service-connected shall be those applicable under chapter 11 of this title.'

"On page 2, line 18, strike out '2. Paragraph (1) of subsection (a), and subsection (c),' and insert '3. Subsection (d)'.

"On page 2, line 20, strike out 'are each' and insert 'is'."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. TEAGUE of Texas. Mr. Speaker, in the 84th Congress I had the honor to sponsor what became Public Law 634, the War Orphans' Educational Assistance Act of 1956. This law provided educational assistance to the children of veterans of World War I, World War II, and the Korean conflict who died of a service-connected disability.

Generally speaking, the age limitations were, and are, 18 to 23 years and the monthly allowance is $110 for a full-time course not to exceed 36 months.

When veterans' benefits laws were codified as title 38, this particular law became chapter 35 of that title.

The program has worked, and is working, well and is providing a very real and substantial benefit for children whose fathers die of service-connected causes. The latest available figures indicate that on the average there were over 5,000 children in training each school month during 1959.

This bill, as introduced by the gentleman from Texas [Mr. THORNBERRY], covered the children of all those veterans who lost their lives as a result of service-connected disability arising out of military service performed between January 31, 1955, and the date when individuals were no longer liable for induction into the Armed Forces under the Universal Military Training and Service Act. Strange as it may seem, service in peacetime under the conditions enumerated in this bill, as amended, are more dangerous sometimes than those prevailing during time of war. The gentleman from Texas [Mr. THORNBERRY] has given considerable time and study to this matter and testified before our Subcommittee on Education and Training when hearings were held on July 21, 1959. It is because of his leadership on this subject that this bill is presented to the House today.

As reported by the committee the bill has been substantially amended and is restricted now to only the children of those service-connected veterans whose deaths were shown to have directly resulted from armed conflict or to have occurred during extrahazardous service. This is a considerable restriction in contrast to the introduced bill, but it will provide a substantial benefit to the children of veterans who lose their lives under these conditions.

The Veterans' Administration reported on the bill at the time of its introduction and estimated that it would cost $114,000 for the fiscal year 1960; $339,000 in 1961; $656,000 in 1962; $1,100,000 in 1963; and $1,500,000 in 1964. The annual cost would thereafter arise to a peak of approximately $3 million.

I am happy to advise the House that Mr. T. F. Daley, Associate General Counsel for Legislative Services, advised me under date of August 7 that in view of the amendment of the committee the number affected by the legislation would not exceed 2,000 and the reduction in cost would be at least 91 percent. On this basis, Mr. Daley advised that the cost of direct benefits for the first 5 years should not exceed: $10,000 for the first year; $29,000 for the second year; $56,000 for the third year; $94,000 for the fourth year; and $128,000 for the fifth year. This, of course, would mean a cost of $317,000 for the first 5 years.

LIMITING THE PRIORITY OF TAXES IN BANKRUPTCY

The Clerk called the bill (H.R. 2236) to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy.

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

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

CERTAIN LANDS TO THE CITY OF CRAWFORD, NEBR.

The Clerk called the bill (H.R. 6179) to grant the right, title, and interest of the United States in and to certain lands to the city of Crawford, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey to the city of Crawford, Nebraska, upon the payment by the city of an amount equal to the fair market value thereof, all the right, title, and interest of the United States in and to the tract of land which is enclosed within the following boundary:

Starting at the northeast corner of the tract of land granted, subject to certain conditions, to the village of Crawford, Nebraska, by the Act of June 25, 1906 (34 Stat. 461), and running thence due west a distance of 1,156.98 feet, thence due south a distance of 1,300 feet, thence due east 1,156.98 feet, thence due north 1,300 feet to the place of origin, containing 34.5 acres more or less.

With the following committee amendment:

Page 1, lines 4 and 5, strike out the words "an amount equal to the fair market value thereof," and insert in lieu thereof the words "the sum of $880, which is the estimated fair market value thereof,".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD ARTHUR PATTERSON LAKE, N. DAK.

The Clerk called the resolution (S.J. Res. 16) to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake".

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota shall hereafter be known as "Edward Arthur Patterson Lake", and any law, regulation, document or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of "Edward Arthur Patterson Lake".

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REMOVAL OF CERTAIN ACREAGE LIMITATIONS

The Clerk called the bill (H.R. 5412) to amend the act of June 14, 1926, as amended, to provide that lands conveyed under such act for State park purposes shall not be subject to the 640-acre limitation contained in such act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) section 1(b) of the Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (44 Stat. 741), as amended, by the Act of June 4, 1954 (68 Stat. 173), is further amended by striking out the period at the end thereof and inserting a semicolon and the following: "but such restriction shall not apply if the land conveyed is to be used for State park purposes".

With the following committee amendment:

Strike all after the enacting clause and substitute the following: "That subsection (b) of Section 1 of the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173, 174; 43 U.S.C., sec. 869), is further amended to read as follows:

"'(b) Conveyances made in any one calendar year shall be limited as follows:

"'(i) For recreational purposes—

"'(A) To any State or Territory, for not more than three recreational sites, 6,400 acres in all.

"'(B) To any political subdivision of a State or Territory, 640 acres.

"'(C) To any nonprofit corporation or nonprofit association, 640 acres.

"'(ii) For public purposes other than recreation—

"'(A) To any State, Territory, or agency or instrumentality thereof, for any one program, 640 acres.

"'(B) To any political subdivision of a State or Territory, 640 acres.'

"SEC. 2. The last sentence of Section 3 of the same Act is repealed."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed. The title of the bill was amended so as to read: "A bill to amend the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C., sec. 869)."

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1436) to amend section 1 of the act of June 14, 1926, as amended by the act of June 4, 1954 (68 Stat. 173; 43 U.S.C. 869), similar to the House bill just passed.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1 of the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173, 174; 43 U.S.C. 869), is further amended to read as follows:

"(b) No more than six hundred and forty acres may be conveyed to any one grantee other than a State, in any one calendar year: *Provided,* That no more than six hundred and forty acres may be conveyed to a State in any one calendar year for the benefit of any one State program or of the program of any one State agency: *Provided further,* That there shall be no limitation as to the acreage which may be conveyed to a State or to a State park agency for public park purposes."

Mr. ASPINALL. Mr. Speaker, I move to strike out all after the enacting clause of the bill and insert in lieu thereof the provisions of the bill H.R. 5412, as passed.

The motion was agreed to.

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

A motion to reconsider and a similar House bill (H.R. 5412) were laid on the table.

AMENDING THE NATIONAL SCIENCE FOUNDATION ACT

The Clerk called the bill (H.R. 8284) to amend the National Science Foundation Act of 1950, as amended, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

STATUTORY LIENS AND THE POWERS OF THE TRUSTEE

The Clerk called the bill (H.R. 7242) to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

CONVEYANCE OF CERTAIN PROPERTY IN PHILADELPHIA, PA.

The Clerk called the bill (S. 2210) to provide for the disposition of the Philadelphia Army Base, Philadelphia, Pa.

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to have someone familiar with the bill tell us whether we are supposed to have any estimate of the value of the property.

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

Mr. GROSS. I yield.

Mr. VINSON. If the gentleman will refer to the bill and the report on the bill he will see that in section 3 a report must be submitted 30 days before the transfer date. This is valuable property. It has to be appraised.

My recollection is that this property involves three piers. The city of Philadelphia is very anxious to obtain it. The committee did not have the knowledge of the exact value so we said "Fair market value." We will know 30 days in advance of execution of the quitclaim deed what value has been set on the property.

My recollection is that the city of Philadelphia is going to spend some large sums of money, in the millions, in connection with these three piers.

Mr. GROSS. As I understand the report, in addition to the piers there is some 53 acres of land.

Mr. VINSON. That is right.

Mr. GROSS. Probably very valuable ground.

Mr. VINSON. It is valuable property. Therefore we say, "Fair market value."

Mr. GROSS. Is there some reason why the House cannot have an estimate of value?

Mr. VINSON. After an appraisal is made the committee will be advised. If the committee is not satisfied with the value a resolution will naturally be introduced with reference to it.

Mr. GROSS. What does "Report to the Committee" mean?

Mr. VINSON. We cannot properly value the property until it is appraised and we know how much it is worth. We are keeping our hands on the property until we know what the appraisal is.

Mr. GROSS. This will be referred to the same committee that handled the San Jacinto property.

Mr. VINSON. Oh, no.

Mr. GROSS. The gentleman is speaking of the same subcommittee.

Mr. VINSON. This will come to the full committee.

Mr. GROSS. This report would go to the Subcommittee on Real Estate.

Mr. VINSON. The bill says it will go to the Armed Services Committee of the Senate and the House of Representatives. That is the law. The law requires it.

May I say this is a very important matter to the city of Philadelphia. This is an important bill that should be favorably considered. The Government will get fair market value for this property.

Mr. GROSS. I have no doubt this is an important bill. That is one of the reasons why I am trying to find out something about it. The present lease expires next April, but there is nothing in the bill providing that this property will be disposed of before the lease expires. Is not that correct?

Mr. DURHAM. We went into this very thoroughly. Of course, these piers are deteriorating and in a few years we will not get anything for them at all. That is the situation. It is a question of trying to work this out at fair market value. The people of Philadelphia and the Port Authority appeared before the

committee. This will come back to the Real Estate Committee when an appraisal is made by a concern, also in cooperation with the Army. They will make the decision and if we decide it is not fair market value we will turn it down.

Mr. GROSS. I am not going to ask that the bill go over, but I think that we should have more information concerning this property in the report which the committee submitted to the House.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to convey, on or before June 30, 1960, by quitclaim deed to the city of Philadelphia the real property under his jurisdiction located at the Philadelphia Army Base, Philadelphia, Pennsylvania, consisting of approximately fifty-three and seventy-five one-hundredths acres together with all appurtenances pertaining hereto and all improvements located thereon.

SEC. 2. The conveyance herein authorized shall be made at the fair market value of the property as determined by the Secretary of the Army, and shall be made upon such terms and conditions and shall include such reservations as the Secretary of the Army shall determine to be in the public interest.

SEC. 3. Within at least thirty days prior to execution of the quitclaim deed, the Secretary of the Army shall report to the Committees on Armed Services of the Senate and of the House of Representatives his determination of the fair market value of the property authorized to be conveyed by section 1.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

U.S. MILITARY ACADEMY AT WEST POINT

The Clerk called Senate Joint Resolution 24 authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. EVINS. Mr. Speaker, reserving the right to object, will the author of the bill explain why this bill is necessary or desirable?

Mr. VINSON. Mr. Speaker, this is not anything new. Under the law today cadets can be admitted to West Point and the Naval Academy from all of Central and South America, Canada, and the Philippines, without any legislation. This permit two students to be admitted from Thailand, and it is in accordance with the custom of the past. There are 13 in the West Point Academy today from foreign countries, and there are 17 in the Naval Academy. It is without any expense whatever to the Federal Government.

Mr. EVINS. It seems to me the measure sets a precedent as far as legislating for the Middle East is concerned. We have a law that we can admit cadets to the U.S. Military Academy from South America. Now we are opening up admission to the U.S. Military Academy to the Middle East and probably all countries in Europe and the East. Is not this the precedent that is being established?

Mr. VINSON. There is no precedent being established. Congress controls it, and if the facts and circumstances do not warrant, the Congress will disapprove it.

Mr. EVINS. Will this not ultimately entail the addition of more facilities, more dormitories, and so forth?

Mr. VINSON. No; it will not cost one penny more. There are also students from the countries that the gentleman is complaining about.

Mr. EVINS. I would like to have some information as to why we are setting a precedent here when the Academy is overcrowded and our Academy officials are asking for additional authority to name cadets above and beyond congressional authorizations.

Mr. VINSON. There are no requests for expansion at all.

Mr. STRATTON. I may say to the gentleman that this permits an addition to the Academy of students from an area which is of vital concern to our national security. As the gentleman knows, there have been movements in the area of Thailand that look as though the Communist menace is on the march again. I think if we turn this bill down we turn down an opportunity to build up the military strength of some of the friendly nations situated in a very critical part of the world.

Mr. EVINS. Some of our military officials have been for years trying to do away with or limit the number of Members of Congress recommendations for admission to the Academy. They want the authority to nominate and to name them, irrespective of the wishes of Congress, and I think it is a bad precedent not to have the Congress have more control over who is admitted to our service Academies.

Mr. HOEVEN. Mr. Speaker, I would like to know who pays for the cost of instruction. Does the foreign government reimburse the United States for the increased cost of instruction?

Mr. VINSON. The bill states that the United States cannot be subject to any expense on account of certain instruction.

Mr. EVINS. The gentleman from Iowa [Mr. HOEVEN] and I had the privilege of serving a few years ago as members of the Board of Visitors to the U.S. Military Academy, by appointment of Speaker RAYBURN and we were told that the desire they wanted most was for the Academy to name the members above and beyond that of the Congress. I am constrained to object at this time. We are having this recurring appeal to open the Academy to those other than nominations by Members of Congress.

Mr. Speaker, I object.

INSTRUCTION FOR BELGIAN CITIZENS AT ANNAPOLIS

The Clerk called the resolution (S.J. Res. 106) authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the resolution?

Mr. EVINS. I object, Mr. Speaker.

CONVEY CERTAIN LAND TO THE STATE OF MICHIGAN

The Clerk called the bill (H.R. 65) to provide for the conveyance to the State of Michigan of certain land in Grayling Township, Crawford County, Mich., to be used for National Guard purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to convey to the State of Michigan all the right, title, and interest of the United States in and to a tract of land in Crawford County, Michigan, containing seven hundred ninety-eight and eighty hundreds acres, more or less, being that parcel of land in Grayling Township known as Grayling Army Airfield, subject, however, to the conditions and restrictions set forth in section 2 of this Act.

SEC. 2. The conveyance authorized by this Act shall be made without monetary consideration therefor but upon condition that the property shall be used primarily for training of the National Guard and for other military purposes, and in the event it shall not be used for such purposes title thereto shall immediately revert to the United States, and, in addition, title to all improvements made by the State of Michigan during its occupancy shall vest in the United States without payment of compensation therefor. The deed of conveyance shall reserve to the United States all mineral rights, including gas and oil, and contain the further provisions that whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency, and upon determination by the Secretary of Defense that the property conveyed is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made by the State of Michigan, for a period not to exceed the duration of such state of war or national emergency plus six months, and upon cessation of such use the property shall revert to the State of Michigan, together with any or all improvements thereon and appurtenances appertaining thereto.

SEC. 3. The cost of any surveys necessary as an incident to the conveyance authorized herein shall be borne by the grantee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASE PART OF TWIN CITIES ARSENAL, MINNEAPOLIS, MINN.

The Clerk called the bill (H.R. 2449) to authorize the Secretary of the Army to lease a portion of Twin Cities Arsenal, Minn., to Independent School District No. 16, Minn.

Mr. WEAVER. Mr. Speaker, at the request of a Member who is not able to be here today, I ask unanimous consent

that the bill be passed over without prejudice.

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

There was no objection.

MEDAL TO MEMBERS OF ANTARCTICA EXPEDITIONS

The Clerk called the bill (H.R. 3923) to provide for the presentation of a medal to persons who have served as members of a U.S. expedition to Antarctica.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each person who serves, or has served, as a member of a United States expedition to Antarctica between January 1, 1946, and a date to be subsequently established by the Secretary of Defense shall be presented a medal with accompanying ribbons and appurtenances, under regulations to be prescribed by the Secretary of the Military Departments under whose cognizance the expedition falls, such regulations to be subject to the approval of the Secretary of Defense. The regulations may include provisions for award to civilian as well as uniformed members and for posthumous awards.

Members of the Armed Forces of the United States who are presented the medal referred to in the first section of this Act may wear such medal and the ribbon symbolic of such medal in such manner as shall be prescribed by regulations approved by the Secretary of Defense.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF PROPERTY TO SACRAMENTO COUNTY, CALIF.

The Clerk called the bill (H.R. 2247) to authorize the conveyance of certain real property of the United States to the county of Sacramento, Calif.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CURTIS of Missouri. Mr. Speaker, reserving the right to object, and I probably shall object, but as I understand the statement made here, expenditure of Federal funds are not involved. It may be that expenditure of additional Federal funds are not involved, but this is a piece of property with improvements on it worth $128,000 at the time it was constructed. It is worth considerably more now, as sewage disposal plants go. Apparently this property is under lease to Sacramento County. It seems to me that when the military are getting only about 8 cents on the dollar on the disposal of their surplus property, it is about time we started looking into these giveaway programs, and for that reason I feel constrained to object.

DEFINE TERM "A MEMBER OF A RESERVE COMPONENT"

The Clerk called the bill (H.R. 6269) to amend section 265 of the Armed Forces Reserve Act of 1952 to define the term "a member of a reserve component" so as to include a member of the Army or Air Force without specification of component.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 265(h) of the Armed Forces Reserve Act of 1952 (50 U.S.C. 1016) is amended to read as follows:

"(h) For the purpose of this section—

"(1) the term 'a member of a reserve component' shall include a member of the Army or Air Force without specification of component, and

"(2) the term 'involuntary release' shall include release under conditions wherein a member of a reserve component, who has completed a tour of duty, volunteers for an additional tour of duty and the service concerned does not extend or accept the volunteer request of the member for the additional tour."

SEC. 2. Payments authorized by this Act shall be made from appropriations currently available for military pay and allowances.

SEC. 3. This Act is effective from July 9, 1956.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEASE CERTAIN PROPERTY IN MISSOURI FOR SCHOOL PURPOSES

The Clerk called the bill (H.R. 8315) to authorize the Secretary of the Army to lease a portion of Fort Crowder, Mo., to Stella Reorganized Schools R–I, Missouri.

Mr. WEAVER. Mr. Speaker, on behalf of a Member who could not be here today, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

WILDLIFE CONSERVATION IN MILITARY RESERVATIONS

The Clerk called the bill (H.R. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RIVERS of Alaska. I object, Mr. Speaker.

REPEALING SECTION 217 OF MERCHANT MARINE ACT

The Clerk called the bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act, 1936, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

WILDLIFE CONSERVATION IN MILITARY RESERVATIONS

Mr. DINGELL. With respect to H.R. 2565, I was on my feet and was about to ask the gentleman from Alaska to withdraw his objection and that he merely reserve the right to object and that he explain to me his reason for objecting.

The SPEAKER pro tempore. Does the gentleman ask unanimous consent to turn to H.R. 2565?

Mr. DINGELL. Yes, Mr. Speaker.

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

There was no objection.

Mr. DINGELL. Will the gentleman tell me the reason for his objection?

The SPEAKER pro tempore. Does the gentleman from Alaska reserve the right to object?

Mr. RIVERS of Alaska. Yes. I am willing to answer the question. This goes to the policy question of whether or not to put the Secretary of Defense in the game-management business which he is not in at the present time. The Secretary of the Interior is in the game-management business and seeks to extend it in perpetuity in Alaska in the form of an Arctic Wildlife Reserve. The Forest Service is now taking steps to expand the part it is playing in the game-management business in the National Forests. All of this makes me wonder when there will be moves to put practically all of the Departments of the Federal Government in the game-management business. I think this piece of legislation should be considered fully with a rule.

Mr. DINGELL. Will the gentleman yield to me and just ask unanimous consent that this bill be passed over so that we can have a chance to talk it over? Now, we have been all over every objection on this particular piece of legislation before my committee, and I think in this bill we have met every objection that has been made.

I will say to the gentleman that he has had notice of this bill. He has a close interest in it, and he knows I have been handling it. This is the first objection I have heard on the part of the gentleman. I hope he will not object and just ask unanimous consent that it be passed over without prejudice.

Mr. RIVERS of Alaska. I want to say that this particular bill did not come to my attention until after the hearings were over. Because of the request of the gentleman from Michigan I withdraw my objection and now ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MERCHANT MARINE ACT, 1936

The Clerk called the bill (H.R. 5067) to repeal section 217 of the Merchant Marine Act, 1936, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 217 of the Merchant Marine Act, 1936, as amended (56 Stat. 171; 46 U.S.C. 1127), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE IN RETIREMENT FOR MEMBERS OF LIGHTHOUSE SERVICE

The Clerk called the bill (H.R. 5431) to provide a further increase in the retired pay of certain members of the former Lighthouse Service.

Mr. WEAVER. Mr. Speaker, on behalf of a Member who is not present today, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

ARCTIC WILDLIFE RANGE, ALASKA

The Clerk called the bill (H.R. 7045) to authorize the establishment of the Arctic Wildlife Range, Alaska, and for other purposes.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

GREAT LAKES PILOTAGE

The Clerk called the bill (H.R. 57) to require pilots on certain vessels navigating U.S. waters of the Great Lakes, and for other purposes.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

LICENSING OF INDEPENDENT FOREIGN FREIGHT FORWARDERS

The Clerk called the bill (H.R. 5068) to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOLAND. Mr. Speaker, this matter is to be taken up under suspension; I object.

RELIEF OF GOVERNMENT OF ICELAND

The Clerk called the bill (H.R. 8499) for the relief of the Government of the Republic of Iceland.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1590, be considered in lieu of the House bill.

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

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to the Government of the Republic of Iceland, the sum of $5,378.98, and such additional sum due to increases in rates of exchange as may be necessary to pay this claim in foreign currency, in full satisfaction and final settlement of its claim against the United States in the amount of 88,000 Icelandic kronur, arising out of accidents involving United States Armed Forces during their presence in Iceland from July 7, 1941, to April 5, 1947, under the terms of the agreements between the Government of the United States of America and the Government of the Republic of Iceland, respecting the defense of Iceland, dated July 1, 1941 (55 Stat. 1547), and regarding the settlement of claims of Icelandic insurance companies, dated November 23, 1956.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8499) was laid on the table.

FOREIGN-FLAG AFFILIATIONS OF SUBSIDIZED OPERATORS

The Clerk called the bill (H.R. 8388) to amend the Merchant Marine Act, 1936, to provide further requirements for applicants for and contractors under operating-differential subsidy contracts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 605 of the Merchant Marine Act, 1936, is amended by adding at the end thereof the following new subsection:

"(d) Before awarding any contract for operating-differential subsidy under this title, the Board shall, after a public hearing, determine whether or not the applicant for such subsidy, or any holding company, subsidiary, affiliate, or associate of such applicant, or any officer, director, agent, or executive thereof, or person owning or having a beneficial interest in a substantial portion of the stock of the applicant, directly or indirectly, operates, charters, acts as agent or broker for, or owns a substantial interest in any foreign-flag vessel which competes with any American-flag service determined to be essential under section 211 of this Act. If the Board determines that the applicant or such holding company, subsidiary, affiliate, or associate, or other person has such interest in, relationship with, or so acts in respect of, any foreign-flag vessel competitive with an American-flag service, the Board shall not enter into a contract with the applicant under title VI unless it is also determined after such public hearing that special circumstances exist, and good cause is shown, which in the discretion of the Board justify the making of the contract with the applicant, notwithstanding such foreign-flag interest, relationship, or activity. The public hearings provided for in this subsection shall not be required with respect to any applicant whose application was filed prior to December 1, 1958."

SEC. 2. That section 804 of the Merchant Marine Act, 1936, is amended to read as follows:

"It shall be a misdemeanor for any contractor receiving an operating-differential subsidy under title VI or for any charterer of vessels under title VII of this Act, or any holding company, subsidiary, affiliate, or associate of such contractor or such charterer, or any officer, director, agent, or executive thereof, or person owning or having a beneficial interets in 5 per centum or more of the stock of such contractor or charterer directly or indirectly, to operate, charter, act as agent or broker for, or own a substantial interest in any foreign-flag vessel which competes with any American-flag service determined by the Board to be essential as provided in section 211 of this Act: *Provided, however,* That under special circumstances and for good cause shown the Board may, in its discretion, following public hearings, waive the provisions of this section for a specific period of time. If any person or corporation holding or having a beneficial interest in 5 per centum or more of the stock of such contractor or charterer violates this section, such violation shall not be deemed a breach of the contractor's operating-differential subsidy contract, or of the charterer's charter."

With the following committee amendments:

On page 2, line 22, immediately after the quotation mark insert "SEC. 804.".

On page 3, line 12, delete the words "or corporation", and insert in lieu thereof the following: "other than an officer, director, agent, or executive of the contractor or charterer, or corporation other than the contractor or charterer itself".

The committee amendments were agreed to.

Mr. TOLLEFSON. 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 Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, during the consideration of H.R. 8388 by our committee, I had suggested the advisability of an amendment to the bill which would spell out in some way the kind of competition we would be concerned with as between American-flag vessels and foreign-flag vessels carrying cargoes between one foreign port and another. We came to the conclusion that perhaps we could best deal with this matter in the report on the bill. Unfortunately, in the press of its work, our staff forgot to mention it in the report at all.

I was convinced that we were concerned with competition which was substantial in nature. It would be difficult to spell this out in legislation, understandably. Therefore, I believed that the report should have made mention of the problem and should have indicated that the Maritime Board ought to have some flexibility in determining what kind of competition was substantial and detrimental to the American Merchant Marine. The committee agreed that the report should deal with the subject, and it would have dealt with it had not the staff overlooked it. I certainly mean no criticism of our staff which is an excellent one. The staff simply has been burdened with an unusual amount of work. It is understandable that this matter was overlooked.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL RULES OF JUDICIAL PROCEDURE

The Clerk called the bill (H.R. 8461) to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judiciary Procedure.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROONEY. Mr. Speaker, reserving the right to object, I should like to inquire if this is the same Commission that was established about a year ago by a bill called up on the Consent Calendar, with an assurance to the House at that time that the total cost of the Commission would be not more than $5,000, which Commission subsequently came to the House Committee on Appropriations with a request for $75,000? Is this the same Commission?

Mr. WALTER. This is the same Commission. However, I might state to the gentleman that the Commission does not function because there are vacancies and that is the reason for this amendment. It merely extends the life of the Commission.

Mr. ROONEY. It is my understanding, I must say to my distinguished friend, the gentleman from Pennsylvania, that there were nine members appointed on this Commission, all of one political faith, under the aegis of the former distinguished Attorney General, Mr. Brownell. At the present time, this seems to be an effort to extend the life of the Commission and to cost the taxpayer an additional $75,000 for some work that could just as well be done by the American Bar Association, the Ford Foundation or some such private agency as these, without any cost to the American taxpayer.

Mr. WALTER. Mr. Speaker, I do not know whether any of the foundations or organizations which the gentleman has mentioned have indicated a willingness to perform these very necessary functions. But with respect to the people appointed on the Commission I know of several of the members, one of whom is a member of the staff of the Committee on the Judiciary. He has been a lifelong Democrat. I do know that former Attorney General McGranery was offered a position; and I know that two justices from the third circuit have been recommended for appointment and will probably be appointed, and they are both Democrats.

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

Mr. ROONEY. I yield to the distinguished gentleman from New York.

Mr. CELLER. As to the appointments being of one political faith, that is unfortunately true. I took that up with the Deputy Attorney General and I said that was highly unfair. He admitted finally it was unfair and has agreed to rectify that situation. Two vacancies have occurred and pledges have been given that the two new members would be of a different political faith than the other seven and if other vacancies occur Democrats will be appointed until there is a fair balance. There are also advisory members. Most of the advisory members are of the political faith to which the gentleman and I belong. So that situation is being remedied. It is quite unlikely I will say to the gentleman from New York that the various foundations would be willing to do this type of work. It is purely legal. It provides for making possible easier service of judicial process upon foreign corporations in foreign countries; the obtaining of evidence; the proof of foreign law. You have these difficult language barriers to contend with. There are some 80 countries to deal with, with so many diverse languages, and within those countries there are subdivisions. For example, in Switzerland you have the various cantons and in India you have the different Provinces or the States. In Mexico you have the several States. Languages differ in various of these local political subdivisions and so on. You have these grave difficulties in effectuating service and you have great difficulties in the process of receiving evidence greatly exacerbated by language barriers. This committee is trying to overcome these difficulties by establishing and aiding in the establishment of treaties with these 80 different nations. The program of translation of documents and laws is stupendous. It is a very important assignment and a very difficult one. The Commission is bent upon a painstaking job. I think it should indeed earn the plaudits of this Congress and the bill ought to pass.

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

Mr. ROONEY. I yield.

Mr. WALTER. I would like to call the attention of the gentleman to the fact that because of the war it has been difficult to settle many estates in many of the nations in the world. In finally working out these settlements it is important that there be some sort of uniform procedure, particularly with respect to the taking of affidavits of people who are not in the United States.

Mr. ROONEY. I might say that during the course of the House appropriations hearings it appeared that it originally was the intention to do this all by mail. Has this now gotten to the point where it is going to cost the taxpayers additional money beyond what was already provided for this Commission?

Mr. WALTER. No. I do not think any of the money has been expended. Certainly the only expenditures will be for the very modest staff that this Commission will have to have in order to carry out the mailing of the proposed forms that the gentleman knows about.

Mr. ROONEY. Then the gentleman feels that we have an assurance from the Commission that this will not cost the taxpayers any additional sums?

Mr. WALTER. I do not have the faintest idea.

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

Mr. ROONEY. I yield.

Mr. GROSS. I believe I raised the question when the bill was originally on the floor about the cost.

Mr. WALTER. The gentleman from Iowa did raise that question.

Mr. GROSS. I think I was told by the gentleman from Pennsylvania [Mr. WALTER] that it was supposed it would cost $5,000.

Mr. WALTER. Yes, I am sure I informed the gentleman from Iowa that it would cost $5,000.

Mr. GROSS. Do I understand that the cost has been upped to $150,000 for this? Or what is it?

Mr. ROONEY. I notice in the report, I should say to the distinguished gentleman from Iowa, that Mr. Brownell has requested an additional $75,000 under date April 22, 1959, but the Committee on the Judiciary in its wisdom has denied or ignored that request and has brought us the bill now on this Consent Calendar which does not provide for any additional funds. Is that correct?

Mr. CELLER. The gentleman is correct.

Mr. ROONEY. So we have an assurance that it will not cost any further sums of taxpayers' money. In that event, Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of subsection (b) of section 7 of the Act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure is amended to read as follows:

"The Commission shall submit its final report and the Commission and the Advisory Committee shall terminate prior to December 31, 1961."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARIFYING PROHIBITION AGAINST ARRESTMENT OF WAGES OF U.S. SEAMEN

The Clerk called the next bill (H.R. 6815) to amend title 46, United States Code, section 601, to clarify types of arrestment prohibited with respect to wages of U.S. seamen.

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate bill (S. 1958) to amend title 46, United States Code, section 601, to clarify types of arrestment prohibited with respect to wages of U.S. seamen, a similar bill.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 46, United States Code, section 601, is amended by adding at the end thereof the following: "*And provided further,* That prior to September 1, 1961, no part of the wages due or accruing to any seaman who is a member of the crew on a vessel engaged in the foreign, coastwise, intercoastal,

interstate, or noncontiguous trade shall be withheld pursuant to the provisions of the tax laws of any State, Territory, possession, or Commonwealth, or a subdivision of any of them."

Mr. BONNER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BONNER moves to strike out all after the enacting clause in S. 1958 and insert the following: "That the second sentence of section 12 of the act of March 4, 1915 (38 Stat. 1169; 46 U.S.C. 601) is amended by striking out the period at the end thereof and inserting a colon in lieu thereof and the following: '*And provided further*, That no part of the wages due or accruing to a master, officer, or any other seaman who is a member of the crew on a vessel engaged in the foreign, coastwise, intercoastal, or noncontiguous trade shall be withheld pursuant to the provisions of the tax laws of any State, Territory, possession, or Commonwealth, or a subdivision of any of them.'"

The motion was agreed to.

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

On the motion of Mr. BONNER, the title was amended so as to read: "A bill to amend section 12 of the Act of March 5, 1915, to clarify types of arrestment prohibited with respect to wages of United States seamen."

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

MODIFYING OF CITIZENSHIP REQUIREMENTS FOR U.S. SHIPPING CORPORATIONS

The Clerk called the bill (H.R. 6888) to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, and section 2 of the Shipping Act, 1916.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4132 of the Revised Statutes, as amended (46 U.S.C. 11), is amended by striking out of the first sentence thereof the words "or corporations organized and chartered under the laws of the United States, or of any State thereof, the president and managing directors of which shall be citizens of the United States" and inserting in lieu thereof the words "or corporations organized and chartered under the laws of the United States, or of any State thereof, of which the president shall be a citizen of the United States and such number of its directors shall be citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present".

SEC. 2. Section 37 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 888), is amended by striking out the words "by this Act".

SEC. 3. Section 2 of the Shipping Act, 1916, as amended (46 U.S.C. 802), is amended by striking out of subsection (a) the words "in the case of a corporation, unless its president and managing directors are citizens of the United States" and inserting in lieu thereof the words "in the case of a corporation, unless its president is a citizen of the United States and such number of directors are citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present,".

With the following committee amendments:

Strike out of line 1 through 4, of page 2, the words "the president shall be a citizen of the United States and such number of its directors shall be citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present" and insert in lieu thereof the words "the president or other chief executive officer and the chairman of the board of directors shall be citizens of the United States and no more of its directors than a minority of the number necessary to constitute a quorum shall be noncitizens,".

Strike out of lines 13 through 17, of page 2, the words "its president is a citizen of the United States and such number of its directors are citizens of the United States as will at any meeting of the board of directors, a quorum being present, be a majority of the directors present" and insert in lieu thereof the words "its president or other chief executive officer and the chairman of its board of directors are citizens of the United States and unless no more of its directors than a minority of the number necessary to constitute a quorum are noncitizens."

Insert at the end of the bill a new section 4, to read as follows:

"SEC. 4. Section 905(c) of the Merchant Marine Act, 1936, as amended, is amended by striking out the words 'section 2 of the Shipping Act, 1916, as amended (U.S.C., title 46, sec. 802),' and inserting in lieu thereof the words 'section 2 of the Shipping Act, 1916, as amended (U.S.C., title 46, sec. 802), and with respect to a corporation under title VI of this Act, all directors of the corporation are citizens of the United States'."

The committee amendments were agreed to.

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

On motion of Mr. BONNER, the title was amended so as to read: "A bill to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and Section 905(c) of the Merchant Marine Act, 1936, as amended."

A motion to reconsider was laid on the table.

CONVEYING CERTAIN LANDS IN SALT LAKE COUNTY, UTAH

The Clerk called the bill (H.R. 5270) to authorize the Secretary of the Interior to convey to the Metropolitan Water District of Salt Lake City, Utah, all right, title, and interest of the United States in certain lands located in Salt Lake County, Utah.

Mr. WEAVER. Mr. Speaker, I ask that this bill may be passed over without prejudice.

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

There was no objection.

EXTENDING TIME FOR COMMENCING CERTAIN PROJECTS BY MICHIGAN

The Clerk called the bill (H.R. 3180) to extend for an additional 3 years the time within which the State of Michigan may commence and complete the construction of certain projects heretofore authorized by the Congress.

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the first section of the Act entitled "An Act to revive and reenact the Act entitled 'An Act authorizing the State of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Saint Marys River, from a point in or near the city of Sault Sainte Marie, Michigan, to a point in the Province of Ontario, Canada', approved December 16, 1940", approved July 28, 1953 (67 Stat. 226; Public Law 157, Eighty-third Congress), approved May 18, 1956 (70 Stat. 159 and 160; Public Law 530, Eighty-fourth Congress), is amended to read as follows: "*Provided* That this Act shall be null and void unless the actual construction of the bridge, or series of bridges, causeways, and approaches thereto, referred to in this Act, is commenced on or before July 28, 1962, and completed on or before July 28, 1965."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Act entitled 'An Act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the Saint Marys River, from a point in or near the city of Sault Sainte Marie, Michigan, to a point in the Province of Ontario, Canada', approved December 16, 1940 (54 Stat. 1222; Public Law 889, Seventy-sixth Congress), is hereby revived and reenacted: *Provided*, That this Act shall be null and void unless the actual construction of the bridge, or series of bridges, causeways, and approaches thereto, referred to in such Act of December 16, 1940, is commenced within three years, and completed within six years, from the date of enactment of this Act.

"SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL MEDAL OF SCIENCE

The Clerk called the bill (H.R. 6288) to establish a National Order of Science to provide recognition for individuals who make outstanding contributions in science and engineering.

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

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. BROOKS of Louisiana. Mr. Speaker, reserving the right to object, I hope the gentleman will let this bill be considered. Will the gentleman advise what his objection to the bill is?

Mr. GROSS. Will the gentleman first tell the House what the purpose of the bill is? Then I will tell him what my objection is.

Mr. BROOKS of Louisiana. The purpose of this bill, which was introduced by the gentleman from New York [Mr. ANFUSO] is to provide for the award of certain scientific medals for outstanding

work done by young scientists in order to encourage them to engage in new scientific activities, particularly to promote the general field of science in the United States at this critical time. That in general is the purpose of the bill.

Mr. GROSS. Yes; but the gentleman has left out one important provision in the bill; that is to pay to each of the 20 such individuals recognized each year $10,000; in other words, this bill can cost up to $200,000 a year.

When this Government undertakes to pay $10,000 a year in connection with the award of medals of this kind to 20 persons a year it can turn out to be costly.

Mr. BROOKS of Louisiana. I am glad to ascertain the gentleman's objection. The important thing is the award of the medal. If the monetary award is the sole objection I think it can be worked out.

Mr. GROSS. I think you are going pretty strong on the number of scientific award medals when you fix it at 20 a year, but I am particularly opposed to giving each of these persons $10,000.

Mr. BROOKS of Louisiana. May I say to the gentleman that the number of medals awarded is left to the discretion of the President of the United States.

Mr. GROSS. I understand that perfectly.

Mr. BROOKS of Louisiana. And it is spread throughout several categories of science.

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

Mr. BROOKS of Louisiana. I yield.

Mr. McDONOUGH. As a member of the committee that reported this bill I think it should be understood that these awards will not be made promiscuously. It is not entirely within the discretion of the President of the United States, but it is with the advice and counsel of the National Academy of Science.

Some encouragement ought to be given to young scientists who are striving on their own to try and make scientific strides for the Nation. There was the case of the recent discovery by Dr. Thaler that gives us the assurance that we can discover and locate the firing of rockets beyond the radar horizon. He made that research on his own to a large extent.

So a monetary award should be given these scientists who are trying to give us something that we do not now have and sometimes get very discouraged because they have not the means or facilities to pursue their investigations.

Mr. BROOKS of Louisiana. May I say further to the gentleman that it was simply to provide an appropriate medal for these outstanding scientists. The reason a stipend was placed in the bill was because it was brought out that those honored would probably be young scientists struggling upward and it would mean something to them.

Mr. GROSS. Is the gentleman telling the House that $10,000, tax free, is a little stipend?

Mr. BROOKS of Louisiana. No. I may say to the gentleman that the amount cannot exceed that sum, and it is discretionary with the President who is the awarding officer. It could be $500, it could be more. It could be any amount less than $10,000.

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

Mr. BROOKS of Louisiana. I yield to the gentleman from Pennsylvania.

Mr. FULTON. May I say to the House that I raised the question of the monetary awards at the time in committee, and at that time the committee thought otherwise than I did. I felt that the bill would be much better if it were an honorary medal, and I even opposed the setting up of any order of scientists on the basis you might set them apart or make them in a separate group. I feel the committee should take into consideration the views of the gentleman from Iowa [Mr. GROSS] and come back here with a bill with the monetary award stricken out. The committee chairman is correct, it is discretionary in the President up to 20 how many will be awarded each year, and likewise it is discretionary as to the amount of award to each individual. I feel the monetary award without an income tax is setting a precedent, and I accept the view of the gentleman from Iowa [Mr. GROSS].

Mr. BROOKS of Louisiana. May I ask the gentleman one more question. That is the sole objection to the bill?

Mr. GROSS. I would object to the awarding of these medals.

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

SAN JUAN NATIONAL HISTORIC SITE, P.R.

The Clerk called the bill (S. 822) to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes.

There being no objection, the clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enhance the setting and to promote the public appreciation and enjoyment of the San Juan National Historic Site, the Secretary of the Interior is authorized, in his discretion, to convey to the municipality of San Juan, Puerto Rico, that certain tract of land described below: *Provided,* That in exchange therefor and in accordance with the requirements hereinafter set forth, the municipality shall develop and thereafter maintain such tract for public recreational purposes only, in accordance with such plans as may be approved by the Secretary which shall complement and enhance the national historic site.

Beginning at point 1 which is at the northwesterly corner of Tetuan and Santo Cristo Streets, thence south 85 degrees 48 minutes west, 56.6 feet to point 2; thence north 6 degrees 46 minutes west, 15.3 feet to point 3; thence north 80 degrees 35 minutes east, 4.0 feet to point 4; thence north 7 degrees 42 minutes west, 22.7 feet to point 5; thence south 81 degrees 07 minutes west, 57.5 feet to point 6; thence south 10 degrees 07 minutes east, 9.5 feet to point 7; thence south 78 degrees 26 minutes west, 149.2 feet to point 8; thence south 78 degrees 26 minutes west, 17.5 feet to a point located 5 feet east of the retaining wall for access road to Conception Bastion; thence south 11 degrees 11 minutes east, 30 feet to a point 0.75 feet north of the north edge of the scarf wall; thence northeasterly in a straight line 260.13 feet, more or less, to a point on the Capilla del Cristo Building 2.0 feet north of the scarf wall; thence along the wall of said building north 4 degrees 06 minutes east, 7.95 feet to a corner of the said Capilla del Cristo Building; thence still along said building north 85 degrees 54 minutes east, 13.6 feet to the westerly line of Santo Cristo Street, produced; thence along the line of said streeet north 11 degrees 97 minutes west, 18.1 feet to the point or place of beginning, already described, comprising an area of 0.36 acres, more or less, and being a portion of the 0.54-acre tract accepted by the Department of the Interior by transfer from the Secretary of the Army on February 15, 1956.

SEC. 2. The deed effecting the conveyance and exchange authorized by the first section of this Act shall include but need not be limited to the following conditions:

(a) Prohibit use of the premises as an outdoor dining facility or for any other comparable purpose that, as may be determined by the Secretary of the Interior, would interfere with the use of the area as a public park;

(b) Reserve permanently to the United States, for the purpose of maintaining and preserving the old city wall, a right or rights of access to the said wall through the conveyed property;

(c) Reserve permanently to the United States all right, title, and interest in and to the vaults and tunnels connected to the old city wall and extending in part under the property to be conveyed, together with all rights of ingress and egress thereto; and

(d) Provide that in the event the municipality of San Juan, Puerto Rico, does not proceed with the development of the aforesaid area as a public park and promenade for the benefit and enjoyment of the people in a manner and period of time satisfactory to the Secretary of the Interior, or if the municipality ceases to use the said area for the purposes for which it was conveyed, as determined by the Secretary of the Interior, all or any portion thereof, not so utilized, in its then existing condition, shall, upon a declaration to that effect by the Secretary, revert to the Unied States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT MYERS, FLA., AND LEE COUNTY, FLA.

The Clerk called the bill (S. 1330) for the relief of the city of Fort Myers, Fla., and Lee County, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (a) of the first section of the Act entitled "An Act for the relief of the city of Fort Myers, Florida, and Lee County, Florida", approved July 22, 1958 (72 Stat. 401), is amended by striking out "$137,997.64" and inserting in lieu thereof "$141,997.64".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVER OF COLLECTION OF CERTAIN ERRONEOUS PAYMENTS MADE BY THE FEDERAL GOVERNMENT TO CERTAIN CIVILIAN AND MILITARY PERSONNEL

The Clerk called the bill (H.R. 7529) to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I would like to inquire of the author of the bill or someone as to whether or not the provision made in this bill as amended calls for a cut-off date. I understand the Attorney General favors the principle of the bill, but recommends that the date of enactment be the cut-off date.

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

Mr. PELLY. I yield to the gentleman from Massachusetts.

Mr. LANE. May I answer the gentleman by saying that the subcommittee gave this matter considerable attention, and we felt there ought to be a cut-off date. The bill has a reasonable amount of retroactive effect and for that reason we placed a cut-off date as of June 30, 1950.

Mr. PELLY. May I inquire of the gentleman as to whether the amendment does not read that the indebtedness growing out of erroneous payments made after June 30, 1950? That is not a cut-off date, it is a starting date.

Mr. LANE. May I say to the gentleman that even with this legislation many of these claim private bills will still have to come before the committee. This subject matter came to us as a result of the number of these private bills that the Committee on the Judiciary struggles with from year to year. There were 289 of them in the last Congress, and 37 of them became the law. We felt the enactment of this bill makes possible the development of a uniform standard of procedure and would make for a rapid, fair and reasonable disposition of all these claims that are pending.

May I say further to the gentleman that after all none of these claims will be approved unless they come with the favorable recommendation of the Department; and, secondly, approval by the Comptroller General is mandatory. So there are certain precautions that your committee has taken.

Mr. PELLY. On the understanding that the cut-off date actually is June 30, 1950, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, (a) That the Comptroller General, upon the recommendation of the heads of departments, agencies, or establishments concerned, or such subordinates as they may designate, and a showing that collection would be against equity and good conscience, may waive indebtedness growing out of erroneous payments of money to any civilian employee of the Government or to any member of the military or naval forces of the United States.

(b) As used in this Act the term "Employee" shall include any civilian officer or employee or former civilian officer or employee of the Government and any member or former member of the military or naval forces of the United States.

(c) The relief provided herein shall apply to determinations of indebtedness made after effective date of this Act.

With the following committee amendments:

Page 2, lines 6 and 7, strike "determinations of indebtedness made after the effective date of this Act" and insert "indebtednesses growing out of erroneous payments made after June 30, 1950."

Page 2, insert new subparagraph (d) as follows:

"(d) This Act shall not apply in any case where the indebtedness may be remitted, or its recovery waived, under 10 U.S.C. § 4837 (d); 10 U.S.C. § 9837(d); 38 U.S.C. § 302(a); sections 10, 11, and 13 of the Dependents Assistance Act of 1950, 64 Stat. 796, 797; or any other provision of law."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPENSES OF STORAGE OF HOUSEHOLD EFFECTS—NAVY

The Clerk called the bill (H.R. 8106) to provide for the relief of certain members and former members of the Department of the Navy for the expenses of temporary storage of household effects.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if there is someone who could explain this mistake? I do not believe I will object to this bill, but I would like to know who made this mistake.

Mr. LANE. Mr. Speaker, if the gentleman will yield, may I say to the gentleman that it was the understanding of the Department of Defense that this matter could be taken care of in that fashion. This was sent to us as an executive communication. It has been necessary to validate the action of the Navy over the years, from away back in 1949 to April 1954. In that period, may I say to the gentleman from Iowa, the Navy followed certain set policies and procedures in providing for commercial storage of these household effects of our servicemen who had their stations changed from time to time.

Mr. GROSS. I do not want to take the time of the House. I understand the purpose of the bill and I think it is a worthy purpose, but I wonder why the committee did not find out who made the mistake originally in misinterpreting the law. It seems to me that we ought to ascertain who makes these mistakes and penalize those responsible. Then, perhaps, we would not have so much of this kind of legislation before us.

Mr. LANE. I quite agree with the gentleman from Iowa.

Mr. GROSS. Well, did you inquire into it when you handled this bill?

Mr. LANE. That is a very worthy suggestion.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any law, all payments made for services rendered before April 17, 1954, for the temporary storage of the household effects of members of the Navy, which were temporarily stored in commercial facilities after April 20, 1949, under the provisions of Executive Order 10053 or of the Joint Travel Regulations of the uniformed services, whether paid directly or as reimbursement to the member, are validated to the extent that they were paid.

(b) Any member or former member of the Navy or his legal representative, who, directly or by set-off, has repaid the United States for an amount paid by it for services rendered after April 20, 1949, but before April 17, 1954, for the temporary storage of his household effects in commercial facilities, is entitled to be paid the amount involved, if otherwise proper, from the account to which the repayment was credited, or if that account is not available, from appropriations available for the refund of any amounts erroneously collected.

SEC. 2. In the audit and settlement of accounts of disbursing and certifying officers, full credit shall be given for amounts for which liability is relieved under this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REEMPLOYMENT OF RETIRED MEMBERS OF CONGRESS

The clerk called the bill (H.R. 8241) to amend certain provisions of the Civil Service Retirement Act relating to the reemployment of former Members of Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALEY. Mr. Speaker, reserving the right to object, I wonder if some member of the committee would give us an explanation of this bill.

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

Mr. HALEY. I yield to the gentleman from Maryland.

Mr. FOLEY. Mr. Speaker, this bill was introduced by the gentleman from New Jersey [Mr. WALLHAUSER]. I am wondering if Mr. WALLHAUSER is here at the present time. I would like to ask him to go into it and then I would have further comments, if necessary.

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

Mr. HALEY. I yield to the gentleman from New Jersey.

Mr. WALLHAUSER. In explanation of this bill, I might say that under the present law a Member of Congress who serves, after retirement, in an appointive

or elective position, or on an intermittent basis, or without compensation, forfeits his annuity while he is serving. This bill seeks to correct that inequity and give him credit for the service that he rendered in the other capacity.

Mr. HALEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 9(c) of the Civil Service Retirement Act (5 U.S.C. 2259(c)) is amended—

(1) by striking out "The annuity of a Member retiring under this Act" and inserting in lieu thereof "The annuity of a Member, or of a former Member with title to Member annuity, retiring under this Act"; and

(2) by inserting, in paragraphs (2), (3), (4), and (5) thereof, "or performed in a position in which he is subject to this Act after his separation from service as a Member," immediately following "prior to his separation from service as a Member,".

(b) Section 13(c) of the Civil Service Retirement Act (5 U.S.C. 2263(c)) is amended to read as follows:

"(c) If a Member heretofore or hereafter retired under this Act hereafter becomes employed in an appointive or elective position, annuity payments shall be discontinued during such employment and resumed in the same amount upon termination of such employment, except that—

"(1) any such retired Member or any Member heretofore or hereafter separated with title to an immediate or deferred annuity who serves or has served, at any time after separation as a Member, in an appointive position in which he is or was subject to this Act shall, if he so elects, have his Member annuity computed or recomputed as if such service had been performed prior to his separation as a Member and such annuity as so computed or recomputed shall be effective (A) the day Member annuity commences, (B) the first day of the month following the date of separation from the appointive position, or (C) the first day of the first month following the date of enactment of this Act, whichever day is the latest;

"(2) if such retired Member shall have become employed after December 31, 1958, in an appointive position on an intermittent-service basis, (A) his annuity shall continue during such employment and shall not be increased as a result of service performed during such employment, (B) no retirement deductions shall be withheld from his salary, (C) there shall be deducted from his salary, except for lump-sum payment purposes under the Act of December 21, 1944, a sum equal to the annuity allocable to the period of actual employment, and (D) the amounts so deducted shall be deposited in the Treasury of the United States to the credit of the fund;

"(3) if such retired Member takes office as Member and gives notice as provided in section 2(c), his service as Member during such period shall be credited in determining his right to and the amount of his subsequent annuity.

This subsection shall not apply to a Member appointed by the President of the United States to a position not requiring confirmation by the Senate."

SEC. 2. Notwithstanding any other provision of law, benefits payable by reason of the amendments made by the first section of this Act shall be paid from the civil service retirement and disability fund.

With the following committee amendments:

(1) Page 3, immediately following line 12, insert the following:

"(3) if such retired Member shall have become employed after December 31, 1958, in an appointive position without compensation on a full-time, or a substantially full-time, basis, his annuity shall continue during such employment and shall not be increased as a result of service performed during such employment; and".

(2) Page 3, line 13, strike out "(3)" and insert "(4)" in lieu thereof.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBIT USE OF AIRCRAFT TO HUNT WILD HORSES

The Clerk called the bill (H.R. 2725) to amend chapter 3 of title 18, United States Code, so as to prohibit the use of aircraft or motor vehicles to hunt certain wild horses or burros on land belonging to the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I believe this bill prohibits the shooting of wild horses and jackasses, is that correct?

Mr. LANE. May I answer the gentleman? It is the wild horses and the burros in the State of Nevada. After World War II we had in that section of the country some thousands and thousands of these horses. At that time we had 20,000. Right now we have about 5,000 left.

Mr. GROSS. I just wondered if this might be called a bill to protect the "sons of the wild jackasses." I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 3 of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 47. Use of aircraft or motor vehicles to hunt certain wild horses or burros; pollution of watering holes

"(a) Whoever uses an aircraft or a motor vehicle to hunt, for the purpose of capturing or killing, any wild unbranded horse, mare, colt, or burro running at large on any of the public land or ranges shall be fined not more than $500, or imprisoned not more than six months, or both.

"(b) Whoever pollutes or causes the pollution of any watering hole on any of the public land or ranges for the purpose of trapping, killing, wounding, or maiming any of the animals referred to in subsection (a) of this section shall be fined not more than $500, or imprisoned not more than six months, or both.

"(c) As used in subsection (a) of this section—

"(1) The term 'aircraft' means any contrivance used for flight in the air; and

"(2) The term 'motor vehicle' includes an automobile, automobile truck, automobile wagon, motorcycle, or any other self-propelled vehicle designed for running on land."

(b) The analysis of such chapter 3, immediately preceding section 41, is amended by adding at the end thereof the following new item:

"47. Use of aircraft or motor vehicles to hunt certain wild horses or burros."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBIT MISUSE OF NAMES TO INDICATE FEDERAL AGENCY

The Clerk called the bill (S. 355) to amend title 18 of the United States Code so as to prohibit the misuse by collecting agencies or private detective agencies of names, emblems, and insignia to indicate Federal agency.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 33 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 712. Misuse of names by collecting agencies or private detective agencies to indicate Federal agency

"Whoever, being engaged in the business of collecting or aiding in the collection of private debts or obligations, or being engaged in furnishing private police, investigation, or other private detective services, uses as part of the firm name of such business, or employs in any communication, correspondence, notice, advertisement, or circular the words 'national,' 'Federal,' or 'United States,' the initials 'U.S.,' or any emblem, insignia, or name, for the purpose of conveying and in a manner reasonably calculated to convey the false impression that such business is a department, agency, bureau, or instrumentality of the United States or in any manner represents the United States, shall be fined not more than $10,000 or imprisoned not more than 1 year, or both."

SEC. 2. The provisions of this section shall become effective 60 days from the enactment thereof.

SEC. 3. The analysis of chapter 33 of title 18 of the United States Code which immediately precedes section 701 of such title is amended by adding at the end thereof the following:

"Sec. 712. Misuse of names by collecting agencies to indicate Federal agency."

With the following committee amendment:

On page 2, line 11, strike out "$10,000" and insert in lieu thereof "$1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITION TO INDEPENDENCE NATIONAL HISTORICAL PARK

The Clerk called the bill (H.R. 6781) to authorize the Secretary of the Interior to acquire certain additional

property to be included within the Independence National Historical Park.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to provide for the establishment of the Independence National Historical Park, and for other purposes," approved June 28, 1948 (16 U.S.C. 407m and the following), is amended by inserting immediately after the first section thereof the following new section:

"SEC. 1A. The Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase from the Redevelopment Authority of the City of Philadelphia, all of the land immediately adjacent to Old Saint Joseph's Church, comprising an area 15,400 square feet situated on the south side of Walnut Street, Philadelphia, commencing with and including No. 324 Walnut Street and extending up to and including the southeast corner of Fourth and Walnut Streets, being known and numbered and shown on the records of the city of Philadelphia at 324, 326, 328, 330, 332, 334, and 336 Walnut Street, to be included within the Independence National Historical Park. The Secretary shall first enter into an agreement with the proprietor or proprietors of such property (Old Saint Joseph's Church), such agreement to contain the usual and customary provisions for the protection of the property, assuring its physical maintenance as part of the Independence National Historical Park, without any limitation or control over its use for customary church purposes."

SEC. 2. Section 6 of such act is amended by inserting immediately after the first sentence thereof the following new sentence: "There are hereby authorized to be appropriated such sums, not exceeding $46,200 as may be necessary to acquire the property referred to in section 1A of this act."

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Interior is authorized to acquire by donation or with donated funds, or to acquire by purchase, from the Redevelopment Authority of the City of Philadelphia the land and interests in land immediately adjacent to, but not including the Old Saint Joseph's Church property in the city of Philadelphia, Pennsylvania, which land and interests in land are identified on the records of the city of Philadelphia as 324, 326, 328, 330, 332, 334 and 336 Walnut Street, for inclusion in the Independence National Historical Park: *Provided,* That the Secretary shall first enter into an agreement with the proprietor or proprietors of the Old Saint Joseph's Church property, such agreement to contain the usual and customary provisions for the protection and physical maintenance of such church property, without expense to the United States, in keeping with, but not as a part of the nearby Independence National Historical Park and providing for its continued use, without limitation or control, for customary church purposes.

"SEC. 2. There are hereby authorized to be appropriated such sums, not exceeding $46,200 as may be necessary to carry out the purposes of section 1 of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISING ORGANIC ACT OF THE VIRGIN ISLANDS

The Clerk called the bill (H.R. 7870) to amend the Revised Organic Act of the Virgin Islands, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Virgin Islands Organic Act Amendments of 1959".

SEC. 2. (a) Subsection (a) of section 6 of the Revised Organic Act of the Virgin Islands (68 Stat. 499; 48 U.S.C. 1572) is amended to read as follows:

"(a) The term of office of each member of the legislature shall be two years. The term of office of each member shall commence on the second Monday in January following his election: *Provided, however,* That the term of office of each member elected in November 1958 shall commence on the second Monday in April 1959 and shall continue until the second Monday in April 1961, and the term of office of each member elected in November 1960 shall commence on the second Monday in April 1961 and continue until the second Monday in January 1963."

(b) The first sentence of subsection (c) of section 6 of said Act is amended to read as follows: "Each member of the legislature shall be paid the sum of $600 annually, one-third on the first day of the regular session of the legislature, one-third one month after the beginning of such regular session, and one-third at the close of such regular session."

(c) The first sentence of subsection (a) of section 7 of said Act (68 Stat. 500; 48 U.S.C. 1573) is amended to read as follows: "Regular sessions of the legislature shall be held annually, commencing on the second Monday in January (unless the legislature shall by law fix a different date), and shall continue in regular session for not more than sixty consecutive calendar days in any calendar year: *Provided, however,* That the regular annual session for each of the years 1959, 1960, and 1961, respectively, shall commence on the second Monday in April and shall continue in regular session for not more than sixty consecutive calendar days."

SEC. 3. The second sentence of section 16(a) of the Revised Organic Act of the Virgin Islands (68 Stat. 504) as amended (48 U.S.C. 1957) is further amended to compromise two sentences to read as follows: "The head of each executive department other than the department of law shall be designated as the commissioner thereof, and the commissioner of finance shall be bonded. The head of the department of law shall be known as the attorney general of the Virgin Islands."

SEC. 4. Section 27 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1617) is amended to read as follows:

"SEC. 27. The President shall, by and with the advice and consent of the Senate, appoint a United States attorney for the Virgin Islands to whose office the provisions of chapter 31 of title 28, United States Code, shall apply. Except as otherwise provided by law it shall be the duty of the United States attorney to prosecute all offenses against the United States and to conduct all legal proceedings, civil and criminal, to which the Government of the United States is a party in the district court and in the inferior courts of the Virgin Islands. He shall also prosecute in the district court in the name of the government of the Virgin Islands all offenses against the laws of the Virgin Islands which are cognizable by that court unless, at his request or with his consent, the prosecution of any such case is conducted by the attorney general of the Virgin Islands. The United States attorney may, when requested by the Governor or the attorney general of the Virgin Islands, conduct any other legal proceedings to which the government of the Virgin Islands is a party in the district court or the inferior courts of the Virgin Islands. In the case of a vacancy in the office of United States attorney, the District Court of the Virgin Islands may appoint a United States attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court."

With the following committee amendments:

Page 2, line 8, strike out all of section (b) and insert:

"(b) Subsection (e) of section 6 of said Act is amended to read as follows: 'Each member of the legislature shall be paid the sum of $600 annually, one-third on the first day of the regular session of the legislature, one-third one month after the beginning of such regular session, and one-third at the close of such regular session. Each member of the legislature who is away from the island of his residence shall also receive the sum of $20 per day for each day's attendance while the legislature is actually in session, in lieu of his expenses for subsistence, and shall be reimbursed for his actual travel expenses in going to and returning from each session, or period thereof, for not to exceed a total of eight round trips during any calendar year. The salaries, per diem, and travel allowances of the members of the legislature shall be paid by the Government of the United States: *Provided, however,* That nothing herein shall prohibit the Virgin Islands Legislature from providing for payment of travel expenses and per diem in lieu of subsistence, at rates not in excess of those permitted by the Federal Government for its employees, for members of the legislature traveling on official business outside of the Virgin Islands.' "

Page 3, line 23, strike out "compromise" and insert "comprise."

Page 4, line 11, after "apply" insert "except that the Attorney General shall not appoint more than one assistant United States Attorney for the Virgin Islands."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REASONABLE NOTICE WHEN APPLYING FOR INTERLOCUTORY RELIEF

The Clerk called the bill (H.R. 7559) to provide for reasonable notice of applications to the U.S. courts of appeals for interlocutory relief against the orders of certain administrative agencies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of subsection (b) of section 9 of the Act of December 29, 1950 (64 Stat. 1132; 5 U.S.C. 1039), is amended to read as follows: "In cases where irreparable damage would otherwise ensue to the petitioner, the court of appeals may, on hearing, after reasonable notice to the agency and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the agency for not more than sixty days from the date of such order

pending the hearing on the application for such interlocutory injunction, in which case such order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that such irreparable damage would result to petitioner and specifying the nature of such damage."

SEC. 2. Subsection (d) of section 1006 of the Federal Aviation Act of 1958 (72 Stat. 795; 49 U.S.C. 1486(d)) is amended to read as follows:

"(d) Upon transmittal of the petition to the Board or Administrator, the court shall have exclusive jurisdiction to affirm, modify, or set aside the order complained of, in whole or in part, and if need be, to order further proceedings by the Board or Administrator. Upon good cause shown and after reasonable notice to the Board or Administrator, interlocutory relief may be granted by stay of the order or by such mandatory or other relief as may be appropriate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STILLHOUSE HOLLOW DAM, TEX.

The Clerk called the bill (H.R. 616) to designate the dam across the Lampasas River in Texas as Stillhouse Hollow Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dam across the Lampasas River in Bell County, Texas, authorized to be constructed by section 11 of the Flood Control Act of 1954, is hereby designated as Stillhouse Hollow Dam. Any law, regulation, map, document, record, or other paper of the United States in which such dam is referred to shall be held to refer to such dam by the name of Stillhouse Hollow Dam.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NINETEEN HUNDRED AND FIFTY-NINE PACIFIC FESTIVAL

The Clerk called the joint resolution (H.J. Res. 281) authorizing and requesting the President to issue a proclamation with respect to the 1959 Pacific Festival, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. BOW. Mr. Speaker, reserving the right to object, I would like to inquire whether any Federal funds are authorized under this resolution.

Mr. MAILLIARD. Mr. Speaker, if the gentleman will yield, this resolution calls for no Federal expenditure or participation. It is merely a question of having the President make official the invitation that has been issued.

Mr. BOW. I should like to ask whether or not it provides for any study to be made as to whether Federal funds shall be appropriated in the future.

Mr. MAILLIARD. None whatsoever.

Mr. BOW. Does the gentleman anticipate there will be any Federal funds involved?

Mr. MAILLIARD. There is no expectation of it. This resolution simply authorizes it for this year without any funds and we have no plan nor do we see any need or requirement for any Federal participation.

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

Mr. BOW. I yield.

Mr. GROSS. I am glad the gentleman has asked these questions. I was prepared to do so, because these proclamations usually lead to further demands upon the Treasury.

Mr. BOW. We are going to have one such tomorrow.

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

Mr. BOW. I yield to the gentleman.

Mr. FULTON. As a member of the House Committee on Foreign Affairs I should like to confirm what the gentleman from California [Mr. MAILLIARD] has said. There are no funds, no study funds for the specific festival. Secondly, in the tradition we have had I believe it is the understanding and I would like it on the record that the President shall not invite any nation of the Pacific rim which holds any other nation in Communist subjection. That will eliminate North Korea, Communist China, as well as Northern Vietnam from any invitation to this specific festival.

Mr. BOW. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation inviting foreign nations to participate in the 1959 Pacific Festival which is being held at San Francisco, California, from September 18, 1959, to September 27, 1959, inclusive.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MEDALS COMMEMORATING 100TH ANNIVERSARY OF WEST VIRGINIA

The Clerk called the bill (S. 2099) to provide for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

GOLD MEDAL, PROF. ROBERT H. GODDARD

The Clerk called the joint resolution (H.J. Res. 19) to authorize the issuance of a gold medal in honor of the late Prof. Robert H. Goddard.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the great, creative achievements of the late Doctor Robert H. Goddard, and his historic pioneering research on space rockets, missiles, and jet propulsion, the chairmen of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences, on behalf of the Congress, are authorized to present to the family of the late Doctor Robert H. Goddard an appropriate gold medal. For such purpose, the Secretary of the Treasury is authorized and directed to cause to be struck a gold medal with suitable emblems, devices, and inscriptions to be determined by the chairmen of the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences. There is hereby authorized to be appropriated the sum of $2,500 for this purpose.

SEC. 2. The Secretary of the Treasury shall cause duplicates in bronze of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor), and the appropriations used in carrying out the provisions of this section shall be reimbursed out of the proceeds of such sale.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TECHNICAL CORRECTION SECTION 5136 OF REVISED STATUTES

The Clerk called the joint resolution (H.J. Res. 493) making a technical correction in section 5136 of the Revised Statutes (relating to national banks).

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of paragraph seventh of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by striking out so much of the proviso as follows "shall hold obligations issued" and precedes "as a result" and by inserting in lieu thereof "by any of said organizations".

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the eligible bills on the Consent Calendar.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. TEAGUE] may extend his remarks in the RECORD immediately following the passage of the bill H.R. 4306 on today's Consent Calendar.

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

There was no objection.

AMENDING THE NATIONAL SCIENCE FOUNDATION ACT

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to return to Calendar No. 198, H.R. 8284.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, what is proposed to be done by returning to the bill?

Mr. BROOKS of Louisiana. Mr. Speaker, I will say that we propose to offer an amendment to strike out lines 17, 18, 19, and 20 down to the word "section." In doing so we will do away with the small increase of salary that was provided in the bill, which will, I think, remove the gentleman's objection.

Mr. GROSS. This takes out the language in the bill which increases the salary from $15,000 to $22,500; is that correct?

Mr. BROOKS of Louisiana. The gentleman is correct.

Mr. FULTON. Mr. Speaker, will the gentleman yield for a correction?

Mr. GROSS. I yield.

Mr. FULTON. It takes out the raise in salary for the head of a National Science Foundation from $20,000 to $22,500, not from $17,500.

Mr. GROSS. The bill says $15,000 to $22,500.

Mr. BROOKS of Louisiana. It takes out the raise in pay, whatever it is; the pay remains the same.

Mr. FULTON. I must give assurance that there is no raise of pay in the bill in this amendment.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Science Foundation Act of 1950, as amended, is amended as follows: Section 3 (a)(2) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(2) To initiate and support basic scientific research and programs to strengthen scientific research potential in the mathematical, physical, medical, biological, engineering, and other sciences, by making contracts or other arrangements (including grants, loans, and other forms of assistance) to support such scientific activities and to appraise the impact of research upon industrial development and upon the general welfare;".

SEC. 2. Section 4(d) and section 4(e) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"(d) The Board shall meet annually on the third Monday in May, unless, prior to May 10 in any year, the Chairman has set the annual meeting for a day in May, other than the third Monday, and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the voting members of the Board shall constitute a quorum. Each member shall be given notice, by registered mail mailed to his last known address of record not less than fifteen days prior to any meeting, of the call of such meeting.

"(e) An election of the Chairman and Vice Chairman of the Board shall take place at the first meeting of the National Science Board following enactment of this legislation. Thereafter such election shall take place at the second annual meeting occurring after each such election. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Board shall elect a member to fill such vacancy."

SEC. 3. Section 5(b) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by section 10 and 11 of this Act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11(c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board or the Executive Committee to the Director."

SEC. 4. Section 6(a) and section 6(b)(1) of the National Science Foundation Act of 1950, as amended, are amended to read as follows:

"(a) The Board is authorized to appoint from among its members an Executive Committee, and to assign to the Executive Committee such of the powers and functions granted to the Board by this Act as it deems appropriate; except that the Board may not assign to the Executive Committee the function of establishing policies.

"(b) If an Executive Committee is established by the Board—

"(1) such Committee shall consist of the Director, as a nonvoting ex officio member, and not less than five nor more than nine other members elected by the Board from among their number."

SEC. 5. Section 10 of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(a) The Foundation is authorized to award, within the limits of funds made available specifically for such purpose pursuant to section 17, scholarships and graduate fellowships for scientific study or scientific work in the mathematical, physical, medical, biological, engineering, and other sciences at appropriate nonprofit American or nonprofit foreign institutions selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships, as the case may be, are deemed by the Foundation to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships or fellowship or fellowships shall be awarded to the applicants in such manner as will tend to result in a wide distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia."

SEC. 6. Section 11(e) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(e) to acquire by purchase, lease, loan, gift, or condemnation, and to hold and dispose of by grant, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act."

SEC. 7. Section 13 of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(a) The Foundation is hereby authorized to cooperate in any international scientific activities consistent with the purposes of this Act and to expend for such international scientific activities such sums within the limit of appropriated funds as the Foundation may deem desirable. The Director, with the approval of the Board, may defray the expenses of representatives of Government agencies and other organizations and of individual scientists to accredited international scientific congresses and meetings whenever he deem it necessary in the promotion of the objectives of this Act. In this connection, with the approval of the Secretary of State, the Foundation may undertake programs granting scholarships and fellowships to, or making other similar arrangements with, foreign nationals for scientific study or scientific work in the United States without regard to section 10 or the affidavit of allegiance to the United States required by section 16(d)(2) of this Act.

"(b)(1) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 11(c), and the authority to cooperate in international scientific activities as provided in subsection (a) of this section, shall be exercised only with the approval of the Secretary of State, to the end that such authority shall be exercised in such manner as is consistent with the foreign policy objectives of the United States.

"(2) If, in the exercise of the authority referred to in paragraph (1) of this subsection, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director."

SEC. 8. Section 15(d) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"(d) The members of the Board, and the members of each divisional committee, or special commission, shall receive compensation at the rate of $50 for each day engaged in the business of the Foundation pursuant to authorization of the Foundation and shall be allowed travel expenses as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b-2)."

With the following committee amendments:

On page 3, line 3, strike all of the language through line 15 and insert in lieu thereof the following:

"SEC. 3. Section 5(a) of the National Science Foundation Act of 1950, as amended, is further amended by striking '$15,000' where it appears therein and by inserting '$22,500' in lieu thereof. Section 5(b) of the Act is amended to read as follows:

"'(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by sections 10 and 11 of this Act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11(c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board or the Executive Committee to the Director.'"

On page 5, lines 24 and 25, strike the words "scholarships and".

Add a new section 9 to the bill as follows:

"SEC. 9. Section 106(a)(34) of the Act of July 31, 1956 (Public Law 854, 84th Congress, 70 Stat. 736), is here repealed."

Mr. BROOKS of Louisiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: Page 3, line 17, strike out lines 17, 18, 19 and line 20 down to the word "section."

Strike out lines 21 through 23, page 7.

The amendment was agreed to.

Mr. BROOKS of Louisiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: On page 3, line 17, strike all of the language through line 7 on page 4 and insert in lieu thereof the following:

"SEC. 3. Section 5(b) of the National Science Foundation Act of 1950, as amended, is amended to read as follows:

"'(b) In addition to the powers and duties specifically vested in him by this Act, the Director shall, in accordance with the policies established by the Board, exercise the powers granted by sections 10 and 11 of this Act, together with such other powers and duties as may be delegated to him by the Board; but no final action shall be taken by the Director in the exercise of any power granted by section 10 or 11(c) unless in each instance the Board has reviewed and approved the action proposed to be taken, or such action is taken pursuant to the terms of a delegation of authority from the Board or the Executive Committee to the Director.'"

On page 7, line 21, strike the language through line 23.

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

Mr. BROOKS of Louisiana. I yield.

Mr. FULTON. I have not had that amendment given to me with that extra last provision added on. It was not on the written amendment submitted to me. Let me ask the gentleman this question. Are you simply reenacting then everything beginning on page 3, line 20, beginning with the words "section 5(b)"?

Mr. BROOKS of Louisiana. That is correct.

Mr. FULTON. That is following the same language of the bill. If so, I have no objection.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Louisiana [Mr. BROOKS].

The amendment was agreed to.

The committee amendments, as amended, were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING INSTRUCTION AT WEST POINT OF TWO CITIZENS AND SUBJECTS OF THAILAND

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to return to Consent Calendar No. 201 for the present consideration of the joint resolution (S.J. Res. 24) authorizing the Secretary of the Army to receive for instruction at the U.S. Military Academy at West Point two citizens and subjects of the Kingdom of Thailand.

The Clerk read the title of the joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the nature of this resolution?

Mr. STRATTON. Mr. Speaker, this resolution provides for two citizens of Thailand to enter the U.S. Military Academy to follow two others who have just graduated.

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

Mr. GROSS. I yield.

Mr. EVINS. Mr. Speaker, with the understanding that this is temporary legislation and not permanent, and that it does not establish a precedent, I withdraw my objection to this legislation.

Mr. STRATTON. I appreciate the action of the gentleman from Tennessee.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. STRATTON]?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized to permit, within one year after the date of enactment of this joint resolution, two persons, citizens and subjects of the Kingdom of Thailand, to receive instruction at the United States Military Academy at West Point, New York; but the United States shall not be subject to any expense on account of such instruction.

SEC. 2. Except as may be otherwise determined by the Secretary of the Army such person shall, as a condition to receiving instruction under the provisions of this joint resolution, agree to be subject to the same rules and regulations governing admissions, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the United States Military Academy appointed from the United States; but they shall not be entitled to appointment to any office or position in the United States Army by reason of their graduation from the United States Military Academy.

SEC. 3. Nothing in this joint resolution shall be construed to subject such persons to the provisions of section 4346(d) and section 4348 of title 10 of the United States Code.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING INSTRUCTION AT U.S. NAVAL ACADEMY OF TWO CITIZENS AND SUBJECTS OF BELGIUM

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to return to Consent Calendar No. 202 for the present consideration of the joint resolution (S.J. Res. 106) authorizing the Secretary of the Navy to receive for instruction at the U.S. Naval Academy at Annapolis two citizens and subjects of the Kingdom of Belgium.

The Clerk read the title of the Senate joint resolution.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman from New York explain what this joint resolution provides?

Mr. STRATTON. Mr. Speaker, this is to take care of the same situation with regard to two citizens of Belgium at the Naval Academy.

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

Mr. GROSS. I yield.

Mr. EVINS. Mr. Speaker, it is my understanding that this is temporary legislation and not permanent legislation. In view of that fact and in view of the fact that it is not to be considered as establishing a precedent, I withdraw my objection to this legislation.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. STRATTON]?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to permit, within one year after date of enactment of this joint resolution, two persons, citizens and subjects of the Kingdom of Belgium, to receive instruction at the United States Naval Academy at Annapolis, Maryland; but the United States shall not be subject to any expense on account of such instruction.

SEC. 2. Except as may be otherwise determined by the Secretary of the Navy such person shall, as a condition to receiving instruction under the provisions of this joint resolution, agree to be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the United States Naval Academy appointed from the United States; but they shall not be entitled to appointment to any office or position in the United States Navy by reason of their graduation from the United States Naval Academy.

SEC. 3. Nothing in this joint resolution shall be construed to subject such persons to the provisions of section 6959 of title 10 of the United States Code.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RE-REFERENCE OF H.R. 7415

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from the further consideration of the bill H.R. 7415, authorizing the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur, and that the said bill be re-referred to the Committee on the Judiciary.

Mr. Speaker, if I may advise the Speaker, the gentleman from Vermont [Mr. MEYER] who introduced the bill and the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], have agreed to accept the bill in the Judiciary Committee. The reason the request is made is that the other body has referred the companion bill to the Committee on the Judiciary.

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

There was no objection.

MEDAL IN COMMEMORATION OF 100TH ANNIVERSARY OF ADMISSION OF WEST VIRGINIA INTO THE UNION

Mr. MOORE. Mr. Speaker, I ask unanimous consent to return to Consent

Calendar No. 236 for the present consideration of the bill (S. 2099) providing for the striking of medals in commemoration of the 100th anniversary of the admission of West Virginia into the Union as a State.

The Clerk read the title of the bill.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

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

Mr. GROSS. I yield.

Mr. WEAVER. Mr. Speaker, when this bill was called up a moment ago we did not have all the information from the departments. The gentleman from West Virginia has advised me that the Treasury Department has approved this legislation and that it will not cost anything to the Government. Therefore I withdraw the objection I previously made.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. MOORE]?

Mr. GROSS. Mr. Speaker, further reserving the right to object, I do not know what the bill is about.

Mr. MOORE. This bill provides for the striking of 200,000 medals commemorating the entry into the Union of the State of West Virginia.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundredth anniversary of the admission of West Virginia into the Union as a State (which anniversary will be celebrated in 1963), the Secretary of the Treasury is authorized and directed to strike and furnish to the West Virginia Centennial Commission not more than two hundred thousand silver medals, one and five-sixteenths inches in diameter, with suitable emblems, devices, and inscriptions to be determined by the West Virginia Centennial Commission subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the commission in quantities of not less than two thousand, but no medals shall be made after December 31, 1963. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. (a) The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture: including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

(b) Upon authorization from the West Virginia Centennial Commission, the Secretary of the Treasury shall cause duplicates in silver of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL WHEAT AGREEMENT

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8409) to extend the International Wheat Agreement Act of 1949, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the International Wheat Agreement Act of 1949, as amended, is amended as follows:

(1) The first sentence is amended by striking out "under the International Wheat Agreement of 1949" and all that follows and inserting in lieu thereof "under the International Wheat Agreement of 1949 signed by Australia, Canada, France, the United States, Uruguay, and certain wheat importing countries, along with the agreements (the agreement of 1953, the International Wheat Agreement, 1956, and the International Wheat Agreement, 1959, signed by the United States and certain other countries) revising and renewing such Agreement of 1949 for periods through July 31, 1962 (hereinafter collectively called the 'International Wheat Agreement')."

(2) There is inserted immediately before the last sentence the following new sentence: "Such net costs in connection with the International Wheat Agreement, 1959, shall include those with respect to all transactions which qualify as commercial purchases (as defined in such agreement) from the United States by importing member countries."

The SPEAKER pro tempore. Is a second demanded?

Mr. McDONOUGH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. Under the rules the gentleman from Kentucky will be recognized for 20 minutes and the gentleman from California [Mr. McDONOUGH] for 20 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. SPENCE. Mr. Speaker, the purpose of this bill is to extend for 3 years the International Wheat Agreement Act.

This bill is desired by the administration.

I am informed that the farm organizations favor the bill. We have found none who oppose it. It was voted out of the committee without an opposing vote.

The International Wheat Agreement provides that the wheat-producing nations, the United States, Australia, Canada, France, and Uruguay, the exporting nations, will sell to the importing nations wheat at certain specified prices, within a range of from $1.50 to $1.90. The exporting nations agree to supply the needs of the importing nations. The importing nations under the conditions of the agreement agree to purchase 70 percent of their entire wheat imports from these exporting nations.

The agreement furnishes a stable market for the excess wheat acquired by the U.S. Government in its price support program. It gives an opportunity to the Commodity Credit Corporation to dispose of this wheat under conditions more favorable, and in a market more stable, than they otherwise could find.

I desire to insert herewith a detailed description of the procedure and operations under the Wheat Agreement Act:

The following comments are intended as background for the consideration of proposed legislation to extend the International Wheat Agreement Act of 1959, as amended, thus to implement U.S. membership for the ensuing 3 years in the 1959 International Wheat Agreement which was ratified by the United States on July 16, 1959.

RIGHTS AND OBLIGATIONS

The concept of the new agreement is more broad than that of prior agreements. Agreements heretofore have included fixed quantities, and any additional purchases by importing countries necessarily have been completely outside. In this agreement there are no fixed quantities. Instead, each importing member undertakes to purchase from member exporters a specified percentage of its total commercial purchases from all sources, whatever that total may be. The weighted average of the percentages subscribed by individual importing countries is a little over 70 percent. At the level of trade during the 4 years 1954–58, commercial transactions per year for these countries approximated 600 million bushels. It is expected that these countries will buy a much greater proportion of their total commercial requirements than the 70 percent subscribed; this percent is the minimum guaranteed under the agreement. This importer obligation exists at the agreement minimum price, and throughout the range up to the maximum price. The right of the United States and other exporting countries is to sell the guaranteed percentage of importers' purchases, with the added benefit of whatever quantities over the subscribed percentages the member importers may purchase from them. This benefit is global in the sense that exporting countries compete with one another in selling importing countries their requirements.

The exporting countries' obligations exists if the price reaches the agreement maximum. Then, they undertake to furnish any quantities not already purchased in that year, up to a moving average equal to importers' historical commercial purchases during a 5-year period. To purchase up to these quantities at the maximum price is the importing countries' right. On the basis of average commercial exports in the period 1954–58, the U.S. annual obligation would be a little over 150 million bushels. Exporting countries' obligations are global in the sense that an exporting country may discharge its obligation by selling to any member importers until the aggregate of the exporter's obligation, computed historically with respect to all importers, has been fulfilled. Thereafter, the exporting country may sell at prices above the maximum if it chooses.

Transactions involving inconvertible local currency such as sales under title I of Public Law 480, and other transactions which include features introduced by the government of a country concerned which do not conform with usual commercial practices, do not come within the rights and obligations of the agreement.

MEMBERSHIP

All exporting countries which were in the 1956 agreement are members of the new agreement, and additionally Italy, Spain, and Mexico have switched from importer to exporter status; the latter two quite nominally.

A gratifying feature of the new agreement is the return to membership of the world's largest wheat importer, the United Kingdom, after having been outside the agreement since 1953. Twelve importing countries which were members of the preceding agreement (representing 6 percent of the aggregate quantities) did not participate in the negotiating conference or for some other reason have not yet come into the new agreement. It has been the experience heretofore that some countries came in later through accession. Two of these countries already have petitioned to accede.

MAXIMUM PRICE DECLARATION

A maximum price declaration may be made by the Council only when an exporting country on its own initiative puts its price of wheat to the maximum. The purpose of the declaration is to establish the time when importing countries, because of the maximum price condition, are relieved of their percentage obligation. They are partially relieved if one or more, but not all, exporting countries place prices at the maximum, and completely freed if all exporting countries go to the maximum.

OTHER PROVISIONS

The agreement also includes certain stated objectives, provisions for an annual review as to compliance, an annual review of the world wheat situation, and the price range. However, the principal elements are the rights and obligations outlined above, and the price range.

THE PRICE RANGE

The price-range concept remains the same as in the expiring agreement, with a reduction from $2.00 to $1.90 in the maximum price, and no change in the $1.50 minimum. These prices are in terms of a basic grade, No. 1 Manitoba Northern, at a basing point at the head of the Great Lakes in Canada. The current Canadian quotation for this grade of wheat in the base location (converted to U.S. funds which coincide with the monetary basis specified in the agreement) is $1.74. This is 16 cents below the agreement maximum and 24 cents above the minimum.

The equivalents of the agreements basic prices at U.S. ports are determined on the basis of prevailing transportation rates to destinations. As an example, the current equivalents at U.S. gulf ports to the United Kingdom are approximately $2.05 maximum and $1.65 minimum. The equivalent of the going price at the gulf therefore would be 16 cents less than the maximum, or $1.89. This is for the basic grade. For practical purposes of comparison, this price must be further interpreted in terms of classes and grades of U.S. wheat.

The agreement does not specify differentials for classes and grades other than the basic grade. The United States establishes differentials for its various classes and grades as required in the light of competitive world prices. Currently, No. 1 U.S. Hard Winter wheat is selling in export at approximately $1.68. This is 21 cents under the equivalent of the going price for No. 1 Manitoba Northern. This compares with current differentials of 13½ and 24 cents for No. 3 and No. 4, Manitobas, respectively.[1]

AGREEMENT ADMINISTRATION

The agreement is administered internationally by a Wheat Council composed of member countries of the agreement. Votes are divided equally between exporting countries and importing countries, with each group having 1,000 votes. The United States holds 339 of the 1,000 exporter votes in the Council, and 35 percent of the executive committee.

The United States pro rata proportion of the cost of administration during the 10-year period has averaged $24,000. The assessment under the new agreement for 1959–60 is $18,984, or about one-seventieth of a cent per bushel of wheat exported under the agreement.

U.S. PROGRAM UNDER THE AGREEMENT

The price range under the agreement is the result of, and consistent with, world price levels for wheat which have evolved as a result, to some extent, of supply-demand factors, disposal and pricing policies of the principal wheat-exporting countries, and negotiations in connection with the agreement to maintain a reasonable and stable price, scarcity or surplus conditions notwithstanding. The subsidy cost to the United States in connection with exports of wheat and wheat flour are occasioned by reason of the U.S. domestic price of wheat being higher than the world price.

The Commodity Credit Corporation program which has been conducted pursuant to the International Wheat Agreement Act of 1949, as amended in 1953 and 1956, enables commercial wheat exporters and millers to purchase wheat at domestic market prices and to sell the wheat, or wheat flour product, to purchasers in IWA importing countries, at prices consistent with the agreement price range, in competition with other exporters in the world market.

The act requires the Commodity Credit Corporation to utilize the usual and customary channels, facilities, and arrangements of trade and commerce to the maximum extent practicable in making wheat available under the agreement. During the life of the 1956 agreement, all but a negligible part of the exports of wheat and wheat flour under the agreement have been handled by the private trade. Specifically, Commodity Credit Corporation has been directly involved in foreign sales only under special circumstances, in transactions representing 3 percent of all wheat agreement exports in 1956–57, eight-tenths of 1 percent in 1957–58, and four-tenths of 1 percent in 1958–59.

Insofar as practicable, practices and procedures applicable to ordinary commercial exports are permitted and encouraged. The program requirements are such as to make participation practicable for small business or for any exporter regularly engaged in the exportation of wheat or wheat flour.

Under the program, an exporter in the private trade negotiates a sale of wheat or wheat flour with a buyer in a wheat agreement importing country, in the knowledge of export payment rates which are publicly announced each day by the Commodity Credit Corporation after grain markets have closed. The exporter reports the sale by telegraph to the CCC, and if the transaction is eligible he receives confirmation of eligibility under the program within a few hours. He later accomplishes the exportation and upon presentation of evidence of sale and proof of export, he collects the export payment from an office in his area at the rate per bushel of wheat or hundredweight of flour which prevailed at the time the sale was made. In the case of wheat, the subsidy payment is made in the form of a negotiable certificate which is redeemable only in wheat from Commodity Credit stocks at the domestic market price. This wheat is utilized only in connection with further exports under the program.

EXPORT SUBSIDY COSTS

During the life of the 1956 agreement, the average payment per bushel has been about 73 cents, although during the last 1 of the 3 years it was considerably less than the preceding 2 years. It is estimated that during the first year of the 1959 agreement the payment per bushel may average between 55 and 60 cents. An estimate of the cost beyond the first year has not been made because of the uncertainties in forecasting (1) the level of domestic market prices and (2) the future selling prices which will need to be established in order to remain competitive in the world market. In the latter connection, no appreciable change is anticipated which would result in increased subsidy costs.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to insert a description of the operations under the Wheat Agreement Act.

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

There was no objection.

Mr. McDONOUGH. Mr. Speaker, the chairman of the committee has clearly stated the purposes of this bill.

One of the items I believe to be of special interest to those of us who are seeking to economize on our price support agriculture program on agricultural commodities is that the exports provided for under this bill will help keep the costs at a minimum for providing a stable wheat market, and to release from storage many millions of bushels of wheat that otherwise would have to be stored at great expense to the American taxpayer.

Let me read the following from the committee report:

PURPOSE OF BILL

The bill would extend for an additional 3 years the necessary implementing legislation to carry out U.S. participation in the International Wheat Agreement. This agreement was originally signed in 1949 and since has been extended at 3-year intervals, the latest extension having been ratified by the Senate on July 15, 1959, by a vote of 92 to 1. Under the 1959 agreement, some 30 participating wheat-importing countries have agreed to buy on the average of 70 percent of their commercial wheat imports from the United States and 8 other wheat-exporting countries, at prices within a specified range. H.R. 8409 would extend the Commodity Credit Corporation's authority to make wheat and wheat flour available for export to exercise our rights, and fulfill our obligations under the agreement.

RIGHTS AND OBLIGATIONS UNDER THE 1959 AGREEMENT

Under the International Wheat Agreement of 1959 each importing member country undertakes to purchase from member exporters a specified percentage of its total commercial purchases from all sources. The weighted average of the percentages subscribed by individual importing countries is a little over 70 percent. At the level of trade during the 4 years 1954–58, commercial transactions per year for these countries approximated 600 million bushels. It is expected that these countries will buy a much greater proportion of their total commercial requirements than the 70 percent subscribed; this percent is the minimum guaranteed under the agreement. This importer obligation exists at the agreement minimum price, and continues throughout the range up to the maximum price established by the agreement. The United States and other exporting countries have the right

[1] Price comparisons must take into account the fact that marketing methods and price structures are not the same in Canada as in the United States. In particular, prices of Manitobas include average protein content, which in the past year was around 14 percent. The U.S. Hard Winter prices mentioned are on the basis of ordinary wheat; proteins command varying premiums.

to sell the guaranteed percentage of importers' purchases, with the added benefit of whatever quantities over and above the subscribed percentages member importers may purchase from them.

The exporting countries' obligation becomes effective if the price reaches the agreement maximum. Then, they must furnish any quantities not already purchased in that year, up to a moving average equal to importers' historical commercial purchases during a 5-year period. Importing countries have the right to purchase up to these quantities at the maximum price. On the basis of average commercial exports in the period 1954–58, the U.S. annual obligation would be to sell a little over 150 million bushels.

Transactions involving inconvertible local currency such as sales under title I of Public Law 480, and other transactions which include features introduced by the government of a country concerned which do not conform with usual commercial practices, do not come within the rights and obligations of the agreement.

THE PRICE RANGE

The price range specified in the 1958 agreement is $1.50 to $1.90 per bushel. These prices are in terms of a basic grade, No. 1 Manitoba Northern, at a basing point at the head of the Great Lakes in Canada. The current Canadian quotation for this grade of wheat in the base location (converted to U.S. funds which coincide with the monetary basis specified in the agreement) is $1.74. This is 16 cents below the agreement maximum and 24 cents above the minimum.

The price range under the agreement is the result of, and consistent with, world price levels for wheat which have evolved as a result, to some extent, of supply-demand factors, disposal and pricing policies of the principal wheat-exporting countries, and negotiations in connection with the agreement to maintain a reasonable and stable price, scarcity or surplus conditions notwithstanding.

There is no objection to the bill that I know of. I have no requests for time. I hope, in view of the fact that we are a party to this international wheat agreement and this action will extend the agreement for another 3 years, that the bill will pass.

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

Mr. McDONOUGH. I yield.

Mr. SHELLEY. Does this bill in any way change the present requirements of 50–50 carriage of cargo wherever this type of cargo is being released or distributed by the United States Government?

Mr. McDONOUGH. I appreciate the interest of the gentleman from California in that particular respect. This does not change the 50–50 formula for the handling of the commodities.

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

Mr. McDONOUGH. I yield to the gentleman from North Carolina.

Mr. BONNER. Does it pertain in any manner to the 50–50 formula for the carriage of cargoes of this type in American-flag vessels?

Mr. McDONOUGH. No, it does not.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two thirds having voted in favor thereof) the rules were suspended and the bill was passed.

ESTABLISHING AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. FOUNTAIN. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 6904), with Committee amendments, to establish an Advisory Commission on Intergovernmental Relations.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSE

SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovernmental problems.

It is intended that the Commission, in the performance of its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation;

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and

(7) recommend methods of coordinating and simplying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall be composed of twenty-five members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least eight Governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least six members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least eight mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(7) Two appointed by the President from a panel of at least four elected county officers submitted by the National Association of County Officials.

(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), and (6) of subsection (a), not more than two shall be from any one political party and of the members enumerated in paragraph (7) of subsection (a), not more than one shall be from any one political party; of each class of members enumerated in paragraphs (5), (6), and (7) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place as he may designate for the Commission's initial meeting.

(b) The President shall designate a Chairman and a Vice Chairman from among members of the Commission.

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, 6, and 7 of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least two names for each vacancy.

(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

(e) Thirteen members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

DUTIES OF THE COMMISSION

SEC. 5. It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member authorized by the Commission may administer oaths or affirmations to witnesses

appearing before the Commission or any subcommittee or members thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil service laws and the Classification Act of 1949. Such appointment shall be made solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary.

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d)(1) of this section shall be considered to be Federal employees for all purposes, including—

(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251–2267),

(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103),

(3) annual and sick leave, and

(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842).

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. MEADER. Mr. Speaker, I demand a second.

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, before addressing myself to the legislation at hand, I want to thank each and every member of the Subcommittee on Intergovernmental Relations, and also the members of the full Committee on Government Operations, for their interest in this legislation and their cooperation in helping me to bring it to the House for action. I also want to thank those members who formerly served on the subcommittee for the significant part they played in our hearings during the 85th Congress. These include Representatives Robert E. Jones, Henry S. Reuss, Chet Holifield, Robert H. Michel, and former Representative Edwin H. May, Jr., of Connecticut. Especially do I want to pay my respects to the ranking minority member of our subcommittee, the distinguished and able Congresswoman from New Jersey [Mrs. DWYER] for her untiring efforts and nonpartisan cooperation in making this legislation a reality. She has worked diligently at all times in a genuinely sincere effort to find a satisfactory vehicle for the improvement of intergovernmental relations. Mrs. DWYER has reflected credit not only upon herself but also upon the constituency which she has the high honor to represent.

Mr. Speaker, the bill before the House at this time, H.R. 6904, was unanimously reported with amendments by the Committee on Government Operations on July 31, 1959. This bill is intended to implement one of the principal recommendations made by the committee in its 30th report to the 85th Congress—Report No. 2533—and is a result of almost 3 years of study of Federal-State-local relations by the committee's Intergovernmental Relations Subcommittee.

The need for the advisory commission proposed in this legislation has been widely recognized and its establishment, in my judgment, is long overdue. It is interesting to note that a similar commission was recommended 10 years ago by the first Hoover Commission. I might add that the 2-year study of this neglected area of intergovernmental relations by the Kestnbaum Commission was the first official undertaking of its kind since the Constitutional Convention in 1787.

The Commission would serve in an advisory capacity to the President, to the Congress, and to State and local government. Its function would be to provide information and to make recommendations for the purpose of facilitating sound governmental policies with respect to intergovernmental activities and problems. The Commission would have no administrative responsibilities.

It should be made perfectly clear that the Advisory Commission is not intended to be exclusively a Federal agency or an agency dominated or controlled by any one level of government. Rather, it is intended to be a genuine interlevel body. In effect, the Commission is a political innovation—a new type of organization tailored to fit the character and the needs of our Federal system. This fact is reflected in the Commission's composition.

The Commission's 25 members would be distributed as follows: 6 from the Congress, 3 from the executive branch of the Federal Government, 4 State Governors, 3 members of State legislatures, 4 mayors, 2 county officers, and 3 persons from private life. In drawing its members from among active and responsible public officials at all levels of government, the Commission would have the advantage of its members' firsthand knowledge of intergovernmental problems and their ability to communicate the Commission's findings and recommendations back to their respective levels of government. While a 25-member body may appear to be unduly large, I believe that a commission of this size is justified by the various units of government and points of view that will be represented.

The need for an Advisory Commission was well documented in the joint hearings which the subcommittee held this past June with the Senate Committee on Government Operations. The witnesses who appeared were unanimous in their support of this legislation. In addition, a great many statements were received from Members of Congress, Governors, mayors, State legislators, and private organizations, including the U.S. Chamber of Commerce and the AFL–CIO, favoring the Commission's establishment. Only one statement was received in opposition. It may be of interest that resolutions urging the enactment of this legislation have been adopted by such national organizations as the Governors' conference, the American Municipal Association, the U.S. Conference of Mayors, and the National Association of County Officials.

As many of you know, I have always taken a very critical view personally of proposals for the creation of new commissions and committees. It has been my feeling that the need for such bodies must be clearly demonstrated. In my judgment, the need has been adequately established in the present case.

In sponsoring this legislation it has been my intention that the Commission would be a modest undertaking served by a very small but outstanding professional staff. There is no need to create a bureaucracy in support of the Commission, since the staff will function primarily to draw upon operational data available from government agencies, to stimulate and coordinate the research efforts of public and private agencies in relation to intergovernmental matters, and to fill the gaps that now exist in the analysis and presentation of information in this field.

In summary, I should like to emphasize that the basic objective of the Commission is to strengthen the ability of our Federal system to meet the problems of an increasingly complex society in this space age by promoting greater

cooperation, understanding, and coordination of activities between the separate levels of government. Even if the Commission did no more than provide the machinery for bringing together Federal, State and local officials to discuss matters of mutual interest and concern, I feel the proposed Commission would be worth the expense. The importance of establishing effective lines of communication between the levels of government should not be underestimated. However, I sincerely believe that the Commission, if given a fair chance, will accomplish a great deal more, and I urge my colleagues to support this legislation which has received the committee's unanimous approval.

Because of its importance in outlining the committee's thinking with respect to the nature and role of the Advisory Commission, I am placing the text of the report on the bill—Report No. 742—in the record together with the bill at the conclusion of my remarks. This report also includes representative excerpts from the testimony of the joint hearings which emphasize the special importance of the Commission and its potential usefulness.

For purposes of clarification, I am also placing in the RECORD a tabular analysis of the Advisory Commission's membership and a chronology of the events connected with this legislation.

Before concluding my remarks, I would like to comment briefly on the relationship between this legislation and other proposals now under consideration for the establishment of a commission on metropolitan area problems.

Unquestionably, the area of responsibility of the Commission in H.R. 6904 is sufficiently broad to include a study or studies of metropolitan problems. As a matter of fact, it was intended and anticipated by our subcommittee that the Advisory Commission would give attention to present and emerging metropolitan area problems that are intergovernmental in origin or effect. However, the subcommittee did not consider the question of whether or not an intensive full-scale study of metropolitan problems is needed and should be undertaken at the present time. Consequently, I presently have no personal opinion on this question. The Congress in its wisdom will have to determine, of course, whether or not there is sufficient evidence to warrant an intensive metropolitan area study at this time.

In the absence of such a determination by the Congress in this session, I would personally expect the Advisory Commission, when it is duly constituted, to consider the need for such a comprehensive study and to advise whether it or another body would be best equipped to study this problem.

However, we should bear in mind that the area of responsibility intended for the Advisory Commission is very broad and there are many pressing problems that will require the Commission's early attention. Consequently, I doubt that it would be advisable for the Congress to require that the Commission channel its energies at the outset into any single segment of the entire field of intergovernmental relations.

H.R. 6904

A bill to establish an advisory commission on intergovernmental relations

Be it enacted in the Senate and House of Representatives of the United States of America in Congress assembled,

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SECTION 1. There is hereby established a permanent bipartisan commission to be known as the Advisory Commission on Intergovernmental Relations, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSE

SEC. 2. Because the complexity of modern life intensifies the need in a federal form of government for the fullest cooperation and coordination of activities between the levels of government, and because population growth and scientific developments portend an increasingly complex society in future years, it is essential that an appropriate agency be established to give continuing attention to intergovermental problems.

It is intended that the Commission, in the performance of its duties, will—

(1) bring together representatives of the Federal, State, and local governments for the consideration of common problems;

(2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation;

(3) give critical attention to the conditions and controls involved in the administration of Federal grant programs;

(4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system;

(5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation; and

(6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions and responsibilities, among the several levels of government.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall be composed of twenty-four members, as follows:

(1) Six appointed by the President of the United States, three of whom shall be officers of the executive branch of the Government, and three private citizens, all of whom shall have had experience or familiarity with relations between the levels of government;

(2) Three appointed by the President of the Senate, who shall be Members of the Senate;

(3) Three appointed by the Speaker of the House of Representatives, who shall be Members of the House;

(4) Four appointed by the President from a panel of at least six Governors submitted by the Governors' Conference;

(5) Three appointed by the President from a panel of at least five members of State legislative bodies submitted by the board of managers of the Council of State Governments;

(6) Four appointed by the President from a panel of at least six mayors submitted jointly by the American Municipal Association and the United States Conference of Mayors;

(7) One appointed by the President from a panel of at least two elected county officers submitted by the National Association of County Officials.

(b) The members appointed from private life under paragraph (1) of subsection (a) shall be appointed without regard to political affiliation; of each class of members enumerated in paragraphs (2) and (3) of subsection (a), two shall be from the majority party of the respective houses; of each class of members enumerated in paragraphs (4), (5), and (6) of subsection (a), not more than two shall be from any one political party; of each class of members enumerated in paragraphs (5) and (6) of subsection (a), not more than one shall be from any one State; at least two of the appointees under paragraph (6) of subsection (a) shall be from cities under five hundred thousand population.

(c) The term of office of each member of the Commission shall be two years, but members shall be eligible for reappointment.

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The President shall convene the Commission within ninety days following enactment of this Act at such time and place as he may designate for the Commission's initial meeting. The President, or his designee, shall serve as the Commission's temporary Chairman pending the election of a permanent Chairman.

(b) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made; except that where the number of vacancies is fewer than the number of members specified in paragraphs 4, 5, and 6, of section 3(a), each panel of names submitted in accordance with the aforementioned paragraphs shall contain at least one name more than the number of vacancies.

(d) Where any member ceases to serve in the official position from which originally appointed under section 3(a), his place on the Commission shall be deemed to be vacant.

(e) Twelve members of the Commission shall constitute a quorum, but two or more members shall constitute a quorum for the purpose of conducting hearings.

DUTIES OF THE COMMISSION

SEC. 5. It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to consider, on its own initiative, ways and means for fostering better relations between the levels of government;

(3) to submit an annual report to the President and the Congress on or before January 31 of each year. The Commission may also submit such additional reports to the President, to the Congress or any committee of the Congress, and to any unit of government or organization as the Commission may deem appropriate.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The Commission or, on the authorization of the Commission, any subcommittee or members thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings, take such testimony, and sit and act at such times and places as the Commission deems advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or member thereof.

(b) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

(c) The Commission shall have power to appoint, fix the compensation of, and remove a staff director without regard to the civil service laws and the Classification Act of 1949. Such appointment shall be made

solely on the basis of fitness to perform the duties of the position and without regard to political affiliation.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman, without regard to the civil service laws and the Classification Act of 1949, and without reference to political affiliation, shall have the power—

(1) to appoint, fix the compensation of, and remove such other personnel as he deems necessary

(2) to procure temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a) but at rates not to exceed $50 a day for individuals.

(e) Except as otherwise provided in this Act, persons in the employ of the Commission under subsections (c) and (d) (1) of this section shall be considered to be Federal employees for all purposes, including—

(1) the Civil Service Retirement Act, as amended (5 U.S.C. 2251–2267),

(2) the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103),

(3) annual and sick leave, and

(4) the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842).

(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission who are Members of Congress, officers of the executive branch of the Federal Government, Governors, or full-time salaried officers of city and county governments shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses, including subsistence (or, in the alternative, a per diem in lieu of subsistence not to exceed the rate prescribed in the Travel Expense Act of 1949, as amended), without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(b) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

ESTABLISHING AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. DAWSON, from the Committee on Government Operations, submitted the following report:

The Committee on Government Operations, to whom was referred the bill (H.R. 6904) to establish an Advisory Commission on Intergovernmental Relations, having considered the same, report favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

Page 2, line 24, strike "cooperation, and" and insert "cooperation;".

Page 3, line 3, strike "functions and" insert "functions,".

Page 3, line 3, after the word "responsibilities" insert ", and revenues".

Page 3, line 4, strike "government." and insert "government; and".

Page 3, after line 4, add the following new paragraph:

"(7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers."

Page 3, line 7, strike "twenty-four" and insert "twenty-five".

Page 3, line 18, strike "six" and insert "eight".

Page 3, line 20, strike "five" and insert "six".

Page 3, line 24, strike "six" and insert "eight".

Page 4, line 3, strike "One" and insert "Two".

Page 4, line 4, strike "two" and insert "four".

Page 4, line 13, after the word "party" and before the semicolon add "and of the members enumerated in paragraph (7) of subsection (a), not more than one shall be from any one political party".

Page 4, line 14, strike "(5) and" and insert "(5).".

Page 4, line 14, after "(6)" insert ", and (7)".

Page 4, beginning in line 25, strike out "The President, or his designee, shall" and all that follows down through line 2 on page 5.

Page 5, lines 3 and 4, strike out "The Commission shall elect a Chairman and a Vice Chairman from among its members." and insert "The President shall designate a Chairman and Vice Chairman from among members of the Commission."

Page 5, line 9, strike "and".

Page 5, line 9, after "6" insert ", and 7".

Page 5, lines 11 and 12, strike out "one name more than the number of vacancies." and insert "two names for each vacancy."

Page 5, line 16, strike "Twelve" and insert "Thirteen".

Page 6, line 15, strike "of" and insert "authorized by".

Page 8, lines 12 and 13, strike out "expenses, including subsistence" and insert "expenses".

Page 8, line 14, after "subsistence" insert "and mileage".

Page 8, line 14, strike "rate" and insert "rates."

PURPOSE

H.R. 6904, as amended, would establish a permanent bipartisan Advisory Commission on Intergovernmental Relations which, on a continuing basis, will (1) bring together representatives of the Federal, State, and local governments for the consideration of common problems; (2) provide a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation; (3) give critical attention to the conditions and controls involved in the administration of Federal grant programs; (4) make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system; (5) encourage discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation; (6) recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and (7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

The underlying purpose of the Commission is to strengthen the ability of our Federal system to meet the problems of an increasingly complex society by promoting greater cooperation, understanding, and coordination of activities between the separate levels of government.

The membership of the Commission would be drawn, for the most part; from among active and responsible public officials at all levels of government. Thus, the Commission would benefit from both the firsthand knowledge of its members of the problems under consideration and their ability to communicate the findings and recommendations of the Commission to their respective levels of government.

It is intended that the Commission will provide guidance to the President and the Congress for the development of sound Federal policies with respect to State and local government. The Advisory Commission, however, would in no way substitute for or interfere with either the responsibility of the President for the coordination of Federal intergovernmental programs or with the legislative responsibilities of the Congress. It is intended that the Commission will also provide guidance for the development of sound intergovernmental relations at the State and local levels.

The committee wishes to emphasize its intention that the Commission will serve to strengthen State and local government so as to preserve the values of our Federal system. It should be an objective of the Commission to facilitate discussion of intergovernmental problems and to identify governmental responsibilities as they arise, and to make appropriate suggestions and recommendations to the proper level of government if recognized responsibilities are not being met at such level.

BACKGROUND

H.R. 6904 implements a major recommendation of the 30th report of the Committee on Government Operations which was unanimously adopted in August 1958.

In that report (H. Rept. 2533, 85th Cong., 2d sess.) the committee recommended "the establishment of a broadly based Advisory Commission on Intergovernmental Relations, drawing its membership from the Congress, the executive branch, Governors, State legislators, mayors, county officials, and private citizens." The committee envisaged "that such a large body would meet infrequently, but would maintain working committees to deal with special problems and would be assisted by a permanent professional staff."

The recommendation for an Advisory Commission is the result of 3 years of intensive study of Federal-State-local relations by the committee's Intergovernmental Relations Subcommittee. In the course of its investigations the subcommittee held numerous public hearings, including field hearings throughout the country during the fall of 1957, and made questionnaire surveys and special studies.[1] The subcommittee's investigations pointed strongly to the need for a

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[1] The printed hearings and reports are as follows:

Staff Report on Replies from Federal Agencies to Questionnaire on Intergovernmental Relations (August 1956).

Replies from State and local governments to Questionnaire on Intergovernmental Relations, Sixth Report by the Committee on Government Operations (H. Rept. 575), June 1957.

Federal-State-Local Relations. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (July 29, 30, and 31, 1957).

Federal-State-Local Relations, State and Local Officials. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives:

Part 1: Boston, Mass., and New York, N.Y. (Sept. 30, Oct. 1, 2, 3, 4, and 7, 1957).

Part 2: Chicago, Ill., and Kansas City, Mo. (Oct. 16, 17, 18, 21, and 22, 1957).

permanent Advisory Commission to build on the foundation laid by the Commission on Intergovernmental Relations (the Kestnbaum Commission, whose 1955 report to the President and the Congress was referred to and thoroughly studied by the subcommittee), and the need to strengthen communication and relations between the levels of government. The Kestnbaum Commission's 2-year study of intergovernmental relations was the first official undertaking of its kind since the Constitutional Convention in 1787.

Identical bills to establish an Advisory Commission on Intergovernmental Relations were introduced in the House on May 6, 1959, by Representative L. H. FOUNTAIN (H.R. 6904) and Representative FLORENCE P. DWYER (H.R. 6905). A companion Senate bill, S. 2026, was introduced by Senator EDMUND S. MUSKIE for himself and 25 cosponsors.

JOINT HEARINGS

Joint hearings were held on the identical bills, H.R. 6904, H.R. 6905, and S. 2026, by the Intergovernmental Relations Subcommittee and the Senate Committee on Government Operations. In these joint hearings, held on June 16, 17, 19, and 22, 1959, the committees heard 21 witnesses and received written statements from 45 additional individuals or organizations who were unable to be present.

The witnesses included Members of Congress, Governors, mayors representing the two national municipal organizations, a spokesman for the National Association of County Officials, and members of the former Commission on Intergovernmental Relations.

Testimony or statements favoring this legislation were received from 22 Governors. In addition, the committee received communications from 16 Governors who were unable to attend the hearings and who expressed no opinion on the bills. No Governor was opposed to the Commission's establishment.

State Senator Leslie B. Cutler, of Massachusetts, presented the committees in joint hearing with a unanimous resolution adopted June 10, 1959, by the Massachusetts Senate memorializing the Congress to enact this legislation for the establishment of an Advisory Commission on Intergovernmental Relations. Similar resolutions have also been adopted by the American Municipal Association, the U.S. Conference of Mayors, and the National Association of County Officials.

NEED FOR COMMISSION

The need for a permanent Commission to give continuing attention to intergovernmental problems has been widely recognized.

Ten years ago the first Hoover Commission recommended the establishment of a Commission on Intergovernmental Relations.

Last year this committee, after hearings by its subcommittee throughout the United States, made a similar recommendation. In emphasizing the need for a permanent commission the committee stated in its report:

"Occasional studies and ad hoc committees, however useful, are not an effective substitute for the continuous review of intergovernmental programs and problems from the standpoint of the Federal system as a whole."[2]

Last month a joint hearing of the Intergovernmental Relations Subcommittee and the Senate Committee on Government Operations adduced unanimous testimony in support of a permanent commission. This support had no geographical limitations, no political differences, no divisiveness as between levels of government.

The advocacy of distinguished witnesses was universal and reflected many areas of interest and experience; it also, with unconcerted foresight, anticipated numerous arguments which might be made against the proposal by those who are not as close to the problems involved. This report, therefore, incorporates excerpts at some length from their testimony.

EXCERPTS FROM TESTIMONY

Mr. Meyer Kestnbaum, in speaking of the work of the Commission on Intergovernmental Relations which he headed, stated:

"I am sure I need not remind you that the Commission, in making its report, had in mind the fact that its study was only the beginning of a real inquiry into the whole subject.

* * * * *

"I should like to go on record as saying that the idea of a commission that will give the President and the Congress the benefit of careful, incisive research and examination of the many problems that face us in this area, is sound, and that it can fulfill a very important and useful function."

Former Congressman Brooks Hays, who served as a member of the Kestnbaum Commission, addressed himself to what is frequently the first reaction when a commission is proposed. Mr. Hays said:

"I see no escape from what you might call the proliferation of agencies. Now, I do not mean that we can go on just multiplying commissions and agencies, but as we find some new need, and establish a commission, we also find the atrophy of commissions that were born out of another necessity that can be abandoned.

* * * * *

"But to refuse to meet a new need, with imagination, such as underlies this legislation, is simply not to give proper weight to the dynamic character of this Federal system.

"I see no escape from it. In other words, the alternative of doing nothing because you do not want to yield is to assume that we have already achieved the ideal. But we need changes, and inaction is unthinkable with America's genius for going forward in other fields.

"One trouble, Mr. Chairman, is that we have lagged in working this whole political enterprise, as I like to call it. People in America have falsely assumed that the system, being what Gladstone said, largely will operate itself.

"And we have given so much of our intellectual energies in America to other fields—the fields of business, of education, and of religious institutionalism, if I might come into another field that has demanded some of my attention in recent years, as the chairman knows.

"If we could relate these energies to this problem of getting people to recognize their mutual interests and to be less rigid in their loyalties to local, State, and Federal Government so they see the higher level through imaginative eyes, if we could pour some of their righteousness into the political enterprise as distinguished from the valid other loyalties of commerce, and so on, I think we would be meeting the demands of the 20th century, because man is a political creature and he must not let there to be a lag in this field."

Representative HAROLD C. OSTERTAG, who was also a member of the Kestnbaum Commission, in voicing his support countered the arguments which might be raised against creating a new commission in this way:

"Of course, with any of these proposals we must face the reaction which can be expected to the creation of another commission. But when a good cause is to be served, as in this case, I think this is an obstacle which can be overcome by logical and sound explanations.

"Certainly, there is a continuing need for machinery in our governmental structure to provide the guidance and the balance essential to strengthening our system of Government. The creation of a continuing Commission on Intergovernmental Relations, in my judgment, makes possible such machinery and provides the means for the necessary followthrough which is so important to the very objectives we seek."

Further explaining his support for an advisory commission, Representative OSTERTAG said:

"Now, on the former Commission on Intergovernmental Relations, the so-called Kestnbaum Commission, we concluded exhaustive studies in a great many areas of intergovernmental relations. There was not agreement on all of our findings but one thing on which we did agree was that there was a definite need for continuous study and observation of intergovernmental relations in this country. Some felt that this could best be done from an office in the executive. Others felt that a broader independent commission would be more suitable for the purpose. So, while there may be various vehicles for carrying out this work, I feel that the bills which are being considered by this committee are a step in the right direction.

"The aims of the Commission which is proposed are very sound and worthy of attainment. I note that this is to be an advisory commission, but I would hope that this committee would consider more measures for translating the advice and recommendations of such an advisory commission into concrete results."

The committee heard from still another former member of the Kestnbaum Commission, former Gov. Sam H. Jones of Louisiana, who wrote:

"In my opinion there is no validity to the arguments that 'this is just another commission' and 'it has no power and can do nothing.' The wisest thing about our Federal system is that each level of government is, within limitations, autonomous within its own sphere. It is, therefore, within the nature of our system that no one level can completely dominate the other two levels. This legal situation makes an advisory commission the only method by which we can tackle and ultimately solve the accumulated and constantly increasing problems of our three-level system.

"And I might add here that, whilst the controversy between the advocates of States rights and those who lean toward national control is very real and highly publicized, there is another controversy that is just as determined. I refer to the battle that is now raging between the advocates of State control and those who sponsor wider latitude for municipal and county governments. This latter controversy is, in many respects, more

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Part 3: Denver, Colo., and San Francisco, Calif. (Oct. 24, 25, 28, and 29, 1957).

Part 4: New Orleans, La., and Raleigh, N.C. (Nov. 18 and 19, and Dec. 10 and 11, 1957).

Federal-State-Local Relations, Dade County (Fla.) Metropolitan Government. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (Nov. 21 and 22, 1957).

Federal-State-Local Relations, Joint Federal-State Action Committee. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (Feb. 18, 1958).

Federal-State-Local Relations, Nongovernmental Organizations and Individuals. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives (Feb. 25 and 26, 1958).

Federal-State-Local Relations, Federal Departments and Agencies. Hearings before a subcommittee of the Committee on Government Operations, House of Representatives, Mar. 26, 27; Apr. 2, 30; May 7, 8; and June 19, 1958.

Federal-State-Local Relations, Federal Grants-in-Aid, 30th Report by the Committee on Government Operations (H. Rept. 2553), August 1958.

[2] H. Rept. 2533, 85th Cong., 2d sess., p. 39.

difficult than the former because local governments are creatures of the State; while the States are not the creatures of the National Government. It is much more important, therefore, that there should be brought about some forum for the discussion of State-local problems than for the discussion of national-State problems.

"The proposed Advisory Commission on Intergovernmental Relations would do both."

Gov. Herschel C. Loveless, of Iowa, explained the need for an advisory commission in this way when he appeared before the joint committees:

"The refinement of the science of intergovernmental relations, I am firmly convinced, is an important key to the future success of Government under our Federal system. To compete with totalitarian nations, who command certain efficiencies, however repugnant their philosophy may be to us, we too must develop new methods of obtaining economy and efficiency in our democratic system. Studious efforts to improve coordination and eliminate duplications between the levels of government, both in regulatory functions and in meeting human needs, will I am convinced, do wonders toward obtaining these results.

"Of course, today, as heretofore in our democracy, our problem is a dual one. We do not propose to sacrifice any of our basic liberties under the Federal system in our zeal to make government work more efficiently. But, as I have stated earlier, I am convinced that the true prerogatives of State and local government can best be preserved by constant study and reevaluation of the appropriate roles of each level of government in the complicated pattern of intergovernmental relations.

"Additional studies performed by temporary commissions and ad hoc committees cannot do the job. The face of government changes, too rapidly. A permanent, impartial agency, equipped with the necessary resources, is required for this important work. I submit to you that the proposed Advisory Commission on Intergovernmental Relations is the logical answer."

Gov. G. Mennen Williams, who also testified in person in the joint hearings, said:

"The Advisory Commission would make a significant contribution, I think, if it were to review the areas of coordinate Federal and State responsibility with a view toward raising those unresolved questions of jurisdiction and responsibility that should be considered by both the Federal and State Governments. I am not suggesting any specific directions that either the Federal or State Governments should take but rather recommending that this important series of problems be given the kind of study that an Advisory Commission could provide.

* * * * *

"There is no question in my mind, however, that the whole range of Federal activity should be analyzed constantly with a view toward relieving it of those responsibilities that can be done better or just as well by the States. I suggest this because I feel that the Federal Government should be strengthened in its capacity to do those things which it alone can do. Specifically, I think this encompasses the crucial tasks of foreign relations, national security, and economic stability. * * * I have indicated what appear to me to be the major issues confronting the American Federal-State system. Study of these issues is the basic reason why I feel the proposed Advisory Commission on Intergovernmental Relations is desirable and should be established. Therefore, I urge favorable committee consideration for H.R. 6904 and recommend its quick enactment by the Congress."

Gov. William G. Stratton, of Illinois, wrote the committee that—

"In my opinion, the creation of such a permanent commission is timely and necessary.

"The Federal system of government which is so precious to all of us depends in essence on cooperation and correlated activities of the various State governments and the Federal Government. With the explosive growth of population and urbanization we are now experiencing, it becomes imperative that the relationships among our governments must be harmonious.

"A permanent commission could serve as a clearinghouse for the various studies and investigations which are being made of the functions and responsibilities of our governments. In my opinion, such a commission would not overlap any of the work now being done, including that of the Joint Federal-State Action Committee in which the Governors' conference plays an important role."

Gov. Luther H. Hodges, of North Carolina, expressed his view of the Advisory Commission in this manner:

"From the beginning of my service as Governor of North Carolina, I have had many occasions to deal with vital questions affecting Federal-State relations. It is my present privilege to serve as a member of the Joint Federal-State Action Committee (an unofficial group of State and Federal officials), of which the U.S. Secretary of the Treasury and the Governor of Idaho are currently the cochairmen. In my capacity as Governor and in my capacity as a member of this Joint Federal-State Action Committee, I have become thoroughly convinced that there is a strong need for a continuing and officially recognized advisory agency to give concentrated attention to Federal-State problems.

"Special studies in this area such as was done by the Commission on Intergovernmental Relations are helpful and of course the special attention to the overall problem which has been given by the Intergovernmental Relations Subcommittee of the House Committee on Government Operations has made a great contribution to our understanding in this area. But what is needed is a continuing advisory agency which can take up specific selected problems, work out specific solutions, and provide adequate followup to see that proposed action on specific problems is given adequate consideration by the Federal Government and by the States."

Gov. Foster Furcolo, of Massachusetts, made the point that—

"It is important, moreover, that the present Federal grant-in-aid formulas be surveyed to determine whether they are equitable. It is desirable, too, to have some source of clear and accurate information as to the Federal grant program so that State officials of both the executive and legislative branches of government will have a clear understanding of Federal programs. Such an understanding is vital in the formulation of policy and the establishment and administration of programs within the State."

Senator CLIFFORD P. CASE, of New Jersey, took note in his statement of the effects of the growth of government that has taken place on all levels over the past few decades:

"The interrelation of Federal, State, and local governmental units brought about by this growth has in turn created problems of its own. Our Federal system has had to adjust in a manner undreamed of by our Founding Fathers. Since much of the expansion in government has been on an ad hoc basis, it is perhaps only natural that inefficiency and confusion have frequently accompanied this growth. But it is imperative, for the future, that efforts be made now to insure a more fruitful cooperation between the various levels of government. The proliferation of grant-in-aid programs alone demands continuing study and evaluation. And there are numerous areas of jurisdictional conflict which should receive more attention, particularly in relation to current growth trends.

"I am convinced that the establishment of a permanent Advisory Commission on Intergovernmental Relations would do much in this direction. It is a practical idea and one that could result in concrete suggestions for the improvement of our Federal system. By bringing together officials and experts from all levels of government, the proposed Commission can foster a spirit of cooperation and understanding which is so essential to a proper functioning of a Federal system, and which in turn could pave the way for significant improvements in the administration of cooperative programs.

"More than ever, we need a group of this nature to study the continuing impact of a growing society on a system of government that was originally established for a rural nation of only 3 million people. Thanks to the flexibility of our Constitution, we have been able to adjust to the enormous changes which have taken place since that time. Today, however, we live in an age in which the consequences of change are much more immediate and significant than they were 170 years ago. If we value the basic outlines of our Federal system, with its balance of National and State jurisdictions, we must pay more constant attention to the problems associated with intergovernmental relations.

"I believe that the proposed Commission would prove a valuable and necessary service for the betterment of our system of government."

Representative Chester W. Bowles of Connecticut pointed out the urgency of improving communication between the levels of government:

"The basic problem, as both the Kestnbaum Commission and this subcommittee's report have pointed out, is one of communications. It seems impossible in this day and age that a coordinated, effective means of sharing information and ideas between the Federal, State, and local governments does not exist, but unfortunately this is the case.

"As a former Governor of Connecticut, who has faced the confusion and inconsistencies of the present situation from a State capitol, I feel very strongly that the proposed Advisory Commission on Intergovernmental Relations is a constructive, forward step which is long overdue, and I sincerely hope that favorable action on this proposal can be taken soon."

Senator JACOB K. JAVITS, of New York, emphasized the pressing need for systematic and continuous attention to Federal-State relations:

"S. 2026, which would establish an Advisory Commission on Intergovernmental Relations, deals with a problem which has perennially plagued our Federal system, and which has become more pervasive and more acute with the increasing role of the Federal Government in our society. It is high time that the entire problem of relations between the States and the Federal Government be given systematic and sustained attention on a broad basis, since piecemeal attack on the problems of conflict of jurisdiction and administration between them has proved inadequate."

Senator ESTES KEFAUVER, of Tennessee, pointed out the value of the Commission to the committees of Congress:

"In its broadest sense, S. 2026 would, I believe, help tremendously in bringing about a better understanding of mutual problems among officials of local, State, and Federal Governments.

"Such an intergovernmental advisory commission as S. 2026 proposes would also be of great value to the various committees of Congress in providing a broad perspective of the total picture of the programs which now originate in many committees and are directed to many different jurisdictions.

Coordination of tax resources is still another advantage that can be brought about through the functions of the proposed agency."

Representative SILVIO O. CONTE, of Massachusetts, noted that the Commission would be of particular value to State legislatures:

"As a former State legislator, having served for 8 years in the Massachusetts State Senate, I am particularly aware of the desirability of bringing the legislative branch of State government into closer contact with Federal officials in connection with intergovernmental matters. I note with satisfaction that the Advisory Commission would facilitate this objective by including State legislative representation in its membership. Our State legislatures are desperately in need of more information on the many Federal activities that require State and local cooperation. Moreover, I believe their interest in these intergovernmental activities should be stimulated well in advance of the point at which the Congress takes legislative action which, for all practical purposes, necessitates State and local financial and administrative participation. A permanent Advisory Committee should provide an excellent educational medium for developing greater State legislative interest in this field. Such a development, I believe, would be extremely helpful to the legislative committees of the Congress."

Senator WINSTON L. PROUTY, of Vermont, stressed that the Commission would not interfere with the prerogatives of State and local government:

"I cosponsored the Senate bill under consideration only after satisfying myself that such a commission as the bill visualizes offers no threat of interference with State and local units of government. The people of Vermont have always placed a high value on their rights and prerogatives under local units of government. They like to make their own plans and decisions and they have not usually gone out of their way to welcome what they consider outside interference, even though they may know it is intended to be helpful.

"I am convinced that the proposed Advisory Commission on Intergovernmental Relations will not constitute interference. On the contrary, it should help protect the legitimate interests and prerogatives of State and local governmental units, should help eliminate overlapping of operations, provide useful information, and increase efficiency.

"In addition, such a commission should prove most useful to the Federal Government through assisting Congress in assessing local opinion on intergovernmental problems, through smoothing out relationships between Federal agencies and departments and local governments, and in keeping open the channels of communication among the various levels of government."

Representative BYRON L. JOHNSON, of Colorado, pointed out several areas where intergovernmental policies tend to conflict:

"Let me speak first to the powers and duties of the proposed Commission. As the members of the committee know very well, there are a number of areas where Federal, State, and local interests operate less than harmoniously. First, there is, for example, the question of the right of each level of government to tax property owned by another unit and level of government.

"Second, there is the question as to whether interest on the debt obligations of one level of government can properly be taxed by another as part of income taxes.

"Third, there is the question as to whether the payments in lieu of taxes now being made by some Federal agency are adequate and properly related to the impact of such Federal property upon local taxing jurisdictions.

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"Fourth, there is the question of the reasonableness of the shared receipts and revenues on certain public lands. * * *

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"Fifth, there are questions as to whether or not certain taxes act as trade barriers, contrary to the constitutional intent.

"Sixth, there is a very sensitive question of the rights of several States to tax the same property or income, because the Federal courts have taken a very permissive attitude toward multiple and overlapping State taxation. Congress and the Federal Government could do much under the Constitution to accomplish substantial uniformity in State laws with great benefit to American businessmen in simplifying their tax compliance. Such improvements need not materially reduce State revenues but should certainly simplify tax administration and enforcement.

"One of the hidden areas in public finance is our lack of knowledge of the cost of compliance upon taxpayers in filling out the thousands of forms that they are required to fill out for the thousands of taxing jurisdictions with which the larger corporations must deal. Many taxpayers are plagued by the inconsistencies and complexities of the various tax jurisdictions having power to tax them.

"Now, these questions will never be resolved if we wait for neighboring States to work out suitable answers. They might be resolved by having a Federal Commission conducting continuing research, issuing publications, and holding conferences as background for appropriate changes in law at each level.

"Finally, there is a question of grants-in-aid, which is specifically provided for by H.R. 6904."

Mayor Frank P. Zeidler, of Milwaukee, representing the U.S. conference of mayors, described the need for an Advisory Commission in these terms:

"Bills H.R. 6904 and S. 2026, I believe, would remedy this lack of formal assembly to gather information from all levels of government in order to adjust the difficulties which may exist between these levels. It would also remedy the lack of sense of direction which the Federal, State, and local governments have as to where each one is going with respect to each other. It will provide an avenue for channeling the best technical information and most comprehensive knowledge that is now possessed by experts in the United States in the science of government that this knowledge may be able to improve the inner workings of government in the United States."

Mayor Gordon S. Clinton, of Seattle, testifying for the American Municipal Association, stated that—"because the Commission proposed recognizes the need for equitable, responsible, and knowledgeable representation on the part of all levels of government * * * we feel that the conclusions reached as a result of its deliberations will enjoy considerable acceptance on the part of all levels of government * * *.

* * * * *

"I am certain that we can effect better intergovernmental relationships, that we can encourage and promote realinement of functional responsibilities at various levels of government, that we can do some within the broad framework of government laid down by our Constitution. And, in so doing, be secure in the knowledge that our democratic process and individual freedoms need never be violated in the course of our work."

Mr. Saul I. Stern, chairman of the Montgomery County chapter of the Maryland Municipal League, expressed the thinking of a public official familiar with the problems of small urban communities:

"I believe that those of you who have been in contact with State, county, and municipal officials can agree that the vast majority of these elective and appointive officials are very dedicated and devoted public servants. I believe a great many of the problems, a great part of the inaction, arises from the fact that these particular officials are confused, and they have no course or direction because they are truly bewildered by the complexities of our population and physical growth. And of course all of us who are public officials are staggered by the spiraling costs of government. We wonder where the dollars are going to come from to provide the increased demands of service which our population is insisting upon. And I think that if this Commission is set up—and I am most hopeful that it will be—and if it sits down to determine the roles, functions, duties, and services that the various levels of government should perform in light of these constantly changing conditions imposed by growth, we will have made a real step forward to the solution of the financial as well as a good many of our other problems.

"I think we need to have representatives of the Federal Government and representatives of the State, county, and municipal governments sitting down and discussing these problems together. We need, however, first of all to determine what our common problems are. * * *

* * * * *

If our Federal system is to be workable, if it is to be vital, and if it is to be continued on a strong and firm basis, then we must have this sort of study. But we must have survival of all systems of government. It is my firm belief that as long as people participate in government at all levels we will have a very strong, vibrant, and a really meaningful democracy. And I am most hopeful that the Commission on Intergovernmental Relations will be set up on a continuing basis. I think it should be established now and should be placed on a permanent basis."

NATURE OF COMMISSION

The committee views the Advisory Commission as a political innovation—a new type of organization designed especially to cope with the changing problems encountered in our Federal form of government. It will be a genuine interlevel body, not an agency dominated or controlled by any one level of government.

In providing for the appointment of Commission members, the committee has sought to assure the selection of persons possessing special knowledge and qualifications in this field. Thus, the committee favors the participation of the designated organizations in the selection of State and local members since these organizations are well equipped to recommend outstanding individuals from their respective levels of government. However, the committee also favors the appointment of members from panels as proposed in H.R. 6904, as amended, because it believes the President is in the best position to weigh such considerations as the geographic areas and the type of communities represented so as to produce a well-balanced advisory body.

Similarly, the committee believes that the President is best situated to designate the Chairman and Vice Chairman, who should possess outstanding qualifications for these assignments and a reputation for objectivity which will make them generally acceptable to all levels of government.

The committee studied two other proposals for the appointment of Commission members. It was proposed, on the one hand, that the State and local organizations directly appoint representatives to the Commission,

and, on the other hand, that the selection of members be left completely to the discretion of the President. Neither of these proposals is believed as desirable as the procedure recommended by the committee.

It is the committee's intent that the designated organizations will take geographic considerations into account in selecting the panels. Further, the committee is confident that the President and these organizations will work together for the purpose of achieving an objective and geographically balanced body.

It is the committee's expectation that members will come to the Commission with open minds and with the intention of working toward the ultimate goal of responsible and effective government at all levels of our Federal system. In this connection, the committee also believes that the members will not regard themselves as primarily representatives of any particular group, level of government, or geographic area for the advancement of a special point of view. It is intended that the Commission will not urge a Federal solution simply because Federal action appears the easiest course. It is rather intended that it will encourage the assumption of responsibility by the appropriate level or levels of government with respect to any given problem.

It is the committee's expectation that the Commission will establish working subcommittees which will give intensive and continuing study to important problems of concern to the Commission as a whole.

The committee is hopeful that the Commission will function as a coordinating center for the study of intergovernmental relations and will encourage and stimulate attention to the problems in this field not only on the part of government but by the universities and private foundations as well.

COOPERATION OF THE STATES

Consideration was given to the States contributing a portion of the Commission's operating expenses. While the committee believes joint Federal-State financial support is desirable in principle, considerable doubt has been raised as to the practicability of such an arrangement. In order to avoid handicapping the Commission, the committee believes it advisable that the Commission's operating expenses be paid for the present wholly from Federal funds.

However, the committee is of the opinion that the States should and will wish to contribute indirectly to the Commission's support by furnishing staff assistance to the Commission and to its working committees.

It is expected that the State and local governments, collectively through their respective organizations, and individually where feasible, will cooperate actively with the Commission in the collection and analysis of State and local research data and by the assignment, when needed, of appropriate personnel to assist in the conduct of specific research projects.

CONCLUSION

Upon recommendation of the Intergovernmental Relations Subcommittee, the full committee favorably reports H.R. 6904, with amendments, to establish an Advisory Commission on Intergovernmental Relations.

The committee recognizes that the particular organizational features provided by this bill may require adjustment from time to time in response to experience and changing conditions. For the present, however, the committee is satisfied that the bill, as amended, represents a sound and carefully planned method of accomplishing the important objectives intended for the Commission.

The committee adopted five principal amendments of H.R. 6904 to incorporate recommendations made by witnesses in the joint hearings and by the Director of the Bureau of the Budget. These amendments are: (1) An elaboration of the declaration of purpose to clarify and make more explicit the breadth of the Commission's responsibilities (sec. 2 (6), (7)); (2) enlargement of the membership of the Commission from 24 to 25 members, to provide greater representation for county government (sec. 3(a)); (3) enlargement of the size of the panels to be submitted to the President by the several State and local organizations for the appointment of Commission members, in order to afford the President greater flexibility in the appointments (sec. 3(a), (4), (5), (6), (7)); (4) increase the number of members from county government from one to two (sec. 3(a), (7); (5) provision for designation of the Chairman and Vice Chairman of the Commission by the President from among members of the Commission (sec. 4(b)).

In addition, the committee adopted a number of technical perfecting amendments.

ADDITIONAL VIEWS OF HON. CLARE E. HOFFMAN

H.R. 6904 is an outgrowth of the 30th report by the Committee on Government Operations in the 85th Congress. Among the findings of that report—a report in which I concurred—was one to the effect that there was generally favorable acceptance throughout the Nation of the grant-in-aid principle and most existing grant programs.

However, throughout the hearings upon which the report was based, it became apparent that the tangled web of intergovernmental relationships, in a complex which encompasses echelons ranging from the local to the national, was sorely in need of continuing review and coordination.

While I am basically opposed to the Federal Government continually increasing its authority and activities, especially those which should and can be performed by the States and the municipalities, inasmuch as that tendency will continue, we certainly must seek means to make the spending and the controls as efficient and economical as possible.

Perhaps the creation of a Commission such as that provided for in the bill will tend to bring about those objectives—that is, less spending, less waste, greater efficiency.

CLARE E. HOFFMAN.

Analysis of composition of Advisory Commission

25 members	How appointed	Political affiliation
3 Representatives	Speaker of House	2 majority, 1 minority.
3 Senators	President of Senate	Do.
3 officers of executive branch	President	None specified.
3 private citizens	do	Without regard to political affiliation.
4 Governors	President from panel of at least 8 submitted by Governors' conference.	Not more than 2 from any 1 political party.
3 State legislators [1]	President from panel of at least 6 sumbitted by Board of Managers of Council of State Governments.	Not more than 2 from any 1 political party.
4 mayors [1]	President from panel of at least 8 submitted jointly by American Municipal Association and U.S. conference of mayors (at least 2 from cities under 500,000).	Not more than 2 from any 1 political party.
2 elected county officers [1]	President from panel of at least 4 submitted by National Association of County Officials.	Not more than 1 from any 1 political party.

[1] Not more than 1 from any 1 State.

CHRONOLOGY OF EVENTS CONNECTED WITH H.R. 6904

August 1955: Kestnbaum Commission report referred to subcommittee.

December 1955: Questionnaire on intergovernmental relations sent to State and local governments.

January 1956: Questionnaire sent to all Federal departments and agencies.

August 1956: Staff report on replies from Federal agencies to questionnaire.

June 1957: Replies from State and local governments to questionnaire (sixth report by committee; H. Rept. No. 575).

July 29–31, 1957: Hearings for planning regional hearings.

September 30–December 11, 1957: Regional hearings (Boston, New York, Chicago, Kansas City, Denver, San Francisco, New Orleans, Raleigh).

November 21–22, 1957: Hearing on Dade County (Fla.) metropolitan government.

February 18, 1958: Hearing, Joint Federal-State Action Committee.

February 24–25, 1958: Hearings, nongovernmental organizations and individuals.

March 26–27; April 2, 30; May 7–8, and June 19, 1958: Hearings, Federal departments and agencies.

August 8, 1958: Thirtieth report by Committee on Government Operations (H.R. 2633), "Federal Grants-in-Aid."

May 6, 1959: H.R. 6904 introduced by Representative FOUNTAIN and H.R. 6905 by Representative DWYER (after informal discussion with Governors and municipal and county organizations).

June 16, 17, 19, and 22, 1959: Joint hearings held by Subcommittee and Senate Committee on Government Operations on H.R. 6904, H.R. 6905, and S. 2026. (Testimony invited by letter from every Member of House, every Governor, all members of State legislatures who testified in regional hearings, Governors' conference, American Municipal Association, U.S. conference of mayors, and the National Association of County Officials. All other interested organizations and persons invited to testify or submit statements through press release printed in CONGRESSIONAL RECORD.)

July 22, 1959: H.R. 6904 with amendments unanimously reported by subcommittee.

July 31, 1959: H.R. 6904 with amendments unanimously reported by Committee on Government Operations.

August 5, 1959: Enactment of H.R. 6904 and S. 2026 urged by unanimous resolution adopted by annual Governors' conference (San Juan, P.R.). (Similar resolutions adopted earlier by American Municipal Association, U.S. conference of mayors, National Association of County Officials, Massachusetts State Senate, etc.)

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

Mr. FOUNTAIN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Did the Hoover Commission recommend this type of Commission be established?

Mr. FOUNTAIN. The first Hoover Commission did, 10 years ago.

Mr. MEADER. Mr. Speaker, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Speaker, it is a pleasure to associate myself with the remarks of the gentleman from North

Carolina, the chairman of the Subcommittee on Intergovernmental Relations, in support of the bill (H.R. 6904) to create a permanent, bipartisan Advisory Commission on Intergovernmental Relations.

The record should show that the legislation has had broad bipartisan backing from its inception as a principal recommendation in the report of the subcommittee last year. The bill before the House today is the product of identical bills introduced together by the subcommittee chairman and the ranking minority member. The joint House-Senate hearings were also conducted in this bipartisan spirit, and the amendments to the bill were discussed together and unanimously agreed upon by the sponsor.

The idea of an Advisory Commission on Intergovernmental Relations was recommended 10 years ago by the first Hoover Commission, and the subsequent experience of the Kestnbaum Commission on Intergovernmental Relations—which was a temporary study group—confirmed the need for a continuing body in this increasingly complex field.

Mr. Kestnbaum, a special adviser to the President on problems of intergovernmental relations, stated his view of this legislation as follows:

> I should like to go on record as saying that the idea of a Commission that will give the President and the Congress the benefit of careful incisive research and examination of the many problems that face us in this area is sound, and that it can fulfill a very important and useful function.

From his lengthy experience in government, Governor Stratton, of Illinois, endorsed the Advisory Comission as, and I quote, "timely and necessary." He went on to say this:

> The Federal system of government which is so precious to all of us depends in essence on cooperation and correlated activities of the various State governments and the Federal Government. With the explosive growth of population and urbanization we are now experiencing, it becomes imperative that the relationship among our governments must be harmonious.

These informed views are typical of those expressed at the hearings. Although testimony was received from persons of all political persuasions and from varied economic and geographical backgrounds, support for an Advisory Commission was virtually unanimous.

The Advisory Commission represents a modest but important attempt to increase a sense of responsibility for politics, for self-government, in the field of Federal-State-local relations. We believe it will help make our Federal system of government a more effective instrument of government in times that are infinitely more complex than when our forefathers established it.

Much has been made of the fact that our political institutions have not kept abreast of the earth-shaking advances in science and engineering, advances that have created almost insoluble problems along with the benefits they have made possible. These problems—of transportation and the use of natural resources, for instance, and the accompanying fiscal and social implications—are today plaguing our people at every level of government. These problems involve them all, they are interrelated with others. Yet, today, there is no existing machinery whereby such problems can be seen and understood in the perspective of Federal-State-local relations, the context in which they exist and in which they must be solved.

The Advisory Commission would help fill this gap in our political system. It would be composed of men and women who know what the problems are, who daily are faced with the lack of sufficient information, who understand—because they have been hampered by them—the barriers to necessary cooperation with other levels of government, and who have practical ideas of how best their own governments can be helped to do their essential work.

The Advisory Commission would be established neither to expand the use of Federal grant-in-aid programs nor to restrict them. Its purpose would be to improve them: by better planning based on hitherto unavailable information and data; by a wider, more timely exchange of information among affected governmental units; by more consistent definition of the purposes and limitations of grants-in-aid; by utilizing available experience to determine the most effective criteria, standards, and principles to govern the operation and discontinuance of specific grant programs.

It is generally accepted that the Federal grant method of cooperating with State and local governments has achieved a great deal of good.

The time has come to establish a continuing means whereby grants-in-aid can be made to accomplish their purposes with maximum effectiveness and efficiency and at minimum expense and interference.

This is an entirely new undertaking. No other agency of government resembles it. It is frankly experimental, but I believe it is well worth the effort we make for it. It will not cost much, and there is no danger that it will be tempted to grow and expand like so many bureaucracies have in the past because this will be an informing group, instead of one with administrative and action-type responsibilities.

A great deal of good, I think, can be expected from this project. It is really a matter of self-help, a means of allowing representatives from all levels of government to help work out their own problems and improve mutual understanding and cooperation.

Mr. MEADER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Speaker, normally I would find myself in opposition to the establishment of any new bureau or commission. And I suspect I would be opposed to the establishment of this Commission had it not been for my having served on the subcommittee with the very able chairman, the gentleman from North Carolina, and the gentlewoman from New Jersey [Mrs. DWYER] in the 85th Congress. And may I take this opportunity to pay a special tribute to both of them for their diligence and untiring efforts in developing this legislation. The subcommittee has worked hard and long listening to witnesses from one end of the country to the other and this bill is the culmination of the subcommittee's efforts.

In my testimony before the subcommittee I dwelt on several facets of this legislation. One was the composition of the Commission, for I thought it very important particularly to those Members of this body who, like myself, have some very strong feelings relative to whether or not we think this should be a big, strong central government or whether we regard it more or less a loose confederation of States. And those of us who have the strong feelings about States rights would certainly be very interested in whom the President appoints to serve on this Commission. I am happy to note in the legislation that, as the chairman has pointed out, this is one Commission that certainly will not be another federally dominated Commission, for the while the President appoints six members, three from the executive branch and three at large, there are four Governors who serve, three State legislators, four mayors—incidentally two of them must come from cities whose population is less than 500,000—and two county officials. So in a sense, aside from the three members who would serve from this body and the three members who would serve from the other body, it is pretty evenly divided between Federal, State and local levels of government. I think that is very important.

When I testified before the subcommittee it was my considered opinion that there would be two principal problems with which the Commission would have to deal in this present day. One is the competition of revenues between the various levels of government and, two, our explosive population growth. I am happy to see again in the legislation that on page 3, paragraph (7), the original bill was amended to include the provision:

> (7) recommend methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

I think this is a very important addition to the legislation.

Mr. Speaker, some might question our establishing a permanent Advisory Commission rather than one on a temporary basis. May I point out again, if I may, the example cited during the course of the hearings, relative to the deficiency of the Highway Trust Fund. We find the President now proposing a tax increase the necessity for which was not foreseen or envisioned when the highway construction program was originally enacted. Now we see because of the authorized increased highway construction going on throughout the country the Trust Fund is deficient. How much better it would have been if this Commission had been organized so that the President could have called upon the mayors and Governors and county officials and asked for their advice relative to the further financing of this program, for here is

where it seems to me the Federal Government is encroaching upon areas where the State and local governments have a primary call for revenue. I think this would be one specific example where the Advisory Commission might have been brought into play and might have given the President some good advice. Times are changing so rapidly that we cannot expect to keep up with the problems of intergovernmental relations unless there is a permanent Commission in being that can be convened on short notice. I believe it can serve a very useful purpose although admittedly we must make certain that those serving on the Commission do not stray from our intention that they "recommend, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government."

Mr. MEADER. Mr. Speaker, as the gentleman from North Carolina stated, this bill, H.R. 6904, was reported unanimously by the Committee on Government Operations. However, there is one aspect of it with which I am not pleased, the fact that there is no termination date for the Commission. If the Commission is doing a useful job, its life, of course, can be extended. Despite that objection, I did not oppose the bill in committee.

But I want to call to the attention of the House another aspect of the situation. We have two Subcommittees on Government Operations which have handled legislation of this kind. One is the Subcommittee on Intergovernmental Relations and the other, a Subcommittee on Executive and Legislative Reorganization which reported out a week later a bill, H.R. 7465, to establish a Commission on Metropolitan Problems. Look at the purposes of these two Commissions. No one can avoid coming to the conclusion that there is a conflict between them. The minority, the Republicans on the committee, with some aid from the other side, objected to our committee bringing two Commissions to this House for approval at the same time.

Mr. Speaker, the Committee on Government Operations, as you know, is charged with the duty of studying the economy and efficiency of operations of the executive branch of the Government including elimination of duplication and waste. Yet this committee brings out bills to create two Commissions to do the job of one.

I would have preferred that this bill was not before us under suspension of the rules. If it were open to an amendment, we could say clearly that it is the duty of the Intergovernmental Relations Advisory Commission to study metropolitan problems. Certainly that is one of the fields in which the Federal Government, with the grant-in-aid programs does affect municipalities. I certainly hope when the other bill comes to the House we will have more judgment here than we did in the Committee on Government Operations, and that the House will not create two Commissions where one can do the job.

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

Mr. MEADER. I yield.

Mr. HARDY. I think the gentleman has made a valid point. Certainly the Commission created by this bill has the authority to go into this whole metropolitan problem. It might well make that a major function. Of course, the question of competent staff personnel is important in this as well as in other phases of the Commission's responsibilities but surely adequate competent and experienced people can be found.

Mr. MEADER. I certainly think so. It would be worse if we allowed two Commissions to operate in the same field simply because it very well might be that they would have conflicting views on what ought to be done. There either would be conflicts or the two Commissions would have to establish liaison staffs and procedures to coordinate their activities and their views, all of which involves costly delay.

Mr. MEADER. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I am surprised that this country has grown as great as it has without a Commission to coordinate relations between the States, municipalities, and Federal Government.

Here you are embarking upon another expensive Commission in government, and I am opposed to it.

With respect to the cost of this bill we have heard nothing so far as I know. I tried to listen to all of the debate, but I do not believe a word has been said or an estimate given of how much this Commission is going to cost. I note that on page 7 the bill states that the Commission shall have the power to appoint a staff director, and then on page 8 it states that no individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of $20,000 per annum.

That means the staff director will be paid $20,000 a year, and the staff director, in turn, can appoint and fix the compensation of the personnel. How many?

How expensive a Commission is proposed to be set up here? We hear nothing. It could be anything. Then we get into the question of allowances and expenses—allowances for members of the Commission. How much? This is going to be a big Commission. Will some Member advise me whether the Commission members are to be paid $50 per diem, plus expense money, transportation, and so forth?

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

Mr. GROSS. I yield.

Mr. FOUNTAIN. It is $50 per diem only for those few members of the Commission who are not employed as full-time salaried officers of Federal, State, and local governments.

Mr. GROSS. What kind of a contribution are the States going to make to this?

Mr. FOUNTAIN. I am glad the gentleman asked that question. I personally was one of those who felt that the States should contribute financially to the operation of this Commission, inasmuch as the States and their local governments would be represented. However, it was found that there is a practical problem in that in almost every State the legislature would have to provide a special appropriation for the Commission. Because of this difficulty, we decided not to insist upon State financial participation.

Mr. GROSS. That would not have been any injurious burden on the States if they were required to appropriate some money to help take care of this.

The U.S. Treasury is not exactly bottomless, you know.

Mr. FOUNTAIN. I quite agree with the gentleman.

I might read the gentleman a few pertinent paragraphs from page 15 of the committee's report on the bill:

> Consideration was given to the States contributing a portion of the Commission's operating expenses. While the committee believes joint Federal-State financial support is desirable in principle, considerable doubt has been raised as to the practicability of such an arrangement. In order to avoid handicapping the Commission, the committee believes it advisable that the Commission's operating expenses be paid for the present wholly from Federal funds.
>
> However, the committee is of the opinion that the States should and will wish to contribute indirectly to the Commission's support by furnishing staff assistance to the Commission and to its working committees.
>
> It is expected that the State and local governments, collectively through their respective organizations, and individually where feasible, will cooperate actively with the Commission in the collection and analysis of State and local research data and by the assignment, when needed, of appropriate personnel to assist in the conduct of specific research projects.

Mr. GROSS. I thank the gentleman, but I just want to say this thing more: You are here setting up another expensive Commission of Government and we are certainly overrun with them today. We ought to be abolishing some instead of creating another.

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

Mr. GROSS. I yield.

Mr. FOUNTAIN. Because of limitations of time I did not at the outset go into this, but I have made a very careful study of the possible cost. It is estimated that the total operating expense, excluding rent and the acquisition of permanent office equipment, would be approximately $179,000 a year. And my studies show that this amount would be adequate for a continuing Commission of the type contemplated by this bill.

Mr. GROSS. I will say to the gentleman that I am opposed to this bill. I do not know whether there will be a record vote, but I want the record to show that I am opposed to it.

Mr. MEADER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I think 1 minute will be enough. It is heartbreaking to disagree with members of my party, especially when there are only two of us, but I cannot go along with my brother from Iowa [Mr. GROSS] on this one. I am as opposed to this business of setting up a new Commission with a lot of employees just

as much as he is; nevertheless, it seems we will be forced to do something about the spending of billions of dollars. It will be another case of the Commission we set up in 1947 and 1948 when we spent a lot of time and money trying to unify the various branches of the armed services. That is what the gentleman from Michigan [Mr. MEADER] tried to point out. That is, we are now trying to prevent the setting up of two instead of one new agency to check on certain activities. That is what we are trying to do today. I am opposed to even one but if the money is to be spent we certainly do not—as the gentleman from Michigan [Mr. MEADER] pointed out—need two outfits on the same job. If it were possible, I would be in favor of stopping the spending right here, but it is not possible. So instead of two groups working at it or two agencies or two Commissions, I think we are lucky to get out of it with one.

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

Mr. HOFFMAN of Michigan. I yield to the gentleman from Illinois.

Mr. MICHEL. May I ask the gentleman one question? Is it not true that under the provisions of the bill all elected public officials would be excluded from the per diem provisions? In other words, you have only 3 of the 25 who are selected by the President who would come under this provision. The rest of us, whether we be in the House or Senate or State officials would not be getting this kind of compensation.

Mr. FOUNTAIN. All employees, Federal, State and local, would be excluded.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. FOUNTAIN. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Speaker, I was a member of the subcommittee which reported this bill out and I happened to also be a member of the subcommittee that considered the bill setting up the other Commission that has been referred to. I was one who was very skeptical from the very beginning concerning the establishment of this Commission, but after the Governors of many States, the city planners, and city officials came before the committee, I felt a good many of these questions that are naturally in people's minds were adequately answered. I think certainly we have to make government work more efficiently, as expensive as it is today, and it seems to me the true prerogatives of State and local governments could best be served by a constant study and evaluation of their problems. I finally came to the conclusion that this would probably be money well spent rather than money wasted. At least I think we should try and see if that is the case. If it does not promote efficiency and justify the expectations of those who testified for it, appropriations can be stopped. I did have great apprehension concerning the fact that the President makes all the appointments under this bill. It is possible where the President of one party makes all the appointments to appoint members of the opposite party who happen to be the weakest among the nominees in order not to build up the strongest men in their own areas. But I have found no alternative that would be better, and I finally came to the conclusion that the method of selecting members is the best proposed. After carefully listening to several days of testimony, I came to the conclusion this bill should be passed and I urge its passage.

Mr. FOUNTAIN. Mr. Speaker, I have no further requests for time. I ask unanimous consent that the text of the report on the bill (Rept. No. 742) be placed in the RECORD at the conclusion of my remarks.

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

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill now being considered.

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

There was no objection.

Mr. MEADER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Speaker, I rise in support of the pending legislation. This bill does seven things.

First, it brings together representatives of the Federal, State and local governments for consideration of common problems; second, provides a forum for discussing the administration and coordination of Federal grant and other programs requiring intergovernmental cooperation; third, gives critical attention to the conditions and controls involved in the administration of Federal grant programs; fourth, makes available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system; fifth, encourages discussion and study at an early stage of emerging public problems that are likely to require intergovernmental cooperation; sixth, recommends, within the framework of the Constitution, the most desirable allocation of governmental functions, responsibilities, and revenues among the several levels of government; and seventh, recommends methods of coordinating and simplifying tax laws and administrative practices to achieve a more orderly and less competitive fiscal relationship between the levels of government and to reduce the burden of compliance for taxpayers.

Mr. Speaker, when President Eisenhower became the first Republican President in several decades, one of his first acts was the formation of a temporary commission which arose out of the recommendations of the Hoover Commission to do the very thing that this permanent Commission we are now setting up is supposed to accomplish. Basically, this need has been made evident by the overlapping of functions in government, local, State and Federal. The establishment of the Commission would go a long way to help clarify and to iron out functions of government to the betterment of the people of this Nation.

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

Mr. BARRY. I yield to the gentleman from New York.

Mr. OSTERTAG. Mr. Speaker, H.R. 6904, a bill to establish an Advisory Commission on Intergovernmental Relations is designed to provide the machinery sorely needed at this time to coordinate the activities and responsibilities of the levels of government under our Federal system.

I want to take this opportunity to commend the Subcommittee on Intergovernmental Relations of the Government Operations Committee for their thorough handling of and sound approach to this problem. This is not a partisan issue, but rather a means for the consideration of the fundamental principles which have made this country great and strong.

Mr. Speaker, prior to my membership in the House of Representatives, I served 19 years in the Legislature of the State of New York. During that time, it was my privilege and honor to serve for 15 of those years as chairman of the New York Committee on Interstate Cooperation and as a member of the Board of Managers of the Council of State Governments. There has been and continues to be a great need to coordinate the States in order that they may meet the varying and many responsibilities of governments on the State and local level and there is equally a need to provide a better way to develop and solidify the intergovernmental relations so necessary today on a Federal-State basis.

I have often stated, Mr. Speaker, that if our Founding Fathers made an error in establishing the framework under which this great Republic of ours was to function, it was not one of commission but rather one of omission. By that I mean that no machinery was devised for the coordination and cooperation of the several levels of our Republic and Union of States.

I believe I am the only Member of the House who served as a member of the Commission on Intergovernmental Relations back in the years of 1954 and 1955. It was commonly known as the Kestnbaum Commission and I can tell you that it was a rewarding experience. In the letter of transmittal of the Commission's report to the President, Chairman Kestnbaum said in part:

> Many of the problems to which we have addresses ourselves have been with us since the founding of the Republic. They are likely to concern us for many years to come. No inquiry of this kind could possibly provide universally satisfactory answers to all of the difficult questions that are under discussion at any particular moment. We are hopeful that this report will be regarded as the beginning rather than the end of a contemporary study of the subject of intergovernmental relations, and that it will stimulate all levels of government to examine their respective responsibilities in a proper balanced Federal system.

Mr. Speaker, there can be no doubt as to the continuing need for study,

evaluation and balance in the intergovernmental relationship of our Government. Our Federal system is the greatest and oldest in the whole world but we must not be unmindful of the constant changes that are taking place. Transportation, communication, and the many other fields of development and growth have changed the picture immeasurably since the time this Republic was formed.

Mr. Speaker, in the Commission on Intergovernmental Relations Report, chapter 1 deals with the "Evolution of the American Federal System" and I commend it to each and every Member of the House. It deals with the very background which I believe makes the establishment of the Advisory Commission as proposed in the legislation before us so necessary.

With the tremendous growth in development and population in this country of ours, intergovernmental relations becomes more and more important to us and our cherished system. Within the past 10 years more than 12 million people have moved to suburban areas and it is estimated that our overall national population will exceed 200 million by the year 1970. Mr. Speaker, precise divisions of governmental activities need always to be considered in the light of varied and shifting circumstances; they need also to be viewed in the light of principles rooted in our history. This proposed Commission might well provide the guidance and balance essential to strengthening our system of government. There are many areas whereby relations can be improved, and a better balance between all levels maintained. The Commission could well provide guidance and lines of authority and responsibility in many fields. Yes, Mr. Speaker, within the constitutional limits of national and State powers, and in the light of nearly 170 years of practical experience, the Commission will be in a responsible role for providing the guidelines best calculated to sustain a workable basis for intergovernmental relations in the future.

The SPEAKER. The question is on suspending the rules and passing the bill, H.R. 6904, as amended.

The question was taken; and on a division (demanded by Mr. FULTON) there were—ayes 91, noes 18.

Mr. FULTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 335, nays 31, not voting 68, as follows:

[Roll No. 134]

YEAS—335

Abbitt
Abernethy
Addonizio
Albert
Alexander
Alford
Allen
Anderson, Mont.
Andrews
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Ayers
Baker
Baldwin
Baring
Barr
Barry
Bass, N.H
Bass, Tenn
Bates
Baumhart
Becker
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Blitch
Boggs
Bolling
Bonner
Bosch
Bow
Bowles
Boyle
Brademas
Bray
Breeding
Brewster
Brooks, La.
Brooks, Tex.
Broomfield
Brown, Ga.
Brown, Mo.
Brown, Ohio
Broyhill
Budge
Burdick
Burke, Ky.
Burke, Mass.
Burleson
Bush
Byrne, Pa.
Byrnes, Wis.
Cannon
Carnahan
Casey
Cederberg
Chamberlain
Chelf
Chenoweth
Chiperfield
Church
Clark
Coad
Cohelan
Collier
Colmer
Conte
Cook
Cooley
Cramer
Curtin
Curtis, Mo.
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Diggs
Dixon
Dollinger
Donohue
Dorn, N.Y.
Dorn, S.C.
Downing
Doyle
Dulski
Durham
Dwyer
Edmondson
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Fisher
Flood
Flynn
Flynt
Fogarty
Foley
Forand
Ford
Forrester
Fountain
Frazier
Frelinghuysen
Friedel
Garmatz
Gary
Gathings
Gavin
Giaimo
Glenn
Granahan
Grant
Gray
Green, Oreg.
Griffin
Griffiths
Gubser
Hagen
Haley
Halpern
Hardy
Hargis
Harmon
Harris
Harrison
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hiestand
Hoeven
Hoffman, Ill.
Hoffman, Mich.
Hogan
Holland
Holt
Holtzman
Hosmer
Huddleston
Hull
Ikard
Irwin
Jarman
Jennings
Jensen
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jonas
Jones, Mo.
Judd
Karsten
Karth
Kasem
Kastenmeier
Kearns
Keith
Kelly
Keogh
Kilday
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Knox
Kowalski
Laird
Lane
Langen
Lankford
Lennon
Lesinski
Levering
Libonati
Lindsay
Loser
McCormack
McCulloch
McDonough
McFall
McGinley
McGovern
McIntire
McMillan
Machrowicz
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Mahon
Mailliard
Marshall
Matthews
May
Meader
Merrow
Metcalf
Meyer
Michel
Miller, Clem
Miller, George P.
Mills
Minshall
Moeller
Monagan
Montoya
Moore
Moorhead
Morgan
Morris, N. Mex.
Morris, Okla.
Moss
Moulder
Multer
Murphy
Murray
Natcher
Nelsen
Nix
Norrell
O'Brien, Ill.
O'Brien, N. Y.
O'Hara, Ill.
O'Hara, Mich.
O'Neill
Oliver
Ostertag
Passman
Patman
Pelly
Perkins
Pfost
Philbin
Pirnie
Pillion
Poage
Poff
Preston
Price
Prokop
Pucinski
Quie
Quigley
Rabaut
Rains
Randall
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Riley
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rostenkowski
Roush
Rutherford
St. George
Santangelo
Saund
Saylor
Schenck
Schwengel
Scott
Selden
Shelley
Sheppard
Shipley
Simpson, Ill.
Simpson, Pa.
Sisk
Slack
Smith, Iowa
Smith, Miss.
Smith, Va.
Spence
Springer
Stratton
Stubblefield
Sullivan
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Toll
Tollefson
Trimble
Tuck
Udall
Ullman
Utt
Vanik
Van Zandt
Vinson
Wainwright
Wallhauser
Walter
Wampler
Weis
Westland
Whitener
Whitten
Widnall
Willis
Winstead
Wolf
Wright
Yates
Young
Zablocki
Zelenko

NAYS—31

Adair
Andersen, Minn.
Berry
Betts
Brock
Cunningham
Dague
Devine
Dingell
Dowdy
Fulton
George
Gross
Johansen
Lafore
Latta
Milliken
Mumma
Norblad
O'Konski
Ray
Rogers, Tex.
Rooney
Short
Smith, Kans.
Taber
Teague, Tex.
Weaver
Wharton
Wier
Younger

NOT VOTING—68

Alger
Anfuso
Bailey
Barden
Barrett
Bentley
Blatnik
Boland
Bolton
Boykin
Buckley
Cahill
Canfield
Carter
Celler
Coffin
Corbert
Curtis, Mass.
Derwinski
Dooley
Elliott
Fino
Gallagher
Goodell
Green, Pa.
Hall
Halleck
Hays
Hess
Holifield
Horan
Jackson
Johnson, Colo.
Jones, Ala.
Kee
Kilburn
Kluczynski
Landrum
Lipscomb
McDowell
McSween
Macdonald
Martin
Mason
Miller, N.Y.
Mitchell
Morrison
Osmers
Pilcher
Porter
Powell
Reece, Tenn.
Rodino
Roosevelt
Scherer
Sikes
Siler
Smith, Calif.
Staggers
Steed
Taylor
Teller
Thompson, La.
Van Pelt
Watts
Williams
Wilson
Withrow

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Halleck.
Mr. Buckley with Mr. Kilburn.
Mr. Anfuso with Mrs. Bolton.
Mr. Boykin with Mr. Cahill.
Mr. Johnson of Colorado with Mr. Taylor.
Mr. Staggers with Mr. Reece of Tennessee.
Mr. Blatnik with Mr. Osmers.
Mr. Kluczynski with Mr. Miller of New York.
Mr. Morrison with Mr. Lipscomb.
Mr. Thompson of Louisiana with Mr. Horan.
Mr. Powell with Mr. Fino.
Mr. Celler with Mr. Algers.
Mr. Porter with Mr. Scherer.
Mr. Gallagher with Mr. Siler.
Mr. Jones of Alabama with Mr. Withrow.
Mr. Barrett with Mr. Corbett.
Mr. McDowell with Mr. Bentley.
Mr. Williams with Mr. Smith of California.
Mr. Teller with Mr. Van Pelt.
Mr. Sikes with Mr. Martin.
Mr. Roosevelt with Mr. Jackson.
Mr. Rodino with Mr. Dooley.
Mr. Pilcher with Mr. Wilson.
Mr. Boland with Mr. Goodell.
Mr. Bailey with Mr. Mason.
Mr. Steed with Mr. Curtis of Massachusetts.
Mr. Elliott with Mr. Derwinski.
Mr. Coffin with Mr. Hess.
Mr. Macdonald with Mr. Canfield.

Messrs. FENTON, PELLY, and GAVIN changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AGUA CALIENTE (PALM SPRINGS) RESERVATION IN CALIFORNIA

Mr. HALEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8587) to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the "Secretary") is authorized and directed to do

whatever is necessary and proper to equalize as nearly as possible the values of all allotments of land on the Agua Caliente (Palm Springs) Reservation in California in accordance with the provisions of this Act.

SEC. 2. Any member of the Agua Caliente Band (hereinafter called the "band") who is living on the date of the enactment of this Act and who has not received an allotment of land shall be given an allotment in accordance with the provisions of law existing prior to this Act. No further allotments of land shall thereafter be made to any other or future born members of the band, or to their heirs or devisees, except for the purpose of equalization. This prohibition against further allotments shall not be construed as a closing of the band's membership rolls.

SEC. 3. (a) The Secretary shall determine on the basis of the contract appraisals that were made in 1957 and 1958 (1) the value of all unallotted tribal land, and (2) the value of the allotment of each allottee who is living on the date of this Act, excluding the value of any improvements thereon. Where lands of a living allottee have been sold under the supervision of the Secretary, their value for the purpose of equalization shall be the amount received from such sale, excluding the value assigned to any improvements thereon. Where lands of a living allottee have been fee patented to and sold by the allottee, their value for the purpose of equalization shall be the appraised value of the lands, excluding improvements, as of the time of the sale, regardless of the amount received from the sale. The allotments of allottees who are not living on the date of this Act shall be excluded from the equalization program. All values so determined by the Secretary shall be final and conclusive for the purposes of this Act.

(b) In no event shall the following tribal lands be subject to allotment, and they shall henceforth be set apart and designated as tribal reserves for the benefit and use of the band:

Cemetery numbered 1, block 235, section 14, township 4 south, range 4 east.

Cemetery numbered 2, as now constituted pursuant to secretarial order, comprising approximately two acres.

Roman Catholic Church, as now constituted pursuant to secretarial order, comprising approximately two acres.

Mineral Springs, lots 3a, 4a, 13, and 14, section 14, township 4 south, range 4 east: *Provided*, That no distribution to member of the band of the net rents, profits, and other revenues derived from that portion of these lands which is designated as "parcel B" in the supplement dated September 8, 1958, to lease by and between the Agua Caliente Band of Mission Indians and Palm Springs Spa dated January 21, 1958, or of the net income derived from the investment of such net rents, profits, and other revenues or from the sale of said lands or of assets purchased with the net rents, profits, and other revenues aforesaid or with the net income from the investment thereof shall be made except to those enrolled members who are entitled to an equalization allotment or to a cash payment in satisfaction thereof under this Act or, in the case of such a member who died after the enactment of this Act, to those entitled to participate in his estate, and any such distribution shall be per capita to living enrolled members and per stirpes to participants in the estate of a deceased member.

San Andreas Canyon, west half southeast quarter, southeast quarter southeast quarter section 3, township 5 south, range 4 east.

Palm Canyon, south half and south half north half section 14, township 5 south, range 4 east; all section 24, township 5 south, range 4 east.

Tahquitz Canyon, southwest quarter section 22, township 4 south, range 4 east; north half section 28, township 4 south, range 4 east.

Murray Canyon, east half section 10, township 5 south, range 4 east.

(c) On the basis of such values, the Secretary shall determine the highest level of equalization that is feasible for the members of the band who are living at the time of this Act by allotting all of the unallotted tribal land, except the reserved areas listed in subsection (b) of this section, without regard to acreage limitations heretofore imposed by law. Such unallotted tribal land shall then be allotted to those members who have received allotments with a value that is less than the equalization figure deemed feasible in accordance with procedures prescribed by the Secretary. No selection of an allotment pursuant to such procedures shall create a vested right in the land until all selections authorized by this Act have been made, included in one schedule, and approved by the Secretary. Allotments thereafter made shall be subject to the same laws and regulations that apply to other trust allotments on the Agua Caliente Reservation.

(d) The unallotted portions of section 18, township 4 south, range 5 east, and section 12, township 4 south, range 4 east, that are in the municipal airport for the city of Palm Springs shall be subject to allotment as a part of the equalization program, subject to the following qualifications: If within thirty days after the date of this Act a majority of the adult members of the band who are eligible to vote agree, the Secretary may offer to sell such land to the city for its appraised value on the date of this Act, and the Secretary shall cause an independent appraisal thereof to be made by an appraiser he shall select who shall be approved jointly by the band and the city before proceeding with such appraisal, the costs for the appraisal to be shared by the band and the city; thereafter the Secretary shall review the completed appraisal and shall, if approved, then submit copies to both the band and the city for their approval which shall be either accepted or rejected in writing within thirty days; and if within three hundred and sixty-five days after joint acceptance of such appraisal by the band and the city, the city accepts the offer and tenders payment in full, the Secretary shall complete the sale, and any allottees who may have made or who may thereafter make an equalization selection from the lands sold to the city shall receive in lieu of the allotment selected his proportionate share of the proceeds of the sale.

SEC. 4. The Secretary shall request the appointment of a guardian of the estate of all minor allottees and for those adult allottees who in his judgment are in need of assistance in handling their affairs in accordance with applicable State laws before making any equalization allotment or payment to such persons.

SEC. 5. (a) The right to an equalization allotment or to a cash payment in lieu thereof pursuant to section 3, subsection (d), of this Act, shall be transferable by will or descent in the same manner as are trust payments under existing law and shall not be subject to State or Federal inheritance, estate, legacy, or succession taxes.

(b) A cash payment made in lieu of an equalization allotment pusuant to section 3, subsection (d), of this Act shall not be regarded as income or capital gain for purposes of Federal or State income taxation and shall not, as long as it remains in the form of cash or a bank deposit in the ownership of the allottee, be subject to taxation as personal property.

SEC. 6. (a) Equalization allotments made pursuant to this Act shall not be subject to assignment, sale, or hypothecation or to any attachment or levy for claims or debts created before or after the effective date of this Act, without the written approval of the Secretary, and any such assignment, sale, hypothecation, attachment, or levy that has not been so approved by the Secretary shall be absolutely null and void.

(b) No equalization allotment made pursuant to this Act, and no basic allotment made prior to this Act, shall be subject to an equitable charging lien or other charge or lien or enforced sale for any advantage or benefit which the allottee has received or will receive under or as a consequence of enactment of this Act, nor shall any lis pendens heretofore or hereafter filed upon such lands while in a restricted status be of any effect or constitute notice of any action. Whoever directly or indirectly accepts or receives any money or other form of compensation for legal services in connection with such restricted lands from any person who has not expressly employed him as his attorney shall be liable, in a civil action brought by the payor or his heirs or devisees or by the United States on his behalf, for twice the amount so accepted or received unless, prior to the time of acceptance or receipt of said compensation, the right to such compensation has been determined and the amount thereof fixed by a formal order of the Federal court having jurisdiction to make such order. Nothing herein provided shall be construed to prevent any attorney from petitioning the Federal court having jurisdiction to fix and determine the fees to which he is entitled and to pursue and enforce payment thereof in any lawful manner after the court has made such order.

SEC. 7. Allotments in accordance with the provisions of this Act shall be deemed complete and full equalization of allotments on the Agua Caliente Reservation.

SEC. 8. The band may, at any time it wishes to do so, organize a legal entity under the laws of the State of California and request the Secretary to transfer to such legal entity title to the lands in the reserves established by subsection 3(b) of this Act. The Secretary shall transfer an unrestricted title to such property if the organization of the legal entity and request for the transfer have been approved by a majority of the adult members of the band who are eligible to vote, and if in the judgment of the Secretary the legal entity is organized in a form and manner that is fair to all members of the band: *Provided, however*, That if the lands to which the provisio to the fourth item in subsection 3(b) of this Act is applicable are transferred to such an entity, they shall be held by it subject to the terms provided in said proviso, and the rights and duties therein set forth shall be preserved and reflected in any distribution of securities of, or other evidences of participation in, said entity.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. HALEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Speaker, this bill will equalize the allotments of the Agua Caliente Tribe of Indians in Palm Springs, Calif., a tribe of 101 members who have holdings near and inside the city of Palm Springs.

In 1949, pursuant to a court order, the Secretary of the Interior allotted 47 acres to each one of the members of the tribe. The values of those allotments were very different. They varied from the highest value of $600,000 to the low-

est of $72,000. There was court action after that, and the court ordered that the balance of the property owned by the Agua Caliente Tribe of Indians be distributed among the members of the tribe to equalize their allotments in value.

This bill intends to accomplish that purpose. The bill has the unanimous and enthusiastic support of all members of the Agua Caliente Tribe; it has the support of the city council of Palm Springs, and it is approved by the Department of the Interior.

Mr. SAYLOR. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this bill will settle a matter that has been pending since 1917. As near as the members of the committee know, this meets with the unanimous approval of all members of the tribe.

I urge that the House suspend the rules and pass this bill.

Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Speaker, I rise in support of this bill. Although I am from New York, I also have a home in this area in California. If I were to tell you that Palm Springs is a hodgepodge of geography, you would not believe it. You would be surprised to learn that there is a square mile of Indian land absolutely barren checkerboarded against another square mile fully developed, and this pattern is repeated.

This has brought about many problems. You can imagine the problem of sewage, and water supply, the difficulty of developing or adequately planning a city in this checkerboard fashion because of the lack of development of certain sections of land over the years.

This bill would make possible the orderly development of the city. It is in the best interests of all of the residents of the city of Palm Springs, it is in the best interest of the individual families of Indians who own these lands, and it would begin to give to this community the opportunity to develop in accordance with the orderly practice of other cities and other localities throughout the Nation.

Mr. SAYLOR. Mr. Speaker, I yield much time as he may desire to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Speaker, I desire to associate myself with the supporters of this bill which is the result of several years' work not only by the Committee on Interior and Insular Affairs but by people in California and the Indian tribes who are vitally interested. The bill will not only solve a difficult problem for the tribe but as well a very difficult problem for the community of Palm Springs. I therefore commend the bill to all of my colleagues.

Mr. HALEY. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MINUTE MAN NATIONAL HISTORICAL PARK IN MASSACHUSETTS

Mrs. PFOST. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5892) to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes, as amended.

The Clerk read as follows:

Whereas the outbreak of the War of the American Revolution was essential and prerequisite to the achievement of American independence and the creation of a Federal Government; and

Whereas the events relating to the beginning of Revolutionary hostilities on the 18th and 19th of April 1775, and associated with Paul Revere, the Minute Men, and the British are of great importance in American history; and

Whereas a number of historic properties, buildings, sites and objects in Boston, Massachusetts, and the vicinity thereof, including the road and roadsites between Lexington and Concord, are intimately connected with the events that opened the war, and consequently, merit preservation and interpretation in the public interest as prime examples of the Nation's historical heritage: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit of the American people certain historic structures and properties of outstanding national significance associated with the opening of the War of the American Revolution, Minute Man National Historical Park is hereby authorized to be established in the Commonwealth of Massachusetts.

The park shall comprise not more than seven hundred and fifty acres as may be designated by the Secretary of the Interior from within the area beginning at Fiske Hill and thence lying along Massachusetts Avenue, Marrett Road and Marrett Street in the town of Lexington, along Nelson Road, Virginia Road, Old Bedford Road, and North Great Road or State Route 2-A in the town of Lincoln, and along Lexington Road, Monument Street, Liberty Street and Lowell Road in the town of Concord to and including the North Bridge and properties on both sides of the Concord River in the vicinity of the North Bridge.

SEC. 2. The Secretary of the Interior is authorized to acquire by donation or with donated funds, or with funds hereby authorized to be appropriated, lands and interests in lands within the area designated for the park. Administrative jurisdiction of Federal lands lying within the area designated for the park shall, with the concurrence of the Federal agency involved, be transferred to the Secretary of the Interior for administration as a part of the park.

The park shall be established as Minute Man National Historical Park by notice in the Federal Register when the Secretary of Interior finds that sufficient lands within the designated area have been acquired to warrant such establishment.

SEC. 3. To provide further for the preservation and interpretation of historic sites, structures, and properties lying along the entire route or routes where significant events occurred on the 18th and 19th of April 1775, in the cities of Boston, Cambridge, Medford, and Somerville, and the towns of Arlington, Brookline, Concord, Lexington, and Lincoln, including the area generally described in section 1 as lying between Fiske Hill and the North Bridge, the Secretary of the Interior is authorized, in accordance with the purposes of this Act, to enter into cooperative agreements with the Commonwealth of Massachusetts, political subdivisions thereof, corporations, associations, or individuals, and to erect and maintain tablets or markers, in accordance with provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

SEC. 4. The Secretary of the Interior is authorized to appoint an advisory commission of five members to advise him on the development of Minute Man National Historical Park, to consist of one member to be recommended by the selectmen of each of the towns of Concord, Lexington, and Lincoln, Massachusetts; one member to be recommended by the Governor of the Commonwealth of Massachusetts; and one member to be designated by the Secretary.

SEC. 5. When established pursuant to this Act, the park shall be administered, protected, and developed by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1-4), as amended and supplemented, and the Historic Sites Act of August 21, 1935 (49 Stat. 666; U.S.C. 461-467).

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than $8,000,000, as may be needed for the acquisition of lands and interests in lands and for development of the Minute Man National Historical Park, of which not more than $5,000,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. I demand a second, Mr. Speaker.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mrs. PFOST. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this bill authorizes not to exceed $8 million, as may be needed, for the acquisition of land and for the development of the Minute Man National Historical Park, of which not more than $5 million shall be used for acquisition purposes.

The immediate and urgent need requires only $503,000 which would acquire approximately 310 acres of unimproved vacant parcels of land. The park would consist of two units of approximately 750 acres; one a stretch of properties containing about 557 acres along 4 miles of road in the towns of Lexington, Lincoln, and Concord, and the other consists of about 155 acres at and near the celebrated North Bridge in Concord. The Boston National Historic Sites Commission and the Department of the Interior advised the Committee that these are the areas in which it is most feasible to preserve or recover the historic features and values associated with the American Revolution without excessive acquisition costs or undue interference with other uses that might be made of the land involved.

The Department of the Interior has already accepted transfer of an 8-acre tract of land along the battle road. The area contains the original stone walls, boulders, and other features of the natural setting where the colonial minutemen fired on British troops retreating along the Lexington-Concord Road. It has been designated as the Minute Man National Historic Site.

The bill provides for appointment of a five-man advisory commission. Three of the members are to recommended by the selectmen of the towns of Concord, Lexington, and Lincoln and one by the Governor of Massachusetts. The fifth will be designated by the Secretary of the Interior.

Now, I want to take this opportunity to acknowledge the generosity of the gentleman from Massachusetts [Mr. O'NEILL], who introduced the first bill on this subject. When the proposal came before the committee [Mr. O'NEILL], who is a member of the Boston National Historic Sites Commission, graciously stood aside in favor of the identical bill authored by the gentlewoman from Massachusetts [Mrs. ROGERS]. The gentleman from Massachusetts [Mr. O'NEILL] told the committee that since the area involved is within Mrs. ROGERS' congressional district, he preferred that the committee pass the Congresswoman's bill in place of his own.

This was a very generous and gracious act, and at the appropriate time, I should like to recognize Mr. O'NEILL for further explanation of the bill.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may desire, to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I take this time to ask someone, perhaps the author of the bill, a few questions. Do I understand now that this is going to cost $8 million or $5 million; five or eight, which is it?

Mrs. PFOST. The total is $8 million, which includes park roads, trails, all of the improvements, together with land acquisition of over 750 acres of land.

Mr. GROSS. The State of Massachusetts has done pretty well in the House recently, if I may judge the situation. A few days ago there was an authorization provided for a super highway study which, of course, opens the door for construction. Does this bill have any relation to the super highway proposition? This is not going to be a lever in the future to come back to the Congress to get some money for this super duper highway?

Mrs. PFOST. No; I can assure the gentleman that we will not be coming back as a result of this particular measure.

Mr. GROSS. I hope that Massachusetts will cease and desist for a little while. It seems to me that State is doing very well.

Mrs. PFOST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Speaker, in 1954 I was appointed by you as a House Member of the National Committee on Sites for the New England Area which made a study with regard to colonial and revolutionary-history sites in the area. The President of the United States had five appointments to the committee, and the Senate had one appointment, and that was the Senator from Massachusetts [Mr. SALTONSTALL]. The life of this Commission has been extended twice.

From our original funds we hired a secretary, an architect, and a historian. As of the first of the year we filed a report, as was required, with the President of the United States and the Speaker of the House. I urge Members of the House to get a copy of that report. It is, without a doubt, one of the greatest historical reports that has ever been turned over to this body.

I read some excerpts from the report:

HISTORICAL SIGNIFICANCE OF THE 19TH OF APRIL 1775

The direct purpose of the military expedition to Lexington, as presumed by the patriots who watched every move made by the British in Boston, was to arrest John Hancock and Samuel Adams, who had taken refuge there as guests of the Reverend Jonas Clarke following the adjournment of the Provincial Congress at Concord. These patriot leaders had been foremost in fomenting sedition against those acts of oppression and misrule that for more than a decade had characterized the restrictive colonial policy of the King's ministers and Parliament. If captured, they doubtless would have been sent to England and tried for treason. From Lexington, the royal troops were to advance on Concord and seize the military stores gathered there by order of the Provincial Congress and the Committees of Safety and Supplies.

The outcome, as every schoolchild knows, was a clash of arms, the shedding of blood, and the opening of the War of the American Revolution. When Samuel Adams heard the distant rattle of British musketry on Lexington Green, he is alleged to have exclaimed, "What a glorious morning for America is this." And, indeed, it was, for the volley which brought forth those ecstatic and oftquoted words from the "Father of the Revolution" foretold the coming of Independence and the birth of a new Nation.

The sequence of deeds and incidents which started on the night of the 18th and continued through the 19th of April 1775 have long been cherished in "tradition, legend, tune, and song." As a noted English historian also once remarked: "Pages and pages have been written about the history of each 10 minutes in that day, and the name of every colonist who played a part is a household word in America."

Enthusiasm for the subject as a whole developed as the young Nation grew in stature and strength, and attained enough perspective to look back with feelings of reverence and pride on is unpretentious, yet no less dramatic, origins. A fully popular discernment of the place of the 18th and 19th of April in the country's past no doubt stems from about the year 1863 when the poet Longfellow was inspired to write his familiar verses bestowing particular glory on Paul Revere, who—

"On the eighteenth of April, in Seventy-five"

Had proved himself—

"Ready to ride and spread the alarm
Through every Middlesex villiage and farm,
For the country folk to be up and to arm."

The story of "Paul Revere's Ride" and ensuing events on that fateful day in "Seventy-five," told by Longfellow in Tales of a Wayside Inn, does not fail to kindle the dullest of imaginations or to stir the most sluggish sentiments of patriotism. To the poet, it may be safe to say, half of he world owes its impressions of—

"How the British Regulars fired and fled,—
How the farmers gave them ball for ball,
From behind each fence and farmyard wall,
Chasing the red-coats down the lane,
Then crossing the fields to emerge again
Under the trees at the turn of the road,
And only pausing to fire and load."

Hardly less memorable than the spirited lines of Longfellow are those of the sage Emerson, whose "Concord Hymn" was first sung in 1837 upon completion of the battle monument which still rises—

"by the rude bridge that arched the flood"—

And commemorates "the embattled farmers" who "fired the shot heard 'round the world."

The great philosopher's phrasing was more momentous than perhaps he himself was fully aware, for the shot fired by "the embattled farmers" not only marked the beginning of the war of the American Revolution but four decades of tumult and upheaval in the wide and restive world of Western civilization. It also initiated an epoch-making change in warfare itself.

An armed yeomanry—the product of revitalizing the old colonial militia system and combining the rudiments of both selective and universal military service—had been hastily summoned to fight for liberty. A horde of citizen soldiers, comprised of the young and active levies of Minute Men who were sworn to hold themselves "in readiness at a minute's warning with arms and ammuntion" and reserves of old men and boys in alarm companies, had turned out to expel the invader. No mere professional hirelings submissive to the vicissitudes of the debasing military life of the time, this host of freedom-loving countrymen had been aroused to a high pitch of patriotic fervor. Their determination to uphold what they regarded as their natural rights and to govern themselves had already been expressed on more than one occasion. In no uncertain terms, a Lexington town meeting in 1773 had pledged aid and allegiance to the people of Boston, who were opposed to the landing of a shipment of tea to be taxed for the King. In these impassioned words, the citizens had declared:

"We trust in God that should the state of affairs require it, we shall be ready to sacrifice our estates and everything dear in life, yea, and life itself, in support of the common cause."

An outpouring of manpower imbued with such an exalted and fervent temper of mind was bound to challenge and confound the static and formalized 18th century concept of making war; and it was soon to be evident that the habitually small but highly trained and specialized armies, meeting mostly on open terrain, could no longer depend on reaching a lasting decision by force of arms. A military revolution, in short, had begun which in a little more than another decade was to cross the Atlantic and be compounded in the democratic mass wars of the French Revolution.

Almost from any reckoning or choice, then, whether it be documentary or legendary, political or social, and literary or military, the 19th of April 1775 looms large in the perception of history—not only to fill pages that sparkle in the Nation's own honorable record, but also to stand before the whole world as a harbinger of progress and change. For, on the day of Lexington and Concord, man reached an important milestone in the eternal struggle to control and improve his estate upon earth and in America, at least, a new beacon of hope began to shine in his favor.

Speaking at Lexington three-quarters of a century later, Louis Kossuth, a Hungarian leader celebrated in the cause of freedom, looked back and proclaimed the action of that decisive day in its widest perspective as "the opening scene of a revolution that is destined to change the character of human governments, and the condition of the human race."

The same glowing sentiment pervaded the centennial celebration at Concord in 1875 and was fittingly expressed in the following summary fashion:

"The 19th of April 1775; a glorious day for Lexington and Concord, for the towns of Middlesex, for Massachusetts, for America, for freedom and the rights of man. Every

blow struck for liberty among men since the 19th of April 1775 has but echoed the guns of that eventful morning."

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

Mr. O'NEILL. I yield.

Mr. GROSS. Will the gentleman state who introduced the original resolution?

Mr. O'NEILL. The original resolution was introduced by the gentleman from Massachusetts, Mr. JOHN W. McCORMACK.

Mr. GROSS. I thank the gentleman.

Mr. O'NEILL. This bill, Mr. Speaker, provides for making a national park in the area where the first battle was fought, the so-called Battle of Lexington and Concord. The bill actually does three things. There were three basic recommendations. They were that certain historical landscapes and features be set aside for preservation and protection as a national historic park. Two, that a positive program be initiated that will lead to cooperative agreements between local governments, society and other property owners to cooperate in providing further for the preservation and interpretation of historic sites, structures, and properties that lie inside or outside the limits of the proposed Minute Man National Park; and three, to establish a uniform system of historical markers.

The cost of the bill ultimately is expected to be somewhere in the neighborhood of $8 million. It is interesting that a similar bill was introduced in this Congress in 1925. If the Congress in 1925 in its wisdom had passed that bill, they could have bought this property at a figure of around $100,000 to $125,000. This area is about 16 to 20 miles outside of the city of Boston. The same thing is happening to the city of Boston as is happening throughout the Nation. People are going from the main city out into the metropolitan area, into the suburban area. This property, which only a few years ago, in 1925 when the Congress rejected that bill because they thought that the land was going to be preserved for years, because it was 20 miles outside the city of Boston is much more valuable property now. Industrial developments, new road systems, new suburban developments, new homes are being built almost daily out there and they are encroaching upon this last bit of property.

We need around $500,000 for the initial appropriation. We expect this to be a 16-year project. We hope that the park will be completed by the year 1976. While we say that the overall cost will be $8 million, it is our expectation that it will not cost anywhere near that because we expect to get grants from different people, from different foundations who have taken an interest in this project.

I originally sponsored the bill as a member of the Boston Sites Committee. The gentlewoman from Massachusetts [Mrs. ROGERS], as the gentlewoman from Idaho [Mrs. PFOST], has said, introduced a bill and as this was in her area, the committee most graciously reported her bill. I understand the bill came out of the committee unanimously and I want to thank the committee for its favorable consideration.

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

Mr. O'NEILL. I yield.

Mr. McCORMACK. Might I say that the entire delegation from the State of Massachusetts were very happy, including the gentleman from Massachusetts [Mr. O'NEILL], who had introduced the original bill, to request the committee to report out the bill introduced by our colleague from Massachusetts [Mrs. ROGERS], for whom we all have great respect.

Mr. O'NEILL. I concur wholeheartedly in the gentleman's remarks.

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

Mr. McCORMACK. I yield.

Mr. PELLY. I would like to inquire whether this project is going to have the name of any statesman living or dead.

Mr. O'NEILL. This will be called the Minute Man.

Mr. PELLY. The Minute Man? Then I am very happy to support it.

Mr. SAYLOR. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I do not believe it is necessary for me to say anything. I doubt if I could add anything. Mrs. PFOST, the very able and distinguished chairman of the subcommittee and the distinguished, brilliant chairman, Mr. ASPINALL, of the full Committee on Interior and Insular Affairs, endlessly and helpfully worked for this park bill. I thank them and the committee for their great contribution and for their kindness in reporting this bill out. I am very happy and truly grateful. I really think it ought to be the O'Neill bill because he was a member of the Boston National Historical Sites Commission and introduced the first bill and did great work on it. He very graciously suggested that the committee take my bill. I also would like to congratulate and thank our powerful and kind floor leader, the gentleman from Massachusetts [Mr. McCORMACK] for all that he has done for the Boston National Historic Sites Commission and regarding the passage of this legislation. Everyone in the Congress has a stake in this bill. This park will really belong to every State in the Union, not just to Massachusetts. It was in this area that the first blow for freedom—which we love so much and are fighting always to maintain—was struck.

Mr. Speaker, this important legislative proposal will preserve key historic sites associated with the opening day of the American Revolution and with the deeds of those great patriots, John Hancock, Samuel Adams, and Paul Revere. The Federal Government's role in preserving for the public the whole story of the chief events in the American Revolution will not be complete until we save the sites and scenes related to April 18–19, 1775, in Massachusetts. We are now preserving for the benefit of all Americans the battlefield at Yorktown, Va., where Cornwallis surrendered to George Washington and American independence was assured. We are also saving Independence Hall, in Philadelphia, where the great documents of American freedom relating to the American Revolution, the Declaration of Independence, and the Constitution, were drafted and where the Continental Congress directed the course of the Revolution. We are preserving the site of the Battles of Saratoga, in New York State, the turning point of the Revolution, which brought France into the war as our ally. But we are not saving the whole story of the Revolution for future generations unless we save the remaining sections of the Lexington-Concord Battle road.

The Department of the Interior has recommended favorable consideration of the establishment of the proposed Minute Man National Historical Park, referred to in H.R. 5892, as this proposal will commemorate and preserve for all time the events relating to the opening day of the American Revolution. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments recognized the national significance of the Lexington-Concord Road in illustrating and commemorating the history of the United States as long ago as 1937.

In the intervening years, local governments, private preservation leaders, and historical societies in Massachusetts have made valiant efforts to preserve the famous landmarks along this road connected with the outbreak of the American Revolution. The recent report on the preservation of the Lexington-Concord Road by the Boston National Historic Sites Commission—created by the act of Congress approved June 16, 1955, 69 Stat. 136, as amended—has shown that these groups have done important work in preserving some of the sites along this historic route. Before the advent of heavy motor traffic and the vast urban and industrial expansion in the vicinity of this historic route, private efforts to save the scene appeared adequate. Since World War II especially, suburban residential developments and defense industries have rapidly encroached on the Lexington-Concord Road and now seriously threaten to engulf and destroy forever this key historic American terrain.

The report of the Boston National Historic Sites Commission shows that of the 20 miles of the historic route between Boston and Concord, only 4 miles can now be preserved for commemorative purposes. Urgent action is yet needed by the Congress to save even this representative stretch of the old route upon which Paul Revere rode and along which the Colonial patriots began the American Revolution.

The following is the committee report on H.R. 5892:

MINUTE MAN NATIONAL HISTORICAL PARK, MASS.

Mrs. PFOST, from the Committee on Interior and Insular Affairs, submitted the following report:

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 5892) to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, lines 21 and 22, strike out the words "to acquire by purchase".

Page 4, following line 19, add a new section to read as follows:

"SEC. 6. There are hereby authorized to be appropriated such sums, but not more than $8,000,000, as may be needed for the acquisition of lands and interests in lands and for development of the Minute Man National Historical Park, of which not more than $5,000,000 shall be used for acquisition purposes, and, in addition thereto, such sums as may be needed for its administration and maintenance."

PURPOSE

Enactment of H.R. 5892 will authorize the Secretary of the Interior to establish the Minute Man National Historical Park in the State of Massachusetts. H.R. 5892 was introduced by Representative ROGERS of Massachusetts. An identical measure, H.R. 1932, by Representative O'NEILL was also considered by the committee.

Under the terms of the bill the Secretary will acquire not more than 750 acres within a described area. The park will consist of two units: One a stretch of properties containing about 557 acres along 4 miles of road in the towns of Lexington, Lincoln, and Concord; the other consisting of about 155 acres at and near the celebrated North Bridge in Concord. The Boston National Historic Sites Commission and the Department of the Interior advised the committee that these are the areas in which it is most feasible to preserve or recover the historic features and values associated with the American Revolution without excessive acquisition costs or undue interference with other uses that might be made of the land involved.

The Department of the Interior has already accepted transfer of an 8-acre tract of land along the Battle Road, within the area proposed for designation as a national historical park, that played a significant part in the events of April 19, 1775. This area contains the original stone walls, boulders, and other features of the natural setting where the colonial minutemen fired on British troops retreating along the Lexington-Concord Road. It has been designated as the Minute Man National Historic Site.

Upon the acquisition of the necessary land and establishment of the park by a Federal Register notice, as provided in section 2, the Secretary will administer, protect, and develop the park as a unit of the national park system. He will also be authorized to enter into cooperative agreements with the Commonwealth of Massachusetts, local governments, private organizations, and individuals for the erection of historical tablets and markers in accordance with the act of August 21, 1935 (49 Stat. 666), which provides for the preservation of historic American sites, buildings, objects, and antiquities having national significance.

The bill provides for appointment of a five-man advisory commission. Three of the members are to be recommended by the selectmen of the towns of Concord, Lexington, and Lincoln and one by the Governor of Massachusetts. The fifth will be designated by the Secretary of the Interior.

NEED AND PUBLIC SUPPORTS

The sites involved in the Minute Man National Historical Park embrace portions of the route that was traversed by the British at the outset of the Revolutionary War on April 19, 1775, and used by the minutemen and provincial militia to turn the British retreat into a rout. This is clearly a historical setting of great national significance.

Among the events which these sites recall were the proposed arrest of John Hancock and Samuel Adams, the capture of colonial military stores at Concord, the momentous ride of Paul Revere, and the colonial minutemen's stirring defense.

The preservation of these important sites has been investigated by the Boston National Historic Sites Commission, created by the act of June 16, 1955 (69 Stat. 136). This Commission, in commenting on the historical significance of the events which took place there, said:

"The Revolution made by the ardent Samuel Adams and other zealous patriots in Boston and the war started at Lexington and Concord comprise what is, fundamentally, the most important combination of events in American history, for in the end they achieved independence and brought into existence a new nation. Those events which transpired on the 19th of April 1775, clearly and unmistakably broke the ground and paved the way for all that America has accomplished since."

The Commission's interim report, dated June 16, 1958, containing its recommendations, was submitted to Congress by the Secretary of the Interior on January 27, 1959, and has been printed as House Document No. 57, 86th Congress. This document contains full details concerning the park that would be established by this legislation. Mr. Mark Bortman, Chairman of the Commission, in a letter of July 16, 1959, has stated that H.R. 5892 reflects all of the essential recommendations contained in the interim report.

The Department of the Interior has been joined by representatives of the governments of the towns of Concord, Lincoln, and Lexington, various patriotic and other organizations, and many individual citizens in its concurrence with the recommendations of the Boston National Historic Sites Commission concerning the preservation of the Lexington-Concord Battle Road properties. The committee concurs in those recommendations.

No opposition to the enactment of H.R. 5892 was presented to the Subcommittee on Public Lands during open hearings on the measure.

Prompt enactment of H.R. 5892 is necessary if key parcels of land are to be acquired at reasonable cost, since transformation of the road and its environment in the form of suburban growth and other development is proceeding rapidly.

COST

The interim report of the Boston National Historic Sites Commission indicates that the estimated market value of the properties proposed for inclusion in the park is $4,838,100. Of that figure, however, only about $503,000 would be needed to initiate the most urgent phase of the land acquisition program for the proposed park. This money would permit the acquisition of about 310 acres of unimproved vacant parcels lying within the units considered suitable for park designation.

The construction and development costs as estimated by the Department of the Interior amount to $2,920,000. Annual park operating costs are estimated by the Department at $155,000.

DEPARTMENT RECOMMENDATION

The Department of the Interior recommends the enactment of H.R. 5892. The Department's report follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 18, 1959.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: Your committee has requested a report on H.R. 1932, a bill to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes, which is identical to H.R. 5892.

We recommend that this legislation be enacted.

The enactment of this legislation would create a national historic park embracing portions of the traditional setting along the route in Lexington, Lincoln, and Concord, Mass., that was traversed by the British at the outset of the Revolutionary War on April 19, 1775, and used by the minutemen and provincial militia to turn their retreat into a rout. The park is not to exceed 750 acres and is to be acquired by donation or purchase.

The historic events relating directly to the British military expedition from Boston to Concord, Mass., on April 18 and 19, 1775, are of paramount importance in American history. Those events include the proposed arrest of the patriots, John Hancock and Samuel Adams, the capture of colonial military stores at Concord, the momentous ride of Paul Revere, the stirring defense by the colonial minutemen, and other key happenings of the opening hostilities of the Revolutionary War. The national significance of these events and their importance in illustrating and commemorating the history of the United States was recognized by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, at its meeting on March 25–26, 1937. This Board was created under the Historic Sites Act of August 21, 1935 (49 Stat. 666), to advise the Secretary of the Interior on historic preservation and other park matters.

The preservation of the important sites along the Lexington and Concord Road, between Boston and Concord, has been investigated by the Boston National Historic Sites Commission, created by the act of Congress approved June 16, 1955 (69 Stat. 136), as amended. This Commission, in reporting on the historical significance of these events, commented:

"Almost from any reckoning or choice, then, whether it be documentary or legendary, political, or social, and literary or military, the 19th of April 1775, looms large in the perception of history—not only to fill pages that sparkle in the Nation's own honorable record, but also to stand before the whole world as a harbinger of progress and change. For on the day of Lexington and Concord, man reached an important milestone in the eternal struggle to control and improve his estate upon earth and in America, at least, a new beacon of hope began to shine in his favor * * *. Any plan conceived at the Federal level to encompass the full scope and significance of the Nation's history cannot overlook the beginning of the struggle that joined the Thirteen Colonies together and finally moved them to form the United States of America."

In concluding its recommendations on the historical importance of the Lexington-Concord Road, the Commission stated:

"The Revolution made by the ardent Samuel Adams and other zealous patriots in Boston and the War started at Lexington and Concord comprise what is, fundamentally, the most important combination of events in American history, for in the end they achieved independence and brought into existence a new nation. Those events which transpired on the 19th of April 1775, clearly and unmistakably broke the ground and paved the way for all that America has accomplished since."

The interim report of the Boston National Historic Sites Commission on the Lexington-Concord Battle Road was transmitted to the President of the Senate and the Speaker of the House with Secretary Seaton's letters of January 20, as provided by the act of June 16, 1955 (69 Stat. 136). The report contains three basic recommendations. They are (1) that certain historic landscapes and features be set aside for preservation and protection as a national historical park; (2) that a positive program be initiated that will lead to cooperative agreements with local govern-

ments, societies, and other property owners to insure the continued preservation and interpretation of significant sites and structures that lie inside or outside the limits of the proposed Minute Man National Historical Park; and (3) establish a uniform system of historical markers to identify the sites and structures over the entire 20-mile route taken by the British on the eventful dates that opened the War of the American Revolution.

As contemplated in the report and in H.R. 1932 and H.R. 5892, the proposed Minute Man National Historical Park would be comprised of two units: One a continuous stretch of slightly more than 4 miles of road and roadside properties in the towns of Lexington, Lincoln, and Concord, containing about 557 acres, and the other consisting of about 155 acres embracing the celebrated North Bridge in Concord and its adjoining area. These are the areas in which the Commission feels it is still feasible to preserve and recover the historic features and values associated with the Revolutionary period in our country's history. We feel that these bills adequately implement the recommendations of the Boston Historic Sites Commission.

The recommendations of the Commission concerning the establishment of a coordinated program for the preservation and appreciation of the Lexington-Concord Battle Road properties have been carefully evaluated. Based on our awareness of the significance of these properties and the conditions on the ground, we concur in those recommendations. Urgent measures are needed to have historically significant portions of the traditional setting in which the War of the American Revolution had its beginning on the 18th and 19th of April 1775. It is important that a feasible solution to the problem of the preservation of this battle road be considered without delay, as transformation of the road and its environment in the form of suburban growth and other developments, is proceeding at an alarming pace.

This Department has already accepted transfer of an 8-acre tract of land along the Battle Road (within the area proposed for designation as a national historical park), that played a significant part in the events of April 19, 1775. This area, which contains the original stone walls, boulders, and other features of the natural setting where, on April 19, 1775, the opening day of the American Revolution, colonial minutemen fired on British troops retreating along the Lexington-Concord Road, has been designated as the Minute Man National Historic Site.

The interim report of the Commission indicates that the estimated market value of the properties they propose for inclusion in the park is $4,838,100. Of that figure, however, only the amount of $503,400 would be needed to initiate the most urgent phase of the land acquisition program for the proposed park. This money would involve the acquisition of about 310 acres of unimproved vacant parcels lying within the units considered suitable for park designation.

As prescribed by the act of July 25, 1956 (70 Stat. 652), which requires that certain reports of the executive branch to the Congress contain information pertaining to the number of civilian officers and employees required to carry out additional or expanded functions, we have prepared and enclose herewith a statement concerning these matters as they apply to both H.R. 1932 and H.R. 5892.

The Bureau of the Budget has advised that while there is no objection to the submission of this report to your committee, the timing of a recommendation for an appropriation for the land acquisitions and management expenses authorized by its enactment will depend upon the budgetary situation.

Sincerely yours,

FRED A. SEATON,
Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, WASHINGTON, D.C.

Statement to accompany the report of the Department of the Interior concerning legislation relating to establishment, administration, and protection of the proposed Minute Man National Historical Park, Mass.

[Estimated additional man-years of civilian employment and expenditures for the 1st 5 years]

Estimated additional man-years of civilian employment	1st year	2d year	3d year	4th year	5th year
Administrative services and support:					
Superintendent	1	1.0	1.0	1.0	1.0
Administrative assistant	1	1.0	1.0	1.0	1.0
Secretarial and clerical	1	1.0	2.0	2.0	2.0
Total	3	3.0	4.0	4.0	4.0
Substantive:					
Engineer		1.0	1.0	1.0	1.0
Architect		1.0	2.0	1.0	1.0
Landscape architect		1.0	1.0	1.0	1.0
Realty officer	1	1.0	1.0	1.0	1.0
Secretarial	2	3.0	3.0	3.0	3.0
Historian	2	2.0	2.0	3.0	3.0
Museum curator		1.0	1.0	1.0	1.0
Rangers		1.2	2.3	3.0	3.2
Foreman		1.0	1.0	1.0	1.0
Skilled craftsmen and laborers		4.0	5.3	7.4	7.7
Total	5	16.2	19.6	22.4	22.9
Total estimated man-years of civilian employment	8	19.2	23.6	26.4	26.9
Estimated additional expenditures:					
Personal services	$48,000	$104,000	$122,000	$160,000	$156,000
All other	250,000	678,000	1,229,000	2,168,000	2,495,000
Total	298,000	782,000	1,351,000	2,328,000	2,651,000

COMMITTEE AMENDMENTS

The committee amended section 2 of H.R. 5892 to delete the words "or acquire by purchase". This deletion will remove any implication that the Secretary of the Interior may acquire properties for the park only by donation or through voluntary sales. It is the committee's intent in making this amendment to provide authority to condemn under the provisions of the act of August 1, 1888.

The committee also amended the bill by adding a new section 6. The section limits authorized appropriations to $8 million for land acquisition and development costs. Of this amount, not more than $5 million will be available for land acquisition.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends the enactment of H.R. 5892, as amended.

Mrs. PFOST. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, this bill is timely.

We need to be reminded of our heritage, and to be inspired by it.

H.R. 5892, has been introduced by Mrs. ROGERS, who represents the district where the war for American independence began.

It will provide for the establishment of Minute Man National Historical Park to honor and perpetuate the scene of these stirring events.

At Concord and Lexington, a few men with faith and determination dared the impossible and won.

They did not take the easy way.

And they did not invite the oppressor of those days to visit the Colonies in the hope that they could persuade him to make a deal that would relax the tension.

They showed that they would not make peace at any price.

Guided by their heroic example that would not compromise with despotism, our Nation has become great and strong, not in material things alone, but in the devotion to liberty for which we are known and respected throughout the civilized world.

The scene of the events that gave birth to the American spirit, is in danger of being overrun by ranchhouses, suburban shopping centers, and express highways.

The bulldozer is practical.

It is unmoved by anything except petroleum products, and the man in the driver's seat, who takes orders from the construction superintendent, who follows specifications.

Is the liberty road useful?

Is it profitable?

Who cares for anything else?

The bulldozer is advancing upon the shrine of American independence.

People who understand the imperative need of strengthening the human spirit against the challenge of materialism are supporting this bill to establish a Minute Man National Historical Park in Massachusetts.

Where we can see unspoiled by modern overlay the scene, and the events associated with it, that the people of Massachusetts honor each year by the celebration of Patriot's Day.

Where the villagers and the farmers, on the 18th and 19th of April, 1775, fired the shots heard 'round the world for the cause of human freedom.

We must rekindle this spirit today, to save our Nation from the complacency and the compromises that threaten our national will and purpose.

We do not have much time.

The bulldozer, symbol and instrument of impersonal materialism, is leveling everything before it.

Need more be said?

Every American who cherishes the memory of those courageous and self-reliant minutemen of 1775 will support

this bill to establish a national historical park in Massachusetts.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LICENSING OF INDEPENDENT FOREIGN FREIGHT FORWARDERS

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5068) to amend the Shipping Act of 1916, to provide for licensing independent foreign freight forwarders, and for other purposes, as amended.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Shipping Act, 1916 (46 U.S.C. 801), is amended by adding at the end thereof the followng new paragraph:

"(a) The term 'foreign freight forwarder' means any person engaged in the business of dispatching shipments on behalf of other persons, by oceangoing vessels in commerce from the United States, its Territories or possessions to foreign countries, or between the United States and its Territories or possessions, or between such Territories and possessions; and of handling the formalities incident to such shipments. This definition includes independent freight forwarders, common carriers, manufacturers, exporters, export traders, manufacturers' agents, resident buyers, brokers, commission merchants, and other persons, when they engage for and on behalf of any person other than themselves, in the aforementioned activity.

"(b) An independent foreign freight forwarder is a foreign freight forwarder who, in connection with shipments dispatched by such forwarder, is not a shipper or consignee or a seller or purchaser or common carrier by water of such shipments, nor has any beneficial interest therein, nor directly or indirectly controls or is controlled by the shipper or consignee, common carrier by water, or by any person having a beneficial interest in such shipments."

SEC. 2. The Shipping Act, 1916, is further amended by redesignating section 44 as section 45, and inserting immediately after section 43 the following new section:

"SEC. 44. (a) No person shall engage in business as a 'foreign freight forwarder' as defined in this Act unless such person holds a license issued by the Federal Maritime Board to engage in such business.

"(b) A forwarder's license shall be issued to any qualified applicant therefor if it is found by the Board that the applicant is fit, willing, and able properly to perform the services of a foreign freight forwarder, and to conform to the provisions of this Act and the requirements, rules, and regulations of the Board issued thereunder, and that the proposed forwarding business is, or will be, consistent with the public interest and the national maritime policies declared in the Merchant Marine Act, 1936; otherwise such application shall be denied. Any forwarder who, on the effective date of this Act, is engaged in business as a foreign freight forwarder under a registration number issued by the Board may continue such business for a period of one hundred and twenty days thereafter without a license; and, if application for such license is made within such period, the forwarder may, under such regulations as the Board shall prescribe, continue such business until otherwise ordered by the Board.

"(c) The Board shall prescribe reasonable rules and regulations including maximum brokerage fees to be observed by any person holding a forwarder's license and no such license shall be issued or remain in force unless such person shall have furnished a bond or other security approved by the Board, in such form and amount as in the opinion of the Board will insure financial responsibility and the supplying of the services in accordance with contracts, agreements, or arrangements therefor.

"(d) Licenses shall be effective from the date specified therein, and shall remain in effect until suspended or terminated as herein provided. Any such license may, upon application of the holder thereof, in the discretion of the Board, be amended or revoked, in whole or in part, or may upon complaint, or on the Board's own initiative, after notice and hearing, be suspended, changed, or revoked, in whole or in part, for willful failure to comply with any provision of this Act, or with any lawful order, rule, or regulation of the Board promulgated thereunder, or with any term, condition, or limitation of such license.

"(e) A common carrier by water may compensate an independent foreign freight forwarder licensed hereunder for the extent of the value rendered to such carrier in connection with any shipment and such forwarder may receive such compensation from such carrier when such forwarder has solicited and secured cargo for such carrier, and has performed one additional service as set out hereunder, and has so certified:

"(1) The cordination of the movement of the cargo to shipside;

"(2) The preparation and processing of the ocean bill of lading;

"(3) The preparation and processing of dock receipts or delivery orders;

"(4) The preparation and processing of consular documents or export declarations; and

"(5) Relieving the carrier of bookkeeping and billing expense by advancing or arranging payment of freight and accessorial charges, if any, on all prepaid shipments handled by such forwarder on a particular vessel."

The SPEAKER. Is a second demanded?

Mr. TOLLEFSON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I yield to the gentleman from California [Mr. GEORGE P. MILLER] to explain the bill.

Mr. GEORGE P. MILLER. Mr. Speaker, it is the intent of this legislation to license freight forwarders and to set out services which are performed directly for the benefit of the carrier so that these forwarders might collect brokerage fees for services rendered.

This industry has been rife with innumerable forwarders who were not qualified to act in that capacity and who have all too often demanded and collected brokerage fees from carriers when in reality no service had been performed for the carrier.

This legislation clearly sets out services which must of necessity be performed, and grants to the Federal Maritime Board the authority to set up rules and regulations under which competent forwarders may be licensed.

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

Mr. GEORGE P. MILLER. I yield.

Mr. McCORMACK. I read the hearings and the report of the committee with special interest. I feel that the passage of this bill will enable the control of racketeers in this activity.

Mr. GEORGE P. MILLER. The gentleman is correct. This is a bill to rid the maritime industry of racketeers. I think there is no question of that, because in this field it has been so widely open that it has led people to come in who could blackjack commissions out of shippers and out of shipping companies without rendering a proper service for those fees. The object of this legislation is to set up rules and regulations whereby they will have to render proper and competent service in order to collect these fees.

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

Mr. GEORGE P. MILLER. I yield.

Mr. GROSS. I want to thank the gentleman for his statement and subscribe also to the statement made by the gentleman from Massachusetts that this should have the effect of driving racketeers out of this business.

The committee gave very serious study to this matter, as the gentleman well knows, and the bill was rewritten a couple of times. I want to commend the gentleman for his efforts.

Mr. GEORGE P. MILLER. We as Members of Congress have a pertinent interest in this matter. We subsidize certain of our shipping lines. Every time an illegal or unearned increment of freight is collected by freight forwarders who are not performing a service for it, the Federal Government is paying a part of that money.

Mr. TOLLEFSON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. GLENN].

Mr. GLENN. Mr. Speaker, this business of foreign freight forwarding is a very important segment of our foreign commerce. It is an involved and specialized vocation.

Certain practices have grown up through the years, however, that are objectionable to all concerned, including the shippers, the carriers, and the freight forwarders, such as the use by large shippers of dummy forwarders, in order to collect unearned brokerage fees from carriers.

It is sometimes difficult to distinguish whether forwarder services are rendered for the shipper or the carrier, but it has become necessary to do so, and the main purpose of this bill is to license the legitimate forwarders. To do so it would be spelled out by legislation generally and regulation specifically, how and when they are to be paid, both by the shipper and the carrier.

A similar bill was passed by the House last year, but in my opinion it has been improved by this bill in a clearer definition of when brokerage may be paid by an ocean carrier.

The industry generally has received a commission of 1¼ percent of the freight charges where they have performed some service for the carrier. Some carriers, however, in order to get cargo have paid freight forwarders as high as 2½, 5, and even 10 percent of the freight

charges in order to get the cargo steered in their direction. This is added to the total bill and hence paid for by the shipper and then by the general public.

This bill will control such practices by licensing and reasonable regulation by the Maritime Board.

The Subcommittee on Freight Forwarders of the Merchant Marine and Fisheries Committee has worked hard on this bill for several years and the freight forwarding industry in the main is satisfied with this bill. It may not satisfy all the individuals in the business, but I feel it is in the public interest and that it protects shippers, carriers, and the great majority of the foreign freight forwarders.

In conclusion let me read the final paragraph of our committee report for it sets out what we are attempting to do and what we have to a large extent accomplished:

> The committee feels that when services have been performed for the shipper, the shipper should compensate forwarders for these services and that where brokerage fees have been earned by the forwarder the carrier in turn should pay for those services. Both the carrier and the shipper should be expected to pay and the charge to each by the forwarder should be the reasonable value of the forwarder's service to each.

Mr. TOLLEFSON. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. DORN].

Mr. DORN of New York. Mr. Speaker, I have the honor of being a member of the Special Subcommittee on Ocean Freight Forwarders and Brokers of the House Merchant Marine and Fisheries Committee which passed this bill. The gentleman from Louisiana [Mr. THOMPSON], the chairman of this subcommittee, should be congratulated for 2 years of intensive work on this legislation.

The bill requires the forwarder to "solicit and secure" cargo for a carrier and perform one additional specified service before he could be compensated by the carrier in the form of "brokerage." Such compensation has been traditionally paid in the New York area for approximately 100 years and constitutes a substantial portion of the overall revenue of ocean freight forwarders and brokers in this port and throughout the country. The forwarders in New York were seriously concerned that the mandatory requirement of soliciting and securing cargo without a definition of the clause would have the effect of denying them traditional revenue in the form of brokerage.

Their fears were not entirely unjustified in view of the testimony of the Chairman of the Federal Maritime Board before the special subcommittee on June 18, 1959. At that time he acknowledged that as an attorney practicing before the Board he had opposed the payment of brokerage to forwarders and that he saw no reason to change his views on becoming a member of the Board. The Chairman has consistently taken the position in testimony before House and Senate committees that forwarders do not merit compensation from steamship lines even though the carriers who pay the brokerage have overwhelmingly testified to the contrary.

It is the view of the committee that it had no intention to bring about the elimination of the traditional compensation to forwarders in the form of brokerage from ocean carriers by the mandatory language used, and a sentence is in the report to the effect that the forwarder need not be designated as agent of the carrier in order to qualify for brokerage. The committee has rejected the argument that cargo can only be solicited and secured for a carrier by a person who has either been retained as agent to do so or is an employee of the line. There is in addition a sentence in the report to the effect that where the forwarder has solicited and obtained export freight from a shipper which is thereafter turned over to a carrier, it is the committee's view that the forwarder has solicited and secured the cargo within the meaning of this bill.

With this language in the committee report the legislative intent as to what was meant by soliciting and securing cargo has been clarified. The committee view is that where a forwarder has sought the business of an exporter and obtains the account and thereafter from time to time sees to it that the shipments of this exporter reach steamship lines for transportation, the forwarder is performing the middleman function of bringing the cargo and vessel together and he is thereby soliciting and securing cargo within the meaning of paragraph 44(e) of the bill. The forwarder is thus earning brokerage under the bill and according to the report a carrier would be "obligated" to compensate him provided that one additional service as specified in the bill is performed and the forwarder so certified. The fact that a shipper may be a party to a conference contract does not affect the forwarder's claim to brokerage, where he has performed the essential services to earn such brokerage.

Mr. TOLLEFSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this measure has been studied by our committee for a period of about 3 years. We have worked very hard on it, and we feel that we have come up with a good solution to the problem involved. I trust that the House will approve the bill.

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

Mr. TOLLEFSON. I yield to the gentleman from New York.

Mr. BOSCH. There seems to be some confusion about the extent of the intention of section 44(a) of the act. The section says:

> No person shall engage in business as a foreign freight forwarder as defined in this act unless such person holds a license issued by the Federal Maritime Board to engage in such business.

There are many manufacturers and exporters who have specialized shipping departments to do a fairly capable job of performing the dispatching of shipping services to the complete satisfaction of foreign governments.

My first question, Will this legislation compel the manufacturers or others who export from the United States to abandon the handling of shipments on behalf of their export customers and will they be required to obtain a license as provided in this act?

Mr. TOLLEFSON. I may say to the gentleman that this and similar questions have been presented to the committee. The committee has no intention of requiring a license of a manufacturer or exporter, or shipper, in other words, who handles his own product.

If he seeks to handle the product of someone else, some third person, and in effect do the work of a freight forwarder, he would have to be licensed, but so long as he handles his own product he does not need to have a freight forwarders license.

Mr. BOSCH. This act may not be construed as requiring manufacturers or others who sell for export to use a licensed freight forwarder to handle this export business for them?

Mr. TOLLEFSON. That same question also has been presented to the committee. The bill is not intended to require that the shipper or manufacturers, of whom you speak, be compelled to hire a freight forwarder. He may handle his own shipments. May I summarize what I have said with respect to both of your questions.

Some concern has been expressed before this committee by representatives of exporters that the bill will require the licensing of an exporter who does his own export traffic work. This is not the intention of the committee. The bill provides for the licensing of a person engaged in the business of dispatching shipments on behalf of other persons. An exporter who forwards his own goods or that of a subsidiary or affiliate as an incidental activity of his main occupation is not engaged in the business of forwarding. He would not, in my opinion, be required to employ a freight forwarder, nor would he require a license himself. In addition, since the goods he forwards are his own, he is not dispatching shipments on behalf of other persons. The committee believes this to be true regardless of the terms of sale and the technical niceties of when title to the goods may pass. Of course, if an exporter seeks to forward merchandise of third persons unrelated to his own exporting business and is thereby actively engaging in a forwarding operation, he would be required to be licensed under this bill.

Mr. BOSCH. I thank the gentleman.

Mr. BONNER. Mr. Speaker, I might say to the House that this bill is the result of a request made to the chairman of the Committee on Merchant Marine and Fisheries by the organization of freight forwarders to license them, just as we license custom brokers, to put them in a position where they would hold the respect of industry and the shipping industry.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

DIRECTING SURGEON GENERAL TO MAKE STUDY OF THE DISCHARGE OF SUBSTANCES INTO THE ATMOSPHERE FROM THE EXHAUSTS OF MOTOR VEHICLES

Mr. ROBERTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8238) to prohibit the introduction into commerce of new motor vehicles which discharge substances in amounts found by the Surgeon General of the Public Health Service to be dangerous to human health.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Surgeon General of the Public Health Service (hereinafter referred to as the "Surgeon General") shall conduct a thorough study for the purpose of determining, with respect to the various substances discharged from the exhausts of motor vehicles, the amounts and kinds of such substances which, from the standpoint of human health, it is safe for motor vehicles to discharge into the atmosphere under the various conditions under which such vehicles may operate.

SEC. 2. As soon as practicable, but not later than two years after the date of the enactment of this Act, the Surgeon General shall submit to Congress a report on the results of the study conducted pursuant to the first section of this Act, together with such recommendations, if any, based upon the findings made in such study, as he may deem to be necessary for the protection of the public health.

SEC. 3. As used in this Act the term "motor vehicles" means vehicles propelled by mechanical power and used for transporting passengers or property on a highway.

Amend the title so as to read: "A bill to authorize and direct the Surgeon General of the Public Health Service to make a study and report to Congress, from the standpoint of the public health, of the discharge of substances into the atmosphere from the exhausts of motor vehicles."

The SPEAKER. Is a second demanded?

Mr. SCHENCK. Mr. Speaker, I demand a second.

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. ROBERTS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill was introduced by the distinguished gentleman from Ohio [Mr. SCHENK].

Mr. Speaker, I commend him for his great service and effort in working for this fine bill. It will do much for safety of the American people.

Mr. Speaker, enactment of H.R. 8238 is recommended by the Committee on Interstate and Foreign Commerce to speed research into the problem of the effect on human health of substances discharged into the atmosphere by motor vehicle exhausts.

This bill, as amended by the committee, directs the Surgeon General of the Public Health Service to conduct such a study and submit a report to Congress within 2 years with such recommendations, if any, he considers necessary to protect human health.

The Surgeon General now is conducting and sponsoring research into this problem in connection with a study of air pollution authorized by Congress. Enactment of H.R. 8238 will emphasize the desire of Congress to accelerate this research as rapidly as possible.

It is hoped that within 2 years the Surgeon General can make recommendations that will make possible remedial action.

Air pollution is a national problem. It is already a serious menace in some large cities and threatens every metropolitan area in the Nation. Automobile exhausts have been blamed as a major cause of air pollution. The National Conference on Air Pollution held last November was told by Dr. Leslie A. Chambers, director of research, Los Angeles County Air Pollution District, that more than two-thirds of hydrocarbon pollutants, which play so prominent a role in smog formation, come from the use of gasoline engines in automobiles, trucks, and buses.

The evidence that there are carcinogens—cancer-producing agents—in the air is quite convincing. Lung cancer deaths among white males is twice as high in cities as in rural sections. In laboratory exposures of experimental animals to constituents of automotive exhaust caused an increase in lung tumors as much as 100 percent. In a statement regarding these experiments made to the Subcommittee on Health and Science, the Acting Surgeon General stated:

> In our opinion these studies justify the conclusion that constituents of automotive exhaust fumes can produce carcinogenic and other undesirable physiological effects in mice, and therefore might produce these effects in human beings. Whether they do so, however, cannot be stated.

The problem of automobile exhausts has been under study by the committee for several years.

In 1956, the Special Subcommittee on Traffic Safety of the Committee on Interstate and Foreign Commerce made a study of the problem during a visit to research centers of the automobile manufacturing industry. In hearings held in Dayton, Ohio, in 1956, Dr. Robert E. Zipf, president of the Ohio State Coroner's Association, recommended a research program to study the problem of automobile exhausts. It was pointed out that harmful toxic effects of exhaust fumes may be an important contributory cause of automobile accidents.

After consideration of the data gathered in the subcommittee study, the gentleman from Ohio [Mr. SCHENCK] introduced H.R. 9368, 85th Congress, to prohibit the use in commerce of any vehicle which discharged unburned hydrocarbons in an amount found by the Surgeon General of the Public Health Service to be dangerous to human health. That bill directed the Surgeon General to prescribe and publish not later than 6 months after enactment of the legislation, standards as to the amount of unburned hydrocarbons which are safe, from the standpoint of human health—with particular reference to the carcinogenic nature of unburned hydrocarbons—for a motor vehicle to discharge into the atmosphere. Criminal penalties were provided for operating in commerce a vehicle which discharged unburned hydrocarbons in excess of the standards set by the Surgeon General.

Hearings were held on this bill March 17, 1958, by the Special Subcommittee on Traffic Safety. Leading experts in the field were heard and a comprehensive record of 180 pages published.

At the beginning of the present Congress, the gentleman from Ohio introduced H.R. 1346, a modification of his bill in the previous Congress. The gentleman from California [Mr. McDONOUGH] introduced H.R. 1297, also dealing with the problem of unburned hydrocarbons.

H.R. 1297 would require the Surgeon General of the Public Health Service to prescribe and publish in the Federal Register, not later than 6 months after the date of enactment of the legislation, standards as to the amounts of unburned hydrocarbons and other noxious gases which are safe, from the standpoint of human health (with particular reference to the carcinogenic nature of unburned hydrocarbons and other gases) for a motor vehicle to discharge into the atmosphere. It would provide criminal penalties, effective 1 year from the publication of standards, for the manufacturer for sale, the offering for sale, the use in commerce, or the importation into the United States of any motor vehicle which discharges unburned hydrocarbons or other noxious gases in amounts in excess of the standards set by the Surgeon General.

H.R. 1346 would require the Surgeon General of the Public Health Service to prescribe and publish in the Federal Register, not later than 12 months after the date of enactment of the legislation, standards as to the amount of substances which he considers safe, from the standpoint of human health, for a motor vehicle to discharge into the atmosphere. Such standards, however, would have to be established only for those substances on which sufficient scientific information is available to permit judgment as to adverse effects upon human health. The bill provides for the revision of these standards and their enlargement as adequate technical information becomes available. Criminal penalties are provided for using in commerce within the United States or with foreign nations a motor vehicle which discharges substances in amounts in excess of the standards fixed, provided the Surgeon General found there was available a reasonable method of controlling such discharges.

Agency reports on H.R. 1297 and H.R. 1346 were not favorable. One objection was to the creation of a Federal organization to inspect and enforce motor vehicle safety standards.

After consideration of the legislation by the Subcommittee on Health and Safety, the gentleman from Ohio [Mr. SCHENCK] introduced H.R. 8238 to eliminate the objection regarding Federal enforcement of the safety standards set

by the Surgeon General. The feeling was that the essential and urgent thing is to determine what can and should be done as soon as possible.

After careful consideration, the committee adopted the substitute language brought to the House today to direct the Surgeon General to make a study and report to the Congress as soon as possible but not later than 2 years after date of enactment of the legislation.

NEED FOR EARLY ACTION

That exhausts from motor vehicles can and do pollute the air no one disputes. There is disagreement about the nature and the extent of this pollution.

There is some disagreement regarding what can be done to control these harmful exhausts. Research now underway may provide the answer to some of these questions and point the way to feasible methods of abatement. If additional legislation is indicated by the report the Surgeon General makes, the Congress will have basic information with which to work.

If this air pollution resulted only in discomfort and loss of visibility, with its attendant hazards and motor vehicle traffic, the problem would be serious enough to warrant real concern but there is abundant evidence that smog is a serious health menace and results in heavy losses to agriculture. The loss to agriculture in the Los Angeles area alone has been estimated at $5 million a year.

Therefore, the Committee on Interstate and Foreign Commerce urged the adoption of H.R. 8238 as amended.

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

Mr. ROBERTS. I yield to the gentleman from Arkansas.

Mr. HARRIS. I should like to commend the gentleman from Alabama, chairman of the Subcommittee on Health and Safety, and the members of his subcommittee, for the constant work that has been accomplished on this subject for the last several years. The gentleman from Alabama and the gentleman from Ohio [Mr. SCHENCK], the author of this bill, have labored together with their subcommittee for quite some time—I think this is the third Congress—during which a lot of study has gone into the problems of safety. Is it not true that from the gentleman's study you found in certain metropolitan areas of the country a very serious problem in relation to exhaust fumes from automobiles?

I thank the distinguished gentleman, the chairman of the Interstate and Foreign Commerce Committee.

Mr. ROBERTS. I would certainly say to the gentleman that that is true, and I think that it is a problem that is not only found in the Los Angeles area but I think it is found in other areas of the country, and that soon it will be here in Washington and New York and in other great metropolitan areas of the country.

Mr. HARRIS. The gentleman's committee held hearings on this particular bill and had members of the industry, scientists and research people before the committee in the development of this legislation; is that not true?

Mr. ROBERTS. I would say to the gentleman we held full hearings in the last session of the Congress and we held hearings for 3 days in this session of the Congress, and this has been a continuing study with his subcommittee for the past 3 years.

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

Mr. ROBERTS. I yield to the gentleman from Iowa.

Mr. GROSS. I note that the reports from the executive branch of the Governernment are adverse to, perhaps, the original bill. This bill has been rewritten, has it not?

Mr. ROBERTS. That is correct. May I say to the gentleman that there has been no report on this particular bill. The report we had was on the McDonough bill and the Schenck bill as originally introduced, H.R. 1346. This is a clean bill and we have met the objections of the departments that were brought out in the hearings.

Mr. GROSS. Now, as to the cost. There will be some cost involved. Is that to be absorbed by the agencies of Government?

Mr. ROBERTS. I would not want to be bound, but I can say to the gentleman that I think sufficient funds are already in the hands of the Public Health Service with which to make this study.

Mr. GROSS. I thank the gentleman.

Mr. SCHENCK. Mr. Speaker, first I should like to say to the House that it has been a very high honor and a great privilege to be a member of the Committee on Highway Traffic and Safety since its beginning in 1956 and during this present Congress known as the Subcommittee on Health and Safety. All this time the committee has been under the energetic and very capable chairmanship of our distinguished colleague from Alabama [Mr. ROBERTS], our subcommittee, through the deep interest of all our members and their devotion to automotive and highway traffic safety has rarely achieved great results. All of this has been done with very modest expenditure of funds. Our subcommittee work has been made possible through the understanding, splendid cooperation, encouragement and help of the able chairman of the full Committee on Interstate and Foreign Commerce, the distinguished gentleman from Arkansas [Mr. HARRIS].

Mr. Speaker, the chairman of our committee has explained the bill very well. I believe it would not serve any useful purpose to take further time to explain the details of the bill.

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHENCK. Mr. Speaker, sometimes, unfortunately, we are inclined to pay little attention to many things which are really very close to us in terms of good health and we are also inclined to take many things for granted. Fundamentally, as we all know, there are two elementary needs for sustaining human life. One is water, and it is well known that human life cannot long exist without water. In a relatively short time our bodies become dangerously dehydrated and this seriously affects all body functions. The length of time the human body can get along without water varies somewhat from person to person, depending upon variables and conditions.

The other fundamental need, for sustaining human life, Mr. Speaker, is oxygen, which our marvelous body mechanisms obtain from the air we breathe. While life can be maintained for hours and sometimes even days without water, human life ceases to exist and cannot be restored if cut off for even a matter of minutes from oxygen from the air we breathe. Thus the air we breathe and the purity of the air, when we stop to think about it, immediately becomes of very primary importance to each of us.

Much has been done, Mr. Speaker, in the field of air pollution and in the elimination of harmful pollutants from such sources as smoke stacks, chemical and oil refineries, incinerators, and manufacturing processes. Various agencies of our Federal Government have cooperated fully with State and local governments and with industry to determine the cause and aid in the removal and abatement of many causes of air pollution and contamination. Actually, many millions of dollars have been spent by various agencies of government, local, State, and Federal, and by industry in achieving the very commendable progress made thus far. Much, of course, remains to be done and progress will continue because a considerable number of standards have been agreed upon as the result of significant achievements in research. One source of air pollution, however, Mr. Speaker, becomes more alarming each day because of the present limited knowledge of the harmful effects on human health, because the amount of air pollution from this source is increasing day by day and because almost nothing has been done on an overall basis to control this source of air pollution. I am speaking, Mr. Speaker, about the presently uncontrolled emissions of automotive exhaust gases which, many scientific people are fully convinced, contain substances which are not only harmful but are extremely dangerous to human health. I shall point out later, Mr. Speaker, some of the dangers to which I have referred and some of the limited progress that has been made thus far by various researchers and engineers working on these problems.

It is, Mr. Speaker, with pardonable pride and the indulgence of the House, that I point out the fact that I introduced the first legislative proposal of this kind in the Congress of the United States on August 20, 1957. This bill, known as H.R. 9368, provided the basis for a hearing by the Special Subcommittee on Highway Traffic Safety of which I was privileged to be a member. This hearing, held on March 17, 1958, developed 180 printed pages of testimony from some of the most expert and knowledgeable people in our Nation on this subject. I commend its careful and thoughtful study to you.

On January 7, 1959, I introduced H.R. 1346, which approached these same

problems in a somewhat different manner. On July 15, 1959, and in accordance with a full and careful consideration of the provisions of H.R. 1346 by our Subcommittee on Health and Safety, I proposed a new bill, H.R. 8238. This bill was unanimously recommended to the full House Committee on Interstate and Foreign Commerce. During the consideration by the entire committee a belief was expressed that with the limited scientific data thus far available and because no device of proven merit at reasonable cost has yet been produced, it would be more wise to confine present legislation to require that a study be made by the Surgeon General of the Public Health Service and that a report of his findings be filed with the Congress within a period of 2 years. Accordingly an amendment in the nature of a substitute for the original language of H.R. 8238 was approved and H.R. 8238, as amended, is now before us here today. Personally, Mr. Speaker, I feel this is a long and strong step in the right direction and I earnestly recommend the approval of this measure.

A tremendous amount of work has been done, Mr. Speaker, in the interest of better health by many agencies financed through public funds and many agencies financed through private funds supported by contributions from individuals, foundations, professional and scientific organizations, and many others. All have combined to make great progress in the production, purity control and packaging of foods, development of medicines, vitamins, and vaccines, and the discovery and use of insecticides, pesticides, fungicides, and many other scientific and biological preparations to produce more healthful and longer living for people everywhere. This list is in no way complete or indicative of the progress already made and is used only by way of illustration. Our medical, scientific, biological, chemical, and other researchers in many fields of science are on the threshold of many discoveries which will make life more healthful, more enjoyable, and which will also greatly lengthen the life span. Our U.S. Department of Health, Education, and Welfare, through its various components of the Bureau of Public Health, the Food and Drug Administration, the National Institutes of Health, and others, working on their own and in complete cooperation and coordination with all other Federal agencies, professional organizations of all kinds, educational, scientific, and research groups have all joined hands in these efforts and achievements. Throughout our Nation, Mr. Speaker, great advances have been made and more are in the making from the standpoints of foods, drugs, medicines, and surgery in the prevention and treatment of many diseases, even in some of those thus far regarded as incurable. The outlook for better health, happier living, and longer life has never been more bright.

While, as I have indicated, Mr. Speaker, very significant progress in better control of air pollution has been made through the control and abatement of some of the more or less fixed location causes, almost nothing has been done in the general field of the emissions of substances in automotive exhaust gases which very many highly qualified medical and scientific authorities are fully convinced are harmful and dangerous to human health. The severity and extent of these dangers from the exhaust gases of all types of automotive vehicles is increasing at a very alarming rate, especially in the urban areas and in the areas of congested traffic. That something must be done promptly to meet this dire threat to human life is fully recognized and acknowledged not only by many medical, scientific, and public health authorities, but also by all engineers in the automotive and automotive fuel fields.

Many years ago, Mr. Speaker, when I was quite young and began my first experience as an assistant chemistry teacher in a high school, we knew that certain gases we developed in our laboratory experiments had very unpleasant odors and made some students feel quite ill. We knew very little then as to the health hazards involved but more and more information has been developed.

Later as one engaged in the automotive service field and still later as a high school teacher of automotive training it was felt that if there was some way to determine the amount of unburned exhaust gases by instrumentation, better and more economic engine performance could be secured. This idea was fostered in my own mind by a chance observation of a carbon dioxide indicator being used in the smoke stack leading from a large steam boiler installation. The engineer explained to me that he kept close watch on this indicator so that he could better control the efficiency of the fire under the boiler. Thus my first interest in the analysis of automotive gases, many years ago, stemmed from the desire to obtain better control of automotive engine adjustments in the interest of better performance and more economy in operation.

Along with many of you, I have been annoyed and at times made to feel ill when driving in heavy traffic, or sometimes even riding in a closed car with a leaky exhaust system, I have had to breathe unpleasant and foul smelling automotive exhaust gases. Frankly, I have often been quite apprehensive of the possible ill effects of such fumes on health. I have discussed the possibility of such ill effects with my own doctor and personal friend for many years, Dr. Thomas P. Sharkey. Dr. Sharkey is an eminently qualified internist and he confirmed my own fears that great dangers of many kinds undoubtedly lurk in the breathing of automotive exhaust gases.

During hearings held in Detroit in 1956 by our Subcommittee on Highway Traffic Safety, Mr. Speaker, we made a trip through some of the engineering laboratories of the leading manufacturers of automobiles. There I saw some engineers making some tests of exhaust gases coming from the exhaust pipe of one of their standard cars. A sampling tube had been inserted in the automobile exhaust pipe and it was connected to some meters and also to a mechanism which made a tracing on calibrated paper which was being rolled up on one roll from a supply roll. As I observed these tests being made, and discussed the procedure with the engineers, they told me that they were studying the amounts of unburned hydrocarbons being exhausted by the engine under varying adjustments made in both the ignition and the carburetor. They pointed out to me and demonstrated by means of the tracing being made on the calibrated recording paper that a considerable additional quantity of unburned hydrocarbons is present in the exhaust gases at the times when the speed of the engine is suddenly either accelerated or decelerated. At other times when the engine was being operated evenly, either at slow or relatively rapid speed, the engine exhaust gases contained a lower and more even amount of unburned hydrocarbons. Thus it became quite evident from this one test I saw being made that the peaks of unburned hydrocarbons in this automotive exhaust gas occurred both during sudden acceleration or deceleration of the engine speed. At my request, one of the engineers increased and quickly decreased the engine speed several times similar to the actions of some drivers impatiently waiting for a traffic light clearance or at a stop street. The peaks of unburned hydrocarbons showed up immediately on the instruments and on the recording paper. This demonstration quickly convinced me, Mr. Speaker, that, first, drivers who quickly accelerate and decelerate engine speeds while waiting for a traffic light clearance, or at a stoplight, are unnecessarily endangering not only their own health, but also those around them, none of whom have any choice but to breathe this air polluted and contaminated with unburned hydrocarbons and other noxious exhaust gases; second, that in closely built-up urban areas with congested automotive traffic with a lot of stop and go driving, and in other areas where traffic congestion occurs, actually millions of people are daily inhaling great quantities of automobile exhaust gases which, I am personally convinced after much study, are very harmful to human health.

The hearings held by our subcommittee, Mr. Speaker, are filled with testimony and references by highly qualified medical authorities, research scientists, and other experts, that substances in automotive exhaust gases are harmful to human health in many ways. House Report No. 814 on H.R. 8238 quotes many authorities on this subject and there is no need to repeat them in my remarks except to urge all Members to study this report carefully.

Dr. Leroy E. Burney, Surgeon General of the U.S. Public Health Service, is quoted in a recent periodical as saying:

> There is a definite association between community air pollution and high mortality rates due to cancer of the respiratory tract, including the lung, cancer of the stomach and esophagus, and arteriosclerotic heart disease.

Dr. Burney is also quoted as having stated in an address before the Society of Automotive Engineers that—

> Certain components of automotive exhaust have been known as cancer causing substances for years.

Time, Mr. Speaker, will not permit me to quote or use but a very small amount of the material I have gathered in my study of these problems. Many folks first think of carbon monoxide as being one of the greatest dangers in automotive exhaust gas. There is no question, Mr. Speaker, that carbon monoxide is a deadly poison when released in a confined space, but carbon monoxide is a waste product of the gasoline that has been totally burned up in an automotive engine and it disperses quickly and harmlessly in the open air. There are other substances in automotive exhaust gases, Mr. Speaker, the dangers of which, while not yet fully documented by adequate scientific data, are never-the-less very dangerous. These substances result from the unburned gasoline vapor and are naturally present in greater volume when the engine is idling along in slow moving, congested traffic. Included in automotive gases are oxides of nitrogen and many other substances. Some of them combine with ozone and other gases in the air. Some of these gases are changed into other compounds as the result of the reaction of sunlight and other light rays, all of them producing still more organic compounds that we breathe into our lungs.

There are nearly 70 million motor vehicles being operated on our highways and streets today, Mr. Speaker, and this number is increasing at a net rate of some 3 million per year. More than 130 million gallons of gasoline are being used per day in our Nation and this means that some where between 10 and 12 million gallons are being discharged into the air. This tremendous number of liquid gallons, when converted into gases and this volume increased still further when combined with gases already in the air, creates an almost unbelievable volume of cancer inducing gases. I am told, Mr. Speaker, that whether we drive or not, each of us inhales some 5,000 quarts of air each 24 hours. When we realize that this air we breathe is contaminated with vapors and tiny suspended organic substances from automotive exhaust gases and when we realize that even extremely minute amounts of cancer-inducing automotive exhaust gases are so extremely dangerous there is little wonder that the 250,000 Americans who die from cancer each year include many who die from lung cancer.

The Washington Sunday Star of August 9, 1959, Mr. Speaker, included a very well written editorial on this subject pointing out some of the dangers from automotive exhaust gases that I have been discussing here, and referred to a recent announcement by General Motors Corp., according to the New York Times of August 4, and the Herald Tribune of that same date, which indicated that General Motors has held preliminary discussions with the Sloan-Kettering Institute for Cancer Research about the possibility of that institute doing a thorough study of the actual and potential evils inherent in exhaust fumes from trucks, buses, and private automobiles. Under unanimous consent, Mr. Speaker, I include this editorial as part of my remarks:

POISON ON WHEELS

It is good to note that General Motors, in cooperation with the Sloan-Kettering Institute for Cancer Research, is planning to finance a thoroughgoing study of the actual and potential evils inherent in exhaust fumes from trucks, buses and private automobiles. The project is altogether timely and very much to the point, and it is to be welcomed and commended as something that ought to stimulate the entire automotive industry into doing far more than it has done so far in this challenging and worrisome field.

There can be no doubt, in any case, that the contaminating materials released by vehicular exhausts markedly exceed industrial smoke as the principal cause of poisonous smog and other noxious atmospheric conditions in all our great urban centers. Experts like Surgeon General Leroy E. Burney of the U.S. Public Health Service make no bones about the situation. They feel sure that our municipal traffic, because it is the chief contributor to these conditions, must be dealt with as a factor definitely associated with malignant tumors and such afflictions as asthma. In Dr. Burney's opinion, as expressed some months ago to the first National Conference on Air Pollution, "We know that cancer-producing agents are in the air we breathe. * * * We know that lung-cancer rates in the largest cities are twice as high as those in nonurban areas. The case has not yet been proved, but the weight of circumstantial evidence grows heavier as research progresses."

These are words that speak pretty much for themselves. With our population increasing at an explosive rate, we face the prospect of massively expanding motor traffic throughout our country. As far as metropolitan public health is concerned, this makes it all the more important, if not urgent, to carry out just such studies as the one being contemplated by General Motors. Everybody, of course, and not just GM, has reason to take a lively interest in the problem.

Favorable, continuous and insistent prompt action, by the Congress, is completely justified and extremely important, Mr. Speaker, on what is shown to be a serious menace to human health. I am completely convinced, Mr. Speaker, that the exhaust pipes from automotive engines may well prove to be the most deadly and dangerous part of the car from the standpoint of the health of people.

The automotive industry, as a group and through its association with various automotive professional engineer organizations, has been doing a great deal of research on these problems and on devices to correct some of the dangers to which I have referred. Much has been done, but a great deal more must be done.

The American Petroleum Association, through its own members and through cooperation with many other organizations, has been doing a great deal of work in this field.

Many universities, colleges, research organizations, medical experts, scientists, municipal and State officials and many others have been working on these very important problems.

Some progress has been made, Mr. Speaker, and although some devices have been developed in an effort to solve the problem by attempting to clean up automotive exhaust gases so that they will not be harmful to human health, efficient devices to do the job within reasonable cost limits have not yet been fully developed. I am completely confident, however, Mr. Speaker, that American automotive engineers, scientists, mechanical engineers, chemical engineers, and many others, both within the industry and outside the industry, have the ability and the ingenuity to do the job once they are fully convinced of the need and the public demand.

Frankly, Mr. Speaker, and as can be seen by the reports from the several departments, certain objections to H.R. 9368 and H.R. 1346 have been raised for the reasons stated. I am firmly convinced that H.R. 8238, as amended, meets all these objections. Mr. William F. Sherman, Secretary, Engineering Advisory Committee, Automobile Manufacturers Association, by a telegram addressed to me on July 17, 1959, expressed certain reservations and opinions of H.R. 8238, and, under unanimous consent, I include Mr. Sherman's telegram referred to in full:

I have been directed by the chairman and members of the Engineering Advisory Committee of the Automobile Manufacturers Association, which appeared before your committee on July 8, to advise you that the statement attributed to you by the press that your bill H.R. 8238 is not opposed by the manufacturers misinterprets the position of the manufacturers with respect to your bill while all of the automobile manufacturers subscribe to the objectives of H.R. 8238 as evidenced by the major intensive research and development program they are conducting in their efforts in this direction, they do not believe that its passage will accelerate progress or further the attainment of these same objectives. However, the automobile manufacturers will support a bill that directs the Surgeon General to conduct research on this subject and report his findings periodically to the Congress.

Permit me, Mr. Speaker, to point out that H.R. 8238 as amended fully meets two statements in Mr. Sherman's telegram which I have quoted fully. These are: That "all the automobile manufacturers subscribe to the objectives of H.R. 8238," and that "the automobile manufacturers will support a bill that directs the Surgeon General to conduct research on this subject and report his findings periodically to the Congress."

It is my considered opinion, Mr. Speaker, therefore, that H.R. 8238 as amended, meets any and all of the objections of the several departments of the Federal Government and all of the objections of the Automobile Manufacturers Association Engineering Committee as presented by William F. Sherman, its secretary.

It is also my own personal opinion, Mr. Speaker, that the Surgeon General of the Public Health Service through appropriation of funds already approved for the use of the Public Health Service, the National Institutes of Health, and the Department of Health, Education, and Welfare, has ample funds to carry out the provisions of H.R. 8238, as amended, and that no additional funds are necessary at this time. It is also my personal opinion, Mr. Speaker, that the Automobile Manufacturers Association,

along with the petroleum industry, and others, have ample funds and a recognized responsibility in the public interest to cooperate fully with the Surgeon General, both in proving the need for any corrective action necessary and producing the device or methods necessary to meet this need.

It is my personal opinion, therefore, Mr. Speaker, that H.R. 8238, as amended, should be approved promptly by the Congress so that the responsibility of the Surgeon General is recognized; so that he is directed to proceed promptly in accordance with all the provisions of H.R. 8238, as amended; that the automotive industry in general should recognize and act in accordance with its responsibility in the public interest, and further; that the Congress shall insist that all proper steps be taken to alleviate the dangers to human health from automotive exhaust gases at the earliest practicable date.

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

Mr. SCHENCK. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, I should like to commend the gentleman from Ohio as well as the other members of the committee for the tremendous progress they have made in their study on matters of safety. I think it would be well to advise the House that the author of the bill, the gentleman from Ohio [Mr. SCHENCK], has spent many years in the field of education, was an instructor himself in the field of the automotive training and therefore has had a long background of experience in this field. He has made a tremendous contribution to the solution of the safety problems in this country.

Mr. SCHENCK. I thank the distinguished gentleman.

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

Mr. SCHENCK. I yield to the gentleman.

Mr. BECKER. Mr. Speaker, I should like to pursue the question raised by the gentleman from Iowa [Mr. GROSS]. I know that the gentleman from Alabama [Mr. ROBERTS] answered very frankly and honestly that he could not be bound by his statement as to where the funds for this study would come from. Is there not further information as to where the funds will come from to make this study? I think we ought to have factual statements as to where the funds are coming from. I think the gentleman from Alabama or the gentleman from Ohio can give us that information.

Mr. SCHENCK. Mr. Speaker, in reply to the question of my good friend from New York, the Public Health Service now, as I understand it, has approximately $1 million in its fund for research in connection with these exhaust gas fumes. Also included in the National Institutes of Health are various agencies. I have a very definite opinion from all the testimony we have received that these substances in the exhaust gases are carcinogenic in type, in that they are cancer-forming substances. The National Institutes of Health is interested in that particular phase and has ample funds with which to continue its research in this matter, this being a very possible source of injury and harm to human health.

Mr. BECKER. Does the gentleman say that the funds are coming from the Public Health Service, or are the funds to be obtained from the Department of Health, Education, and Welfare? As I understand the gentleman the funds are going to come out of one of those two departments, is that correct?

Mr. SCHENCK. That is my understanding. It is my understanding that these funds will come directly out of the Public Health Service, the Department of Health, Education, and Welfare and the operations of the National Institutes of Health, which funds have already been appropriated.

Mr. BECKER. Mr. Speaker, I would like to say that my interest in this is because so much of the funds of the Department of Health, Education and Welfare are used for studies and then they make studies and start propagandizing for funds to be appropriated by Congress for purposes that many Members of Congress are opposed to. That is why I would like to know where these funds are coming from.

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

Mr. SCHENCK. I yield to the gentleman from Arkansas.

Mr. HARRIS. I think the gentleman from New York is laboring under some misapprehension with reference to the purpose of this legislation.

Mr. BECKER. Perhaps so.

Mr. HARRIS. As the bill was originally introduced it required the Surgeon General of the Public Health Service, after conducting necessary research, to establish standards which the industry would have to follow to meet this problem. We thought we were not quite ready for that yet. The committee decided that we should direct the Surgeon General to make a study and to report back to the Congress on the problem.

Mr. BECKER. Mr. Speaker, I am glad the gentleman has cleared my mind on that, because I was confused by the original bill and the report, and the proposition we have before us now. I am now entirely satisfied.

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

Mr. SCHENCK. Yes, I am happy to yield to the distinguished gentleman from New York.

Mr. TABER. How can any committee of Congress have legislative powers to direct the Department of Health, Education, and Welfare to do anything?

Mr. SCHENCK. It is my understanding, Mr. Speaker, that under the legislative jurisdiction of the Committee on Interstate and Foreign Commerce and through legislation approved by the Congress we may direct the Department to do so.

Mr. TABER. They have the right to bring in bills that relate to the Department, but they do not have the right to direct them what to do.

Mr. SCHENCK. Oh, yes.

Mr. TABER. Oh, no; they could not.

Mr. SCHENCK. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, as the author of one of the bills, H.R. 1297, considered by the committee, I want to express my appreciation to the committee for bringing this bill to the floor and for the hearings that were held and the study that was made. The report signifies that this is a very vital thing as far as the health of the public in general is concerned. It has been determined after long and exhaustive research that the exhaust gases of automobiles contribute immeasurably to the pollution of the air, especially in heavily populated city areas of the United States and in particular in my locality in Los Angeles, where we have not only a heavy population and a heavy automobile registration operating the year around, but we have a topographical situation where the prevailing wind comes off the Pacific Ocean and we have a high mountain range to the east of the city which impedes the flow of the atmosphere. The polluted air keeps building up and building up until it rolls back over the city and then drops when the atmosphere gets heavy and brings down upon the people toxic gases that cause smarting of the eyes and contributes to asthmatic conditions and, as the report indicates, is a contributing factor to the incidence of cancer. Of course, there is no secret about the fact that automobile exhaust gases are very disastrous because we have heard of a number of suicides where people have used that as a means of committing suicide, that is, in a concentrated form where they pipe the exhaust gas into the cabin of the car and they inhale a certain amount of carbon monoxide and all the deleterious gases. When we know these gases are being released into the atmosphere in large quantities it is certainly the responsibility of the Public Health Service to discover to what extent this can be controlled and what sort of equipment ought to be applied to an automobile to implement the study of the Public Health Service in order to prevent the introduction of these gases into the atmosphere.

Permit me to read the following from the committee report:

HISTORY OF THE LEGISLATION

Air pollution is a national problem. It is a public health problem. Federal, State, and local governments have spent vast sums to study and control this problem. Industry likewise has spent millions on research and abatement. Great progress has been made but the problem is far from solved. In fact, the blight of air pollution, especially resulting from automotive exhaust gases, has become a real menace to all urban areas.

This problem has been under consideration by the Committee on Interstate and Foreign Commerce for many years. In 1955, your committee reported favorably on legislation for Federal aid in air-pollution control. This legislation (Public Law 159, 84th Cong.) directs the Public Health Service to conduct and support research and to provide technical services to State and local governments and to private agencies. The law provides for a 5-year program and authorized total expenditures of $25 million.

In 1956, the Special Subcommittee on Traffic Study of this committee made a study

of noxious, toxic, and harmful motor vehicle exhaust fumes in connection with a comprehensive investigation of highway traffic safety. Testimony was taken and research activities of the industry were studied on visits to manufacturing plants.

The danger to automobile drivers and occupants resulting from exposure to exhaust fumes in traffic was called forcefully to the attention of the Traffic Safety Subcommittee in the 1956 hearings at Dayton, Ohio, by Dr. Robert E. Zipf, president of the Ohio State Coroner's Association, who urged that a research program be set up to study this problem (hearings, "Traffic Safety, 1956," p. 722).

Legislation proposed to provide standards

After consideration of the data gathered in the subcommittee study, Congressman SCHENCK, on July 20, 1957, introduced H.R. 9368, 85th Congress, to prohibit the use in commerce of any motor vehicle which discharged unburned hydrocarbons in an amount found by the Surgeon General to be dangerous to human health.

That bill directed the Surgeon General of the Public Health Service to prescribe and publish, not later than 6 months after enactment of the legislation, standards as to the amount of unburned hydrocarbons which are safe, from the standpoint of human health (with particular reference to the carcinogenic nature of unburned hydrocarbons), for a motor vehicle to discharge into the atmosphere.

The bill provided criminal penalties for any person using in commerce in the Territories or the District of Columbia, in interstate commerce, or in commerce with foreign nations, a motor vehicle which discharged unburned hydrocarbons in amounts in excess of the standards set by the Surgeon General.

Hearings on this bill were held March 17, 1958, by the Special Subcommittee on Traffic Safety. Leading experts in the field were heard and a comprehensive record of 180 pages published, which is available from the committee.

At the beginning of the present session, Congressman SCHENCK introduced H.R. 1346, a modification of his bill in the previous Congress. Congressman MCDONOUGH introduced H.R. 1297, also dealing with the problem of motor exhausts. The bill H.R. 8238, here reported with amendments, was similar to H.R. 1346 but with modifications referred to below.

Because agency reports on H.R. 1346 and H.R. 1297 were discussed by the committee in detail in connection with consideration of H.R. 8238, and the adoption of the committee substitute, the text of these two bills and the agency reports thereon are printed hereafter in an appendix to this report.

Hearings held on air pollution legislation

Hearings on air pollution legislation were held May 19 and June 24, 1959, by the Subcommittee on Health and Safety. At that time valuable information on the problem of unburned hydrocarbons was presented by representatives of the Public Health Service and others. These hearings have been printed and are available from the committee.

Additional hearings were held July 7, 8, and 9 by the subcommittee to consider automobile safety legislation, including the problem of unburned hydrocarbons.

Following the hearings, the legislation was considered by the subcommittee. Certain amendments were adopted to H.R. 1346, chiefly to section 2 to eliminate the objection raised by the Bureau of the Budget and the Department of Health, Education, and Welfare, that as written this section would necessitate the creation of a Federal enforcement organization in an area traditionally under State and local jurisdiction. Congressman SCHENCK thereafter introduced a new bill to incorporate the amendments adopted in the subcommittee and this became H.R. 8238, the bill considered by the entire committee.

In addition to the above objection, the Department of Health, Education, and Welfare, while agreeing that the provisions of H.R. 1346 relating to standards "are technically feasible of ultimate accomplishment," also opposed enactment of the legislation as introduced on other grounds set out in detail in a letter addressed to the chairman of this committee, included hereafter in an appendix to this report. After considering these objections and other aspects of the problem, the committee adopted an amendment in the nature of a substitute for the purpose of accelerating research into the problem. As outlined above, the committee substitute calls for a comprehensive study and report by the Surgeon General.

NEED FOR THE LEGISLATION

Automobile exhaust research now is being conducted by the Public Health Service. In the hearings on May 19 and June 24 the scope and progress of this research was explored by the subcommittee.

The committee is concerned about the general problem of air pollution but desires to emphasize here the importance of giving the highest priority to an investigation of the role of motor vehicle exhaust gases, especially in view of the testimony in the record regarding the important part motor vehicle exhaust gases play in contributing to air pollution in major metropolitan areas.

Also, harmful toxic effects upon drivers of motor vehicles who inhale exhaust fumes may be an important contributory cause of automobile accidents, as pointed out by Dr. Zipf in the 1956 subcommittee hearings mentioned above.

Clearly, more information is needed about the part that unburned hydrocarbons play in contributing to air pollution in general, with the attendant ill effects on human health and comfort.

We need information on how to eliminate and control harmful, toxic, and irritating motor vehicle exhaust fumes. We need more information regarding the harmful effects of these fumes on public health.

In the May 19, 1959, hearings on air pollution control legislation, the subcommittee was told that scientists know there are pollutants in the air which cause cancer, particularly in laboratory animals, and that death rates from certain types of cancer and respiratory conditions are higher in urban areas where air pollution is greater. Statistics were cited which show that lung cancer rates are twice as high for the largest cities than in rural areas. Agriculture also suffers extensive damage from air pollution.

Extensive study of problem needed

The committee feels that extensive study of carcinogens (cancer-producing agents) which may be present in motor vehicle exhausts is urgent. In that connection, the following excerpt from a statement regarding air pollution research submitted by the Public Health Service in connection with the May 19 hearings (p. 32) is of interest:

"In something less than 4 years of effort in this field, several important and significant findings have emerged from medical research on air pollution and its effect on man. Evidence strongly suggests that the slowly progressive and subtle changes that may result from air pollution cause much of the distress and disability of our aging population. Certain air pollutants found in our cities are known to be experimentally carcinogenic for animals, and there is evidence that death rates for certain causes of death increase markedly with urbanization. Specifically, these causes include cancer of the lung, trachea, and bronchus, cancer of the stomach and esophagus, arterio-sclerotic heart disease, and myocardial degeneration. Incomplete evidence suggests that the distribution of cancer mortality within cities is related to the distribution of air pollution intensity. Further medical research on the effects of air pollution is needed in order to help delineate those factors which affect human comfort, health, and life spans, so that effective and practical control efforts may be undertaken."

In the hearings on H.R. 9368, 85th Congress, March 17, 1958, the subcommittee was told in a statement submitted by the Department of Health, Education, and Welfare (hearings, p. 120):

"It has been shown that auto exhausts contains substances which, when supplied to suitable experimental animals under appropriate conditions, will increase the frequency of cancer."

Reports of studies on exhaust fumes

The committee also considered the following memorandum from the Acting Surgeon General, dated July 14, 1959, submitted by the Secretary of Health, Education, and Welfare, in response to a request from the subcommittee chairman:

"The following information is provided in response to the request of Representative KENNETH A. ROBERTS, chairman, Subcommittee on Health and Safety, concerning the possible effects on health of automotive exhaust fumes.

"Automotive exhaust fumes, and the products that result after these fumes enter the atmosphere, include numerous groups of compounds of which the unburned and partially burned hydrocarbons are only one. To our knowledge, the only pertinent studies thus far undertaken that involve the deliberate exposure of human subjects to known mixtures, or constituents, of automotive exhausts, are the studies concerned with its effect in producing eye irritation.

"Our presently available information, therefore, is limited to knowledge obtained from controlled laboratory exposures of experimental animals to constituents of automotive exhaust. The results of two such studies, conducted by Dr. Paul Kotin and his associates at the University of Southern California, have been reported in Cancer (vol. 9, No. 5, 1956, and vol. 10, No. 6, 1957). These studies involved the exposure of both tumor-susceptible and tumor-resistant mice to ozonized gasoline, a form of unburned hydrocarbon. The exposures induced an increase in lung tumors of 100 percent in the tumor-susceptible mice, and produced lung tumors in 10 percent of the tumor-resistant mice. Other effects reported included higher death rate, lighter body weights and some reduction in fertility. Dr. Kotin, in his conclusion, states: 'Differences in tumor rates and the production of hyperplastic and metaplastic changes in the bronchial epithelium in a highly refractory inbred strain warrant the consideration of polluted atmosphere characterized primarily by oxidation products of aliphatic hydrocarbons as a factor in human pulmonary carcinogenesis.'

"In our opinion, these studies justify the conclusion that constituents of automotive exhaust fumes can produce carcinogenic and other undesirable physiological effects in mice, and therefore might produce these effects in human beings. Whether they do so, however, cannot now be stated."

Discussions at Conference on Air Pollution

The need for extensive study of the contribution of motor-vehicle exhaust fumes to air pollution in metropolitan areas is indicated in papers prepared for presentation at the National Conference on Air Pollution in Washington, November 18, 1958.

Dr. Leslie A. Chambers, director of research, Los Angeles County Air Pollution Control District, said:

"Few sources of air pollution have been under such close scrutiny in recent years as the automobile and other petroleum fueled vehicles. This attention is well deserved on the basis of the firmly established major role of vehicular exhausts in the production of smog in Los Angeles, and the inevitable inference that automobile exhausts are contributing heavily to air pollution in other metropolitan areas."

Dr. Paul Kotin, associate professor of pathology, University of Southern California School of Medicine, Los Angeles, said:

"Certain epidemiological facets of the increasing incidence of lung cancer suggest that the atmospheric environment may be casually associated with this observed increase."

Dr. Lester Breslow, chief, Bureau of Chronic Disease, California State Department of Health, said:

"The findings of the several investigations briefly reported here add up to a substantial justification for concern about the long-term effect of repeated exposure to air pollution. Evidence is gradually accumulating which suggests that air pollution of various types chemically and physically, may be involved in such important lung conditions as chronic bronchitis, asthma, emphysema, and lung cancer."

Dr. Thomas F. Mancuso, chief, division of industrial hygiene, Ohio State Department of Health, Columbus, said:

"I believe that air pollution represents a highly probable and important factor in the excess of lung cancer in urban areas, acting directly and augmenting the occupational exposures of men so that carcinogenic and cocarcinogenic agents of both environments may be involved."

Recommendations of national conference

The National Conference on Air Pollution recommended additional research to devise effective control methods for various types of emissions, with particular attention to problems of automobile exhausts.

In a summary of the highlights of that conference, published by the Department of Health, Education, and Welfare (Public Health Service Publication No. 648), it is stated (p. 14):

"The transportation industry's greatest pollution problem is the exhaust emitted from the tailpipe of the automobile. Although the public is more aware of the smoke and odors emitted from diesel engine buses, trucks and trains, these are relatively minor sources as compared to automobile exhausts.

"The most significant emissions from automobile exhausts are carbon monoxide, oxides of nitrogen, and organic substances. The latter two are the major cause of the Los Angeles smog and are a problem of growing importance in many other cities. There are probably several thousand organic components involved, which have varying effects on eye irritation, toxicity, plant damage and visibility. More needs to be known about the individual components of exhaust emissions and the meteorological factors which govern the formation of reaction products. Satisfactory methods of reducing this pollution have yet to be developed, although the automobile industry has made some progress in achieving better combustion and thus reducing the amount of fuel that escapes into the air."

Studies of fumes in metropolitan areas

In the hearings March 17, 1958, on H.R. 9368, 85th Congress, Dr. Clarence A. Mills, professor of experimental medicine, University of Cincinnati, presented three exhibits giving some very interesting results of his study of air pollution problems. His testimony indicates the urgent need for further study of the part motor-vehicle exhaust fumes play in contributing to air pollution in metropolitan areas.

In his statement he had the following to say regarding his exhibit C, an article from the November 1957 issue of Cancer Research (hearings, p. 75):

"Now, exhibit C, the tobacco smoking, motor exhaust fumes and general air pollution in relation to lung-cancer incidence, represents a very serious effort to assay the various factors at work in the amazing and very alarming rise in lung-cancer incidence in American cities, much more in the cities than in the country districts, and the finger of suspicion has been pointed very strongly at tobacco smoking, there had been some suspicion of general urban air pollution being a factor also, but there had been no real serious effort at separate evaluation of those factors in this lung-cancer situation.

"This report, exhibit C, presents my findings there which, in essence, indicate tobacco smoking, and primarily cigarette smoking, as the major etiological causative factor in lung-cancer incidence, but that tobacco-smoking effect is more than doubled for those urban residents who drive more than 12,000 miles a year on an average in urban traffic.

"It is still higher for those tobacco smokers who drive that much and then live in the dirtiest part of the city.

"So we have there a very first strong hint that motor-exhaust fumes are a significant factor, mathematically significant also, in the incidence of lung cancer."

The committee recognizes the urgent need for additional and expanded research on the problem to determine how motor vehicle exhausts contribute to air pollution and the harmful levels of concentration endangering human health. This research is necessary to establish criteria upon which engineers can develop better control methods.

In a letter to the chairman of the Subcommittee on Health and Safety, dated July 16, 1959, Hon. Arthur S. Flemming, Secretary of Health, Education, and Welfare said:

"It should be pointed out that the role of the Public Health Service in the auto exhaust problem is essentially one of research related to the characterization of exhaust components and to their effect."

I am very much concerned with the passage of adequate legislation to control this, having introduced a bill with my colleague, the gentleman from Ohio. I trust we will obtain a satisfactory report from the Public Health Service soon and that we will be able to implement the recommendations of the Public Health Service as soon as possible.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to authorize and direct the Surgeon General of the Public Health Service to make a study and report to Congress, from the standpoint of the public health, of the discharge of substances into the atmosphere from the exhausts of motor vehicles."

A motion to reconsider was laid on the table.

Mr. SCHENCK. Mr. Speaker, I want to express my deep appreciation and sincere thanks to the Members of the House for their approval of H.R. 8238 today. This measure is of great importance for the protection of human health from the harmful substances I am convinced are contained in automotive exhaust gases. It is my sincere hope, Mr. Speaker, that this proposed legislation will receive prompt attention in the other body and that it will be approved.

Engineers and scientists in the automotive and allied fields are to be sincerely commended, Mr. Speaker, on the progress made thus far in working on these problems, but much more needs to be done and done promptly in the public interest. It is my hope, Mr. Speaker, that the approval of this measure here in the House today will serve to encourage greater interest and an early solution.

The Congress, by approving this measure, Mr. Speaker, will focus public attention upon these dangers to human health, especially in areas of congested and slow moving automotive traffic and I am certain that such attention will bring public demand for adequate protection. I feel certain also that many local communities and states will be encouraged to take appropriate action.

There is no doubt in my mind, Mr. Speaker, but that the Surgeon General and all those associated with him will be able to establish proper standards of safety in automotive exhaust gases well within the time limitation of two years as required by the provisions of H.R. 8238.

I am completely confident, however, Mr. Speaker, that automotive engineers and other scientists will find the proper solutions to these problems with or even perhaps without the need for any new device or attachment. The best forecast of the future needs but a brief review of accomplishments in the past to note that our U.S. engineers and scientists can always achieve the proper answers when confronted with the necessity of doing so. The automotive industry in our United States has, by sheer skill, ability, and know-how, produced the best engineered and best appearing automobiles in the entire world. A method of controlling exhaust gases so that they will not be harmful to human health coupled with the production of efficient automobiles of pleasing design and style which at the same time include safety devices for the protection of everyone are but two of the challenges that will be met successfully through American ingenuity.

It is not my purpose or intention, Mr. Speaker, to create any undue hardship on the very important automotive industry. I am convinced, however, Mr. Speaker, that these matters to which I have referred are essential in the public interest and I am sure that these challenges can be and will be met because such is the history of American ingenuity and accomplishment.

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks.

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

There was no objection.

AUTHORIZING PARTICIPATION BY THE UNITED STATES IN PARLIAMENTARY CONFERENCES WITH MEXICO

Mr. SAUND. Mr. Speaker, I move that the House suspend the rules and

pass the joint resolution (H.J. Res. 283) to authorize participation by the United States in parliamentary conferences with Mexico, as amended.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That not to exceed twenty-four Members of Congress shall be appointed to meet jointly and at least annually and when Congress is not in session (except that this restriction shall not apply during the first session of the Eighty-sixth Congress or to meetings held in the United States) with representatives of the Chamber of Deputies and Chamber of Senators of the Mexican Congress for discussion of common problems in the interests of relations between the United States and Mexico. Of the Members of the Congress to be appointed for the purposes of this resolution (hereinafter designated as the United States group) half shall be appointed by the Speaker of the House from Members of the House (not less than four of whom shall be from the Foreign Affairs Committee), and half shall be appointed by the President of the Senate from Members of the Senate (not less than four of whom shall be from the Foreign Relations Committee). Such appointments shall be for the period of each meeting of the Mexico-United States Interparliamentary group except for the four members of the Foreign Affairs Committee, and the four members of the Foreign Relations Committee, whose appointments shall be for the duration of each Congress.

SEC. 2. An appropriation of $30,000 annually is authorized, $15,000 of which shall be for the House delegation and $15,000 for the Senate delegation, or so much thereof as may be necessary, to assist in meeting the expenses of the United States group of the Mexico-United States Interparliamentary group for each fiscal year for which an appropriation is made, the House and Senate portions of such appropriation to be disbursed on vouchers to be approved by the Chairman of the House delegation and the Chairman of the Senate delegation, respectively.

SEC. 3. The United States group of the Mexico-United States Interparliamentary group shall submit to the Congress a report for each fiscal year for which an appropriation is made including its expenditures under such appropriation.

SEC. 4. The certificate of the Chairman of the House delegation or the Senate delegation of the Mexico-United States Interparliamentary group shall hereafter be final and conclusive upon the accounting officers in the auditing of the accounts of the United States group of the Mexico-United States Interparliamentary group.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. SAUND. Mr. Speaker, I yield such time as he may require to the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I rise in support of House Joint Resolution 283, a resolution to authorize participation by the United States in parliamentary conferences with Mexico.

This resolution will make it possible for an interparliamentary group on the part of the House and Senate to meet with Mexican legislators to discuss various matters and problems common to the interests of both our countries. Earlier during this session the Congress approved a resolution establishing a similar interparliamentary relationship between the United States and Canada and two meetings have since taken place. These two meetings resulted in friendly exchanges of views and discussions on mutual problems which can only lead to a better understanding.

I urge the passage of House Joint Resolution 283 so that it may provide for the other great nation which borders our country on the south the same helpful parlimentary relationship which we have now established with our northern neighbor.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, it was not so long ago that legislation was before the House to provide for one of these parliamentary deals with Canada. At that time I asked how long it would be before there would be such an arrangement with Mexico. I suspected but did not know then that another new resolution would follow so quickly, but here it is on the floor, here is another junketing setup.

I repeat again, we have the Interparliamentary Union, the granddaddy of them all. That has been in existence since back in the 1880's. I have never been able to ascertain what it has accomplished. If any Member of the House can tell me anything of substance accomplished on the part of the Interparliamentary Union I yield to him or her now to do so. Nor do I know what is expected to be accomplished with this organization that is to be established here today.

In addition to the Interparliamentary Union there is another junketing organization, the NATO parliamentary group which has just completed a nice trip over to London.

I have been unable to learn what this outfit accomplished, if anything, and that leads me to ask this question: Why the round figure of $30,000 you are asking for this new one? How do you arrive at the figure of $30,000?

Mr. MORGAN. The gentleman knows, of course, that was the amount contained in the Canadian resolution, and it was incorporated in this one.

Mr. GROSS. In other words, it is just a nice round figure that was plucked out of the air.

Mr. MORGAN. No; it was worked out in detail in the case of Canada, and in several other instances, the same figure was found to be a practical basis for estimating actual required expenses.

Mr. GROSS. All right, you do not know why it was incorporated in the bill, except that $30,000 has become an accepted figure for interparliamentary expenses.

I understand that there are some uneasy people around here who are scheduled to take off on the Interparliamentary Union junket to Warsaw, Poland, the last of this month. They are fearful Congress will not adjourn soon enough. Does anyone have any idea when this junket is going to set out for Mexico City. Can any of those who sponsored this resolution give me any idea as to when the first junket will take place?

Mr. SAUND. It cannot go until the money is appropriated.

Mr. GROSS. I understand that.

Mr. SAUND. And the Appropriations Committee will have to act before the money is available. The time and place will have to be negotiated between representatives of the Congress of Mexico and the Congress of the United States.

Mr. GROSS. You do not have the money now, do you?

Mr. SAUND. Oh, no; this is just the authorizing resolution.

Mr. GROSS. You do not plan to spend your own money on this, do you?

Mr. SAUND. That is a very strange question.

Mr. GROSS. The answer, of course, is that you are not going to spend your own money on this sort of thing, so you will have to wait until the Appropriations Committee gives you this $30,000.

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

Mr. GROSS. Yes, I am happy to yield to the gentleman from New York.

Mr. TABER. I am wondering what they have all these things for. I do not think anybody would send me, because I would not go.

Mr. GROSS. I appreciate that, and I am sure the gentleman realizes that the $30,000 is not the only expense involved in these junkets. They undoubtedly will get a free plane ride from MATS, so the money appropriated is not the total bill for any of these junketing outfits.

Mr. TABER. It runs into real money.

Mr. GROSS. Of course it runs into real money. The $30,000 is only the start.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Speaker, I yield myself 2 additional minutes; and I wonder if the Speaker is not going to run out of Members if the House keeps on authorizing junkets; if the Speaker is not going to run out of Members to send.

The SPEAKER. That is not a parliamentary inquiry.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HOFFMAN of Michigan. I did not understand that the gentleman was making a parliamentary inquiry. I think the inquiry was directed to having the Speaker recognize that sometime we would not have any more money.

Mr. GROSS. It is not a question of money entirely; it is a question of having enough Members to go on all these junkets if they happen to take place at the same time.

Mr. HOFFMAN of Michigan. We will increase the membership.

Mr. GROSS. I see.

I want to get back to my other question: Is it proposed to organize a parliamentary group to go over to Cuba, down to Ecuador, another one for Brazil, and another one for Argentina, and so forth? Where is this kind of business going to stop?

Mr. MORGAN. The gentleman knows that Cuba and Argentina do not join our

borders. This resolution, like the Canadian resolution, concerns a country that has a contiguous border with our own.

Mr. GROSS. That is not the story of the Interparliamentary Union, and the gentleman knows it.

Mr. MORGAN. This is not an Interparliamentary Union resolution.

Mr. GROSS. It is very similar to it. Mexico, I have no doubt, is a member of the Interparliamentary Union. Is it or is it not?

Mr. MORGAN. Yes, it is a member of the Interparliamentary Union.

Mr. GROSS. Then why this organization?

Mr. MORGAN. This organization will help provide a forum for informal discussion of our common problems. We share many common problems with Mexico.

Mr. GROSS. How have these common problems been taken care of in the past?

Mr. MORGAN. Many of them have not been, and that is the reason we need this organization.

Mr. GROSS. Do we have a serious situation so far as Canada and Mexico are concerned?

Mr. MORGAN. No, we do not, but we do have many mutual problems which can be helped by frank and friendly discussion.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. SAUND. Mr. Speaker, I yield such time as he may desire to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I rise in support of House Joint Resolution 283. I introduced a similar resolution. I am pleased to join with the gentleman from California in urging the House to pass this particular piece of legislation. The most important areas in the Western World, as far as future relations with the United States are concerned, are the Dominion of Canada and the Republic of Mexico. These are our two good neighbors to the north and south. We have a language barrier as far as relations with the Republic of Mexico are concerned, but I hope this barrier will be dissipated as time runs on by an increased knowledge on both sides of the border of the tongues which are spoken in each country. I hope, also, that this barrier will be dissipated by an interchange of delegations such as is encompassed in this resolution.

It is certainly a healthy thing for legislators on this side of the border to meet with legislators on the other side of the border; it is a healthy thing for the legislators of this Nation, this oldest modern republic, to meet also with the Spanish-speaking representatives of the Republic of Mexico, one of the bright shining lights of our democratic way of life and the republican form of government in the Western World.

Mr. Speaker, I hope this resolution will be adopted.

Mr. SAUND. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Speaker, it has never been my policy, and is not today, to take exception to my colleague from Iowa, one who has spoken possibly on more subjects than I have ever read about. But today he has spoken disparagingly about the NATO Conference, which I attended in London about 2 months ago. I notice this subject has come up in his conversation in addressing the House quite a number of times.

I have been a Member of this House since 1957. This is my third session in the Congress of the United States. I have stood here on the floor of the House of Representatives, and I have voted on bills that have amounted to billions and billions of dollars, the amounts of which I could never count. I have been held responsible to the constituency of my district for my actions here. Every Member of this House, including the gentleman from Iowa [Mr. GROSS], has voted many times in absolute and total darkness on some of the items that have been in these bills, because of the cloak of security and the lack of specific information. I think many times it is an atrocity and a crime that we commit upon our constituencies to have to vote in such darkness. I am not one who would be for junkets and for the flagrant misuse of the taxpayer's money, and I would be the last one to defend anything that smacked of that kind of operation.

I do say, and I contend here now, that it is an overall narrow viewpoint to say that there can never be a time when a public official, especially of the House of Representatives or the other body, cannot go out into the world and see and observe firsthand what is going on in connection with his duties and his responsibilities here. I do not hear anyone decrying the aspects of travel on the part of the Executive. We have planes coming in and going out of the United States, across the world to every dark and distant corner, and we expect them to go and they ought to go, because they are executing the laws that we here make.

Yet, supposedly we are supposed to sit here in our idle darkness and do nothing and be ignorant. And, I want to say this, that before I left for London I invited my colleague from Iowa to go along, and he declined. I wish he had gone, because I learned more on that trip about international affairs, sitting side by side with representatives from Italy, from France, and many, many other nations of the free world. And, I found that I have a greater respect for some of their problems, and I found that I am a better legislator as far as international affairs are concerned since I have been to London.

Mr. GROSS. Mr. Speaker, I yield myself 5 additional minutes.

Mr. Speaker, I have no apology to make to the gentleman from Iowa [Mr. COAD], or anyone else, for speaking often on the floor of the House and I intend to continue raising questions about spending bills. I do not know to whom he was alluding when he spoke of legislating in the dark. I do not legislate in the dark. I try to find out what these bills are about. Perhaps he legislates in the dark; I do not.

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

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. COAD. You know as well as I do, or at least I am sure you do, that there are many times when bills come up here, that the name of the country cannot even be named, because it is held in confidence; it is a secret matter. You know that there are many projects that are brought up that you and I do not know anything about. They are secret.

Mr. GROSS. After having gone abroad and seen some of the rat holes in connection with foreign aid, it would not do you very much good, because it would still be classified. It is not necessary to spend the taxpayers money to go overseas to know what kind of an operation foreign aid has become. You do not have to spend thousands and thousands of dollars of the taxpayers' money to find that out. The record is pretty clear.

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

Mr. GROSS. I yield to the gentleman from Washington.

Mr. PELLY. I am supporting this resolution. I would like to explain that I know of my personal knowledge of the many problems that we have with our two neighboring countries as regards the border. I know that with Canada we have problems over water and fish, and I know with Mexico we have many problems over shrimp fisheries. For that reason I think it would be good if the position of our legislators were known to the legislators of Mexico, for instance, and therefore I am going to support the resolution. I want to commend the gentleman for taking the time when he gets on the floor and develops the information about these resolutions. There is no one that I have more respect for than the gentleman from Iowa for the job that he does of bringing light out on many of these dark situations.

Mr. GROSS. I thank the gentleman. But, I want to point out that we also have troubles with Cuba. Are the problems with Cuba to be solved by organizing a parliamentary group to go over to Cuba? We have problems, I suspect, with every South American country and every country in the world. Is the answer to organize another parliamentary group?

Mr. PELLY. Mr. Speaker, if the gentleman will yield further, I would agree with the gentleman, but this particular time we are talking about a nation with which we have a common border. I support the resolution, but not for Cuba or many other nations the gentleman has referred to.

Mr. GROSS. I appreciate the gentleman's comment. It is a good deal like this business of economy tomorrow, not today, but tomorrow; we will start saving money tomorrow; not today. And tomorrow never comes.

Now, with respect to the conference that the gentleman talked about, his junket over to London a short time ago, if there was anything accomplished as a result it is not of record. It cost around $6,000 to send a MATS plane over to London and return, and I challenge anyone to stand on the floor and tell me now of anything concrete that was accomplished on that junket. No, I do not legislate in the dark; I find light on almost

every subject that I am willing to look for the light, and I do not appreciate the comments of the gentleman from Iowa [Mr. COAD].

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

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Suppose a committee of the Congress has the duty of handling foreign affairs and then, according to the committee, members of a particular subcommittee are asked to go and look into an argument. For example, on the argument between Pakistan and India as to the dams that are being built and why they cannot agree, consulting with the officials there; or on Formosa, to see whether the Army is getting too old, or whether the reports we receive are true. Does not the gentleman think, in the same context, that as part of our foreign policy it is worth while to make this expenditure of money to send a group over there? The gentleman himself was sent over there in World War I as a serviceman, to do his duty for the United States of America, and he went and did his duty well, as I understand. That can be taken in the same context as these people who have their duties as Members of Congress and who do what the committee feels is the right thing to do. And I think they are doing a good job, just as the gentleman did during World War I.

Mr. GROSS. My quarrel is with those Members of Congress who take their wives and their families on junkets at Government expense. I have never opposed legitimate expenditures on the part of Members of Congress.

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

Mr. GROSS. I yield.

Mr. BECKER. With reference to the remarks made by a previous speaker about operating on bills in this House in the dark, from my experience in this House, the gentleman who now has the floor, Mr. GROSS, would be the last one in my opinion about whom it could be said that he operates on legislation in the dark. I say honestly and sincerely that there is no man in this House, whether we agree with him at times or not, about whom it can more truly be said that he does not operate on the floor of this House in the dark on any legislation.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The question is, Will the House suspend the rules and pass House Joint Resolution 283, with amendments?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

AGAINST SEATING OF COMMUNIST CHINA IN THE U.N.

Mr. ZABLOCKI. Mr. Speaker, I move to suspend the rules and pass the concurrent resolution (H. Con. Res. 369) expressing the sense of Congress against the seating of the Communist regime in China as the representative of China in the United Nations.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that its opposition to the seating in the United Nations of the Communist China regime as the representative of China should be and is hereby reiterated; and be it further

Resolved, That it is hereby declared to be the continuing sense of the Congress that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the charter of the United Nations and should not be recognized to represent China in the United Nations.

The SPEAKER. Is a second demanded?

Mr. JUDD. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the concurrent resolution?

Mr. JUDD. Mr. Speaker, no, I am not.

Mr. MEYER. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the concurrent resolution?

Mr. MEYER. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, House Concurrent Resolution 369 was introduced by me. An identical resolution was introduced by the gentleman from Minnesota [Mr. JUDD].

The mutual security appropriation bill for 1960 included a section expressing opposition to the seating in the United Nations of the Communist regime in China as the representative of China. On a point of order made by the gentleman from Oregon [Mr. PORTER], this section was stricken as being legislation in an appropriation bill. In order that the record be clear that said action did not constitute a change of opinion or policy of the Congress of the United States, House Concurrent Resolution 369 was introduced. The single purpose of this resolution is to reaffirm the attitude of the Congress that it is opposed to the seating of Communist China in the United Nations.

The General Assembly of the United Nations will reconvene on September 15. Because there are only a few more weeks in this congressional session it is necessary that this House and the other body act on this resolution before Congress adjourns.

There should be only one test in voting on this resolution; that is, to determine whether Communist China meets the qualifications set forth for admission. Mr. Speaker, in article IV of the Charter of the United Nations, it is clearly spelled out that membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present charter and in the judgment of the organization are able and willing to carry out these obligations.

The Communist regime in China is still seeking to gain respectability. It wants to increase its prestige and influence by membership in an organization devoted to the peaceful settlement of international disputes. Yet it was only a few months ago that that regime engaged in barbarities in Tibet that shook the world.

Since 1948 the House on 15 occasions has approved language opposing the admission of the Communist regime in China to the United Nations and its specialized agencies. We are only reiterating that position.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks; and I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KING of Utah. Mr. Speaker, will the gentleman yield for a question?

Mr. ZABLOCKI. I yield.

Mr. KING of Utah. I wonder if the gentleman from Wisconsin would like to discuss for just a moment the relationship between the problem of granting a seat to Communist China in the United Nations on the one hand and the general problem of our granting diplomatic recognition to Communist China on the other hand.

I would like to know, in other words, whether voting for one would in any way constitute a commitment on the other issue.

Mr. ZABLOCKI. Not necessarily. I do not think it would at all. Under our Constitution recognition is vested in the President. It is my belief, however, that a President would give consideration to the overwhelming and repeated expressions by the Congress on this subject.

I do not think we should take any action at this time which might in any way suggest that we have changed our opinion on the admission of Communist China while it still is branded an aggressor nation.

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

Mr. ZABLOCKI. I yield to the gentleman for a question.

Mr. BECKER. I do not know how the time is going to be divided here and whether or not we can get time, but I certainly do want to be on record as backing up what the gentleman said. I could in no wise support the proposition of recognition of Red China or her admission to the United Nations while they are holding as prisoners today not only American soldiers but American civilians, and have cruelly tortured them. I see no reason why we should recognize them until they have purged themselves of this wrongdoing.

Mr. ZABLOCKI. I am sure the gentleman would want to advise the House that there are 450 prisoners of war who are not accounted for and the Communist regime does not intend to account for them. I do not think we should ever entertain any proposition that would weaken or soften our position as to the admission of Communist China so long as we do not have a proper accounting.

Mr. BECKER. I agree with the gentleman.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentlewoman.

Mrs. GREEN of Oregon. It is the sense of this resolution that Red China should not be admitted to the United Nations at the present time. Is that correct?

Mr. ZABLOCKI. That is correct.

Mrs. GREEN of Oregon. Does the gentleman from Wisconsin by supporting this resolution rule out the possibility of the United States, or the Congress, supporting a policy which might include reevaluation and possible steps leading to the admission of Red China to the United Nations?

Mr. ZABLOCKI. I would like to advise the gentlewoman I think the first steps should be taken by Communist China. The burden is on that country to demonstrate beyond any doubt that it is able and willing to carry out its international obligations in keeping with the Charter of the United Nations. It is not for us to lead Communist China into the United Nations.

Mrs. GREEN of Oregon. Then the gentleman does admit, however, steps might be taken toward the eventual admission of Red China to the United Nations?

Mr. ZABLOCKI. There may come a time when Communist China may qualify. But on the basis of China's recent activities I cannot see where we can be hopeful in that respect.

Mrs. GREEN of Oregon. Mr. Speaker, the major question posed in this resolution is not one which can honestly or conclusively be answered by an unqualified "yes" or an emphatic "no." If the question were simply whether Red China should be admitted unconditionally and immediately today to the United Nations, I would gladly vote against this. Red China has not, as of today, earned this right. But if this resolution can be interpreted as involving a permanent congressional commitment to a policy of exclusion of Red China from the UN regardless of what may develop, then I cannot support the resolution.

In the first place, the President, of course, has the constitutional function of guiding the Nation's foreign policy. The participation of the Congress in that function is a limited one, at best, and extends to only some sectors of the foreign policy field.

It seems to me the height of inconsistency—one week to have the President of the United States invite Khrushchev to this country to discuss international problems in the hope of easing world tensions—and in the next week have the Congress pass a resolution that Red China must not be admitted to the United Nations to discuss the same international problems with the same hope of lessening world tensions.

For years the question has been argued as to whether membership in the United Nations should be one of universality or whether membership should be limited to only the nations enjoying the friendship of the present members. John Foster Dulles had some interesting comments to make on this when he wrote his book, "War or Peace" in 1950:

> I have now come to believe that the United Nations will best serve the cause of peace if its Assembly is representative of what the world actually is, and not merely representative of the parts which we like. Therefore, we ought to be willing that all the nations should be members without attempting to appraise closely those which are good and those which are bad. Already that distinction is obliterated by the present membership of the United Nations.
>
> Some of the present member nations, and others that might become members, have governments that are not representative of the people. But if in fact they are government—that is, if they govern—then they have a power which should be represented in any organization that purports to mirror world reality.
>
> If the Communist government of China, in fact, proves its ability to govern China without serious domestic resistance, then it, too, should be admitted to the United Nations. However, a regime that claims to have become the government of a country through civil war should be not recognized until it has been tested over a reasonable period of time.
>
> If the United Nations membership were made substantially universal, that might end a preponderant voting superiority of the United States and its friends which, while pleasant, is somewhat fictitious.
>
> Communist governments today dominate more than 30 percent of the population of the world. We may not like that fact; indeed we do not like it at all. But if we want to have a world organization, then it should be representative of the world as it is.

As I said earlier, I could not in good conscience vote for the immediate admission of Red China to the United Nations. Our recognition of the Peiping regime should never be an unconditional affair. It should certainly be predicated upon some very concrete conditions. The Peiping government should give more assurances that it will respect the terms of the Korean settlement, and the Indochina settlement. The Chinese Government should bear the burden of proof that it is, in fact, able and willing to carry out the obligation of a member of the United Nations before it is admitted to the United Nations. But these conditions should be negotiated for. Recognition and admission to the U.N. should be questions to be discussed. We want some things from China. We want the release of Americans held in Chinese prisons. We want an increased stability in the Far East. We want a permanent cease fire in the Formosa Straits. Very well, then. We cannot expect to stand aloof, ostentatiously ignoring the very existence of the Peiping Government. We cannot obtain what we want without negotiating, and we cannot negotiate while maintaining the childish premise that the country with which we are negotiating does not exist. This kind of behavior may be suitable among children. It is not suitable for adults, and it is highly undignified behavior for a great nation such as ours.

In the winter volume of the Columbia University Forum, there is a very provocative article called "The Politics of Sentimentality." In this article, the author, Nathaniel Peffer, has this to say in regard to the present realities of our foreign policy:

> The contrast with our relation to Russia is revealing. Russia too is a declared enemy, its hostility expressed with no less bluntness than China's. Its social philosophy is no less inimical to our instincts and beliefs than China's. More important, Russia is far more dangerous than China. Indeed, the threat from China derives from its affiliation with Russia rather than from its own capacities. Yet we manage to remain moderately calm in contemplating Russia and dealing with it. There is suspicion, distrust, anger, but there is no hysteria. We have an Embassy in Moscow; Moscow has an Embassy in Washington. We debate with the Russians in the United Nations, exchange social amenities. Our citizens visit Russia, Russians visit here—with limitations in each case, it is true. We analyze calmly our position vis-a-vis Russia and do not act precipitately, wildly or provocatively. There are those among us who go beyond the bounds of reason, but they do not carry with them the government or the majority of the people.
>
> But China? To acknowledge that the Communist government effectively controls China—as the Communist Party controls Russia—is, among our statesmen, to betray the eternal verities. Russia sits in the United Nations—"peace-loving" in accordance with the qualifications for membership—but to admit the effective government of China would apparently be to defile the high thinking, noble ideals and fraternal harmony of that body, spread contagion through the American body politic and renounce the principles of the Founding Fathers. And to all this the American people give assent in a kind of national hypnosis. The vendetta has become almost a sacred trust for the Nation.
>
> No country or people at this time in history—or ever—can afford the luxury of sentimentality in that which concerns peace or war. It was a luxury this country could perhaps afford when it was less prominent in world politics; now the United States holds the power of decision for much of the world. How does a people disembarrass itself of folly, of shallow and meretricious psychology—or of any psychology, for that matter? It is a slow and difficult process, but the American people had better begin it. A healthy revision can come only by a cool, reasoned examination of how the psychology took form and of what it is compounded.

The United Nations, Mr. Speaker, is not supposed to be a polite club, composed of like-thinking gentlemen who never disagree about anything important. It is a world forum, open to nations on both sides of just about every possible dispute, in the confines of which contending nations can come and air their differences. The airing of these differences does not always produce the results we would like. But the airing of differences in the Suez crisis, in the Lebanese crisis, in the Iranian crisis, and in a score of other crises, small and large, has usually resulted, if not in the precise solution which we would draw up if we were dictators of all mankind, in at least a nonviolent accommodation. The U.N. has been assailed as a talking shop. This term of derogation, Mr. Speaker, was also used by the late Adolf Hitler in his criticisms of free parliaments. But even if the U.N. is a talking shop, and even if much of the talk is in terms which we do not like to hear, the fact remains that hard words are better than hard radiation, hot arguments are better than hot wars; cold rebuffs are better than cold steel as a means toward the end which we all serve—peace and international security.

I would hope that some reasoned consideration could be given to steps that might lead to the eventual admission of the Peiping government to the United

Nations. Perhaps this would involve removing China altogether from the fifth permanent seat on the Security Council—and replacing her with India, a nation equally important in Asia and in the world. If eventually admitted as a simple member of the Assembly, on a par with Formosa and with other members of the U.N., China's one vote would not substantially increase the Soviet bloc and would certainly not overwhelm our own built-in majority in the Assembly.

In discussing these possibilities, we will be assuming a policy more in accord with the realities of the world around us; and the vital fact is that Red China will have been brought forth from behind her Bamboo Curtain into the international forum where she can be talked to about the problems in which she is involved. Are we, for instance, Mr. Speaker, sincere in our efforts to gain workable disarmament agreements? Do we really mean what we say about an inspection system? I do not know whether such agreements can be reached. But, certainly, if they do not include China, they cannot be meaningful agreements in any sense of the word.

The Fifth World Order Study Conference, called by the National Council of Churches, recommended that we give careful study to the problems involved in Peiping participation in the U.N. and recognition of China by the United States. I had the honor to be present at that conference, and to listen to very outstanding addresses on this question by the late John Foster Dulles, then Secretary of State, Thomas K. Finletter, former Air Force Secretary, and others. I participated in the deliberations of that conference, and I came away feeling that the conference had taken a wise and thoughtful middle position, between those who would have us immediately recognize Red China, unconditionally, and those who would have us close our minds to the possibility and our eyes to the realities.

On the China issue, the conference declared that Christians should urge "reconsideration by our Government of its policy. While the rights of the people of Taiwan—Formosa—should be safeguarded, steps should be taken toward the inclusion of the People's Republic of China in the United Nations." At the same time, the document stressed that such recognition does not imply approval of mainland China's government.

May I repeat—at no time did the action of the Cleveland Conference call for the immediate recognition of Red China. This conference consisted of 600 churchmen who were officially appointed representatives of their churches. Many denominations of the National Council of Churches were represented.

It was with deep regret and a sense of personal affront that I saw exaggerated and misleading accounts of that conference and a maligning of the many devoted churchmen who were active at the conference. There are differences of opinion in regard to the question of our relations with Red China. But I believe we have reached a dangerous position when persons can have their patriotism attacked for supporting a position which they consider to be in the best interest of the United States. I ask unanimous consent to have printed at this point in my remarks some editorial comment on the Cleveland Conference and the reaction to it. The first is from an editorial in the February 9 issue of the Presbyterian Outlook.

It is regrettable that the significant fifth world order study conference held in Cleveland in November should have had almost its total impact swallowed by concern for the proposed recognition of Red China by the United States and its admission to the United Nations. It seems, however, that few people will be able to get beyond that single point in the significant message.

The flame is being fanned just now by habitual opponents of the National Council of Churches, which called the conference, and by others, some of whom are clearly misled. Others, whose leadership has been widely discredited, are seeking to capitalize on this difference of opinion.

Then, there are others who are just opposed to the statement—on the basis of what they understand about it.

In this comment we may get caught in the crossfire between these groups, but what we want to do—and all we are concerned here to do—is to clarify a few points that seem to be widely misunderstood or distorted, and to raise some questions.

These study conferences are not new. The National Council and other groups have been calling them for a long time. The conference is free to make its own way, to come to its own conclusions. That seems to be the only way such studies can be conducted where competent people from many walks of life are to be involved. The council's own studies are subjected to long and careful scrutiny and a series of approvals before they are adopted. A study conference could not use this technique.

The delegates at Cleveland were named, not by the council, but by the denominations, by council groups and affiliated agencies. Two-thirds of these were not "impractical preachers," but down-to-earth, hard-headed laymen. This was designed to get grassroots convictions rather than collecting the judgments of the top brass. Calling such an able and important group together, the council would find it neither possible nor desirable to control its decisions or to censor its conclusions. Nor would it be possible for it to assume responsibility for its findings.

Some of the professional declaimers have, as usual, made much of statements that the conference spoke for 38 million Protestants. Newspaper reporters use whatever language they choose. We have it on good authority that neither the conference nor its agents made such a claim as to speak for anybody but the conference itself.

Much of the fury stirred up by the Daniel Poling, et al., promotion, is understandable. The mailing to 45,000 to 50,000 ministers represents possibly one-fifth or one-sixth of the total number of American clergymen. What list was used? Further, accompanying the mailing was a reprint from the Communist Daily Worker which was clearly designed to load the issue—guilt by association could not be escaped. There were more accurate stories of the conference printed in hundreds of papers, but only this one was chosen for the mailing.

The committee behind the mailing is making extravagant claims about its activities that would be hard to support. Further, and significantly, it is calling desperately for money—to make up last year's deficit.

Now, and most importantly, what about the rest of the Cleveland Message? What are the critics doing or going to do about that? Or, will they still allow the objectionable portion to loom so large that they will never see or appreciate the primary objective of Cleveland—to stress the immediate task of every Christian which is "to seize the initiative in the prevention of war and the achievements of peace"? Will they not concern themselves with the statements on the control of nuclear weapons, disarmament, the United Nations, our general attitude toward Communist Nations, problems related to newly created nations and domestic problems that have a bearing on our effectiveness overseas? Will they never get down to this?

On the specific point of the recognition of Red China—whatever you may think about that—let us pose a few questions that deserve answers:

Does recognition imply approval? If so, do you approve Franco Spain, or Batista Cuba or the Castillo Armas government in Guatemala that "shoots its way to power," or a new government in Iraq that is established by a brutal coup—or a dozen other governments with which we do business?

These are questions that need to be answered.

And next, Mr. Speaker, I should like to include the very timely and thoughtful article written by the Reverend Charles Bayer, minister of Shepherd Park Christion Church in Washington, D.C., entitled "Lest We Forget".

History stands in judgment upon every nation, culture and government, and this includes our own. In the 1840's a Frenchman named Alexis deTocqueville observed, after extensive studies of American Government, morals and culture, that if America ever falls it will be by the tyranny which removes from any man the right to express an opinion. DeTocqueville feared that when a majority of the people become conditioned to one idea or one set of ideas, any other opinion becomes intolerable. He warned us that democracy will destroy itself when the voice of the minority is silenced.

We have already seen, from time to time, that those who deviate from a given opinion are subject to the gravest social penalties—no, not imprisonment, but more crushing, the loss of the right to exercise the God-given capacity to think and to propagate the fruits of one's thinking. A minister was recently removed from his pulpit for advocating the simple doctrine that people of different races ought to have opportunities to find out about each other. Thought is being given to insisting that college professors sign loyalty oaths. Religionists interested in the problems of labor are, in some quarters, labeled subversive and un-American. One who tinkers with old cars but is in reality a bank president is called "a thinking man"; whereas one who believes that every aspect of every problem is worthy of public exploration and debate is labeled a "pinko."

The most telling case in point centers around certain reactions to a statement released by the World Order Study Conference of the National Council of Churches, last November. This prophetic document expressed interest in a multitude of different fields of national and international concern, such as foreign aid, disarmament, and refugees. Buried in the report was a call for America to study, to examine the eventual possibility of recognizing Red China and admitting her to the United Nations. There was no unequivocal call for immediate recognition of the Peiping regime, nor was there any justification of her treachery, but the simple recognition that this is a subject that ought to be openly discussed. Behind the observation was doubtless the insurmountable problem of disarmament, with its necessary inspection system while we ignore a

third of the territory of East Asia and two-thirds of a billion people. An enterprising reporter, who knew a story when he saw one, lifted these statements out of the context of this thoughtful document and made headlines—and then the roof fell in.

In the months which have ensued since that fateful day, groups which have some natural antagonism to the national council have jumped in with all fours. Patriotic organizations were incensed. Self-styled preservers of freedom viewed with alarm the prospect of any intelligent group even raising the question. Some prominent religious leaders lifted their voices in protest against the national council. The newspapers, taking the cue, pounded the council to death editorially, and letters to the editor outdid one another in a campaign of vilification. An anonymous group called "The Circuit Riders" attempted to establish the fact that those who attended the conference were basically pinkos, fellow-travelers, and secret subversives. Such names as Ralph Sockman, Edwin Dahlberg, and George W. Buckner were picked out for special attention. A prominent American legislator headed up "A Committee of One Million Against the Admission of Communist China to the United Nations." The literature produced by this committee was nothing more than an attack upon the national council. The committee sent what was publicized to be a questionnaire, but was in reality nothing more than a call for support, to 45,000 ministers. Out of a few over 9,000 replies, a few less than 8,000 agreed to agree with them. The committee then allowed the press to report that almost 8 out of 9 American ministers were opposed to the national council's action.

The discouraging thing about these attacks is that they all reprimand the national council for even raising the question. The maintain that Christian people ought to stick to counting their beads and keep out of such impious areas of concern. That is to say, Christian men and women ought not to discuss the great issues that confront our world. When the day arrives that it becomes un-American to discuss important issues and un-Christian to be politically sensitive, then we have lost both our freedom and our faith. Whether or not we agree with certain leaders of the national council is not the point. Whether we can stand by and let them be crucified for challenging America to discuss certain problems openly is exactly the point.

There can be nothing more American or Christian than the appeal made by the council early this spring when they challenged us all to—

1. Uphold the right and duty of the churches and their councils to study and comment upon issues of human concern, however controversial.

2. Encourage from within and without the churches and their councils full and open criticism of the positions taken by them.

3. Resist all efforts to discourage full freedom of discussion; reject attempts to suppress such freedom.

4. Invite full candor on the part of Government officials and other leaders of opinion in the public exposition of problems and dilemmas affecting our Nation and its citizens.

"Eternal vigilance is the price of freedom." We must be vigilant as Christians that every problem facing us finds the light of sensible public discussion. God help us lest we forget—lest we forget.

With the deepest respect to those distinguished Members who have introduced this resolution and secured its approval in such short order by the Foreign Affairs Committee, I say again, Mr. Speaker, that this resolution is not one on which either an unqualified "yes" or an emphatic "no" could be entirely proper. I cannot vote for the resolution, because of the implication in its wording that this embodies a permanent or indefinite statement of congressional policy against admission of China to the U.N., whatever may happen. I cannot approve a resolution which will have the appearance of tying the President's hands in an area where flexibility is of the utmost importance. I cannot vote "no" because such a note could be susceptible of the interpretation that I believe Red China should be admitted immediately and unconditionally to the U.N. As I have said, Red China has not yet earned that right. Since there is no known parliamentary device under which I can vote as I feel—"25 percent yes, 40 percent no, and 35 percent maybe"—I shall refrain from voting.

Mr. MEYER. Mr. Speaker, I yield myself 15 minutes.

UNITED STATES POLICY ON CHINA

Mr. MEYER. Mr. Speaker, I do not rise to argue the case for or against the admission of Communist China to the United Nations. I do rise in objection to House Concurrent Resolution 369 as an unnecessary and undesirable resolution opposing the seating of Communist China and to say that its wording and timing should cause concern to all of us.

It speaks of "the Communist China regime" as though it was not representative of China. While it may not represent the poeple of China in the same sense as some governments represent their peoples and while it may not be a government that meets with the approval of many peoples, it is still the de facto government of China whether we like it or not. Certainly Chiang Kai-shek and his 2 million Chinese imposing their will on Formosa or Taiwan can by no stretch of the imagination be called the government of 600 million Chinese. How could one-third of 1 percent of the mainland Chinese population now living on an island—Taiwan—that has its own government—Taiwanese—in exile in Japan, be thought of as a representative government of mainland China? They do not govern China but are protected by our fleet and financial support. Certainly if the government of Communist China has not shown that it controls China after all these years, then there are many other countries in and out of the United Nations whose governments are demonstrably less de facto representative of their peoples. This is no question of approval or disapproval; it is a statement of fact—a recognition of reality. Certain the proponents of the Landrum-Griffin labor bill did not deny the existence of Mr. Hoffa nor ignore his status as an official of the Teamsters Union; instead they proposed methods of dealing with the reality.

The resolution goes on to say "that the Communist regime in China has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations" and implies that this is the reason it should not be recognized "to represent China in the United Nations." I must in all fairness declare that the regime is guilty as charged and I do not defend them, but then I know that it would be difficult to name many nations that really live up to the charter and that quite a few countries in the United Nations are in fact guilty of very serious violations comparable to those of Communist China. I do not argue for or excuse violations, and I hope that the situation will improve and I am all for serious efforts to get all members to do a better job. However, we cannot be so hypocritical or self-righteous as to maintain that purity exists within the membership of the United Nations or that serious offenders have faced ejection. Certainly, the obligations of membership are at least as important as the qualifications for potential membership. Can we afford to set lower standards for those who supposedly share common goals than for those whom we fear oppose such goals? Many of the ills facing mankind can be traced to the countenancing of double or multiple standards of morality and performance—particularly in the cause of self-interest.

Mr. Speaker, I rise to protest against the procedure followed in bringing this resolution to the floor of the House. The record is briefly discussed in my minority views in House Report 825. I am a member of the Foreign Affairs Committee and serve on the Subcommittee on the Far East and the Pacific as well as on the subcommittee concerned with the United Nations and I state categorically with no fear of refutation that I received absolutely no specific advance notice that this legislation was to be considered and that I first heard about it when I attended a meeting of the full committee on August 4, after returning from a weekend speaking engagement at Cornell University. In fact the bill had been introduced on July 30, just before the weekend. I requested that hearings be held because of the complicated nature of the proposal, and I requested that I be permitted to present opposing testimony. Neither request was granted and after a discussion of about 1 hour on August 4 in which many of us participated, the resolution was approved. I asked for a record of the discussion but was told that only minutes were kept at such a meeting. Therefore, the House has no factual report in detail. No direct testimony on the resolution itself was formally scheduled or shown to me. To the best of my knowledge it does not exist. As far as I know, no opposing viewpoints were allowed to be presented. Congress has no current evaluation and I say upon which to base an opinion. The resolution was not put before the Rules Committee and now it finds its way to the floor of the House at the first opportunity under suspension of the rules.

Mr. Speaker, I say that I am deeply disturbed—particularly because on another recent occasion of tragic importance to our country, I was denied access to this or similar methods of bringing legislation to the floor for discussion and debate. I tried every regular or customary procedure to bring up concurrent resolutions opposing seven agreements with foreign powers to share our secret nuclear information and weapons systems. This was a vital matter subject to unusual parliametary procedure and yet after trying all normal channels,

I could not use such special channels made available today for this bill.

Mr. Speaker, I am a quiet man who would prefer to learn the ropes through developing friendly associations with the fine men serving in this body and by listening to my senior colleagues as they carry the burden of leadership and debate. However I must state that if no one will say what I believe must be said, then I will say it. Arguments for this approach to world peace and understanding must be heard. I will not be tolerant of parliamentary maneuvers to silence opposition to what I believe is a bankrupt policy of bipartisan leadership in foreign affairs that promises nothing but a drift to ultimate disaster for my country and humanity. If in the process I become as unpopular as the brashest college freshman, I still will not defer to the sterile policies of the opposition party, conceived in the Pentagon, nursed by the Atomic Energy Commission, tutored by the State Department, supported by fear, and doomed to the ashcan unless they first doom civilization itself. Yes, I will speak out and if necessary fight alone, an outcast Member of this body, in defense of my rights. This is the duty of a Representative of the people, and I cannot recognize multiple standards based on seniority or viewpoint. I must object to parliamentary maneuvers that preclude adequate debate and thoughtful consideration of vital issues—particularly when the issues concern world peace. In these cases, I must refuse to be denied a fair share of the time in debate and will oppose bipartisan pressure or the leadership of my own party when I believe that it fails to grasp the need for and the opportunities of a new approach. We have been told that we would be able to stand on the record of the 86th Congress. Let those who can, do so; I cannot. While granting credit for accomplishments and admitting that the Republicans blocked some measures, I fear that we are now either going to join with them or concede defeat in the field of foreign policy and in the quest for peace just as we did in the debacle that branded us with the Landrum-Griffin labor bill. Are we every going to be able to bring forth a program for social and economic progress if we do not control the waste and scandal in military expenditures? Such control can most effectively be accomplished by reducing the threat of war. Until this is done, we can only dream about programs for housing, education, power, agriculture, and so forth.

In the meantime, we expect to redeem ourselves by scoring a smashing victory in passing this resolution condemning Communist China. Shades of Don Quixote. This windmill has been tilted at enough. Or must we find release for all our frustrations by dragging out the Communist whipping boy? Actually, the subject matter of the resolution is covered in the Mutual Security Act. There is no need for a special resolution. In fact, it may not be wise to pass one. Such a vain gesture will neither win friends nor influence people. Policies are changing. Remember the recent visit of the Vice President to Russia and the President's invitation to Mr. Khrushchev. Remember the hatred for Germany and the security protected secrets that now will become their property under the atomic giveaway agreements. Remember our former friendship with China; perhaps the present hatred may grow less intense if the pot is not constantly stirred.

Fellow Democrats on my side of the aisle, we need a program and a plan of action. Perhaps our party should caucus occasionally. What we do in this House has its effect throughout the world, but it will also have some effect in 1960. I am sure that the Vice President would like to seize upon the peace issue and go before the American people as its champion in 1960. Remember 1952 and the branding of war party accorded to us. Let us show again our dedication to peace and the interest of people everywhere just as we did last month in the mutual security appropriations debate when almost all of the 31 percent of the votes against the nuclear agreements were indicated on our side of the aisle.

And to the Republicans on the other side of the aisle I say join with us in the quest for peace and sanity in a world that must live or die together.

Mr. Speaker, I urge the rejection of this resolution because it is unnecessary, unwise, hasty, and unconsidered; rammed down our throats; useless and possibly harmful. I shall vote against it and hope that others will do the same.

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

Mr. MEYER. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. Since the gentleman has stated that this resolution has been rammed down our throats and that it had not been given proper consideration, the gentleman will agree that the intent of the policy of the resolution was continually considered by the Congress. As a member of the Committee on Foreign Affairs and as a member of the subcommittee dealing with questions of the Far East, I want to commend the gentleman because he has usually been attentive at the committee hearings. You mean to say that the policy of this resolution was not discussed while you were a member and present at the various and sundry meetings that our subcommittee and the full committee had on the dangers of communism in the Far East?

Mr. MEYER. I would say to my subcommittee chairman, for whom I have great admiration, that this same argument could be used for many bills, and to my logical way of thinking, when a specific bill comes up for consideration, we do not depend on discussions that took place in 1948 or on discussions that took place in connection with some other bill.

Mr. ZABLOCKI. But the gentleman will agree that we had discussed the policy in 1959 and as recently as July 27, 1959.

Mr. MEYER. I do not know about July 27, but I know we discussed one hundred or a thousand things, and this is the point of my argument.

Mr. ZABLOCKI. If the gentleman will look into the hearings of our Committee on Foreign Affairs and read the transcript, he will learn that we had thoroughly discussed this policy on that particular meeting date.

Mr. MEYER. I doubt that.

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

Mr. MEYER. I yield to the gentleman from California.

Mr. KASEM. Was there any discussion in your committee about the feasibility of this resolution and the propriety and the advantage or the disadvantage of it in connection with the Communist problems in the Far East?

Mr. MEYER. Absolutely none. And as far as I know, until August 4, when it was discussed, I think by probably 20 Members—there were about 20 Members present—so they had a little talk and it was passed.

Mr. KASEM. Mr. Speaker, will the gentleman yield further? Just a word of commendation.

I appreciate the great courage and the fortitude that the gentleman from Vermont has, and perhaps if there is a single voice of reason in this House he speaks out with it, and if you must share the fate of unpopularity, I ask to be permitted to share it with you.

Mr. MEYER. I thank the gentleman very much.

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

Mr. MEYER. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, does the gentleman from Vermont sincerely feel the cause of peace would be helped if we permitted the Communist Chinese to shoot their way into the United Nations?

Mr. MEYER. I do not mean to use the word, but this is sophistry, because we are not discussing shooting. We are discussing the advisability of passing this resolution, which is merely another way of kicking a horse.

Mr. STRATTON. Mr. Speaker, if the gentleman will yield further, is it not true that the Communist Chinese are still in the process of assaulting the territory of Free China at Quemoy and Matsu, and is it not true that they still hold captive American soldiers and American citizens?

Mr. MEYER. I would say to the gentleman whether or not this is true has no bearing upon this resolution and the points I am making. Therefore I do not care to answer that question, because it has no bearing upon the particular thing we are talking about. I say that this matter has been covered in the Mutual Security Act and that there is no need to repeat it here again.

Mr. STRATTON. Does not the gentleman feel that those facts are important when we consider whether we should or should not admit the Chinese Communist regime into the U.N.?

Mr. MEYER. All facts are important, sir, and I would say that it is equally important when we discuss or consider a resolution of this type that we should have a hearing on it and hear the proponents and the opponents.

Mr. STRATTON. Are we not discussing the resolution now in an effort to bring those facts out?

Mr. MEYER. We are discussing it now in a few brief minutes and, as far as I am concerned, this is not enough for a measure of this nature.

Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. FULTON. Mr. Speaker, the question comes up as to the policy of the United States and, of course, it must apply the same to all such situations as this. Therefore, when Nazi Germany took over France and there was only a minority part of France left free, would the gentleman at that time have had the United States recognize the government that Germany had put into the major part of France, the Nazi government, which was just a paper government? Should we at that time have recognized France as a part of the Nazi government when obviously the Nazi government had full control of the country? We could not do anything about it. They were operating the government. By the same token the gentleman would have to say he would, if he were going to do this for Communist China.

Mr. MEYER. Let me say to the gentleman that he should not put words in my mouth. The gentleman did not state the case concerning France properly. If the gentleman could state the situation about France properly, I would answer him.

Mr. Speaker, in support of the points which I have made in this discussion on House Concurrent Resolution 369, I would like to insert at this time my minority views as found in House Report No. 825 from the Committee on Foreign Affairs:

MINORITY VIEWS

The passage of House Concurrent Resolution 369 at this time is neither wise nor necessary because—

(1) The subject is covered in the Mutual Security Act.

(2) No hearings were held on the subject in 1959.

(3) Any related testimony heard in connection with other bills was incidental and of no consequence because it did not apply directly to House Concurrent Resolution 369 and especially because opposing viewpoints were not heard.

(4) Many months were available to present such a resolution if its passage was urgent or important. No reasonable grounds exist for hasty action. Either it is important enough for adequate review or it is not important enough for special attention.

(5) Therefore, it was ill advised to push House Concurrent Resolution 369 through committee on August 4, with approximately an hour of discussion, when it had only been introduced on July 30. A resolution dealing with such a complicated subject should not have been brought up for a quick decision, particularly because no specific advance notice was given. Furthermore, little attention was given to the opinions of at least six committee members who regarded the resolution as unnecessary or who questioned the wisdom of hasty action.

WILLIAM H. MEYER.

AUGUST 10, 1959.

Mr. Speaker, I would also like to insert for the RECORD a copy of the letter which the gentleman from Oregon [Mr. PORTER] and I sent to each Member of the House over the weekend for their consideration on the subject of this resolution:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 15, 1959.

DEAR COLLEAGUE: We would like to bring a few facts to your attention with respect to House Concurrent Resolution 369 on which there will be a rollcall vote Monday afternoon, August 17.

There have been no hearings and no rule, but we expect that there will be a total of 40 minutes of debate under suspension of the rules.

Out of the 100 nations in the world, 44 now recognize Red China. Previous U.N. voted on postponing consideration of bringing up the question of admitting Red China to the U.N. are as follows:

1956: 47 to 24, 8 abstentions.
1957: 48 to 27, 6 abstentions.
1958: 44 to 28, 9 abstentions.

In 1950 the late John Foster Dulles wrote words, the wisdom of which, in our opinion, survives later qualifications:

"If the Communist government of China in fact proves its ability to govern China without serious domestic resistance, then it, too, should be admitted to the United Nations. However, a regime that claims to have become the government of a country through civil war should not be recognized until it has been tested over a reasonable period of time.

"If the United Nations membership were made substantially universal, that might end a preponderant voting superiority of the United States and its friends which, while pleasant, is somewhat fictitious.

"Communist governments today dominate more than 30 percent of the population of the world. We may not like that fact; indeed, we do not like it at all. But if we want to have a world organization, then it should be representative of the world as it is."

In a preface added in 1957 to the same book, "War or Peace," he decided "qualitative tests" in the Charter ought to be applied, just as the committee's report on this resolution states that admission to the U.N. should wait until Red China is "willing to agree in a dependable way to 'refrain from the threat or use of force.'" This, we submit, is more than we and other major nations are willing to do today. Massive deterrence, our proclaimed policy, includes a threat of the use of force. Sending the Marines to Lebanon showed the use of force. Until we have real international law, and that won't be for quite awhile, we will have force and the threat of force. The real question is whether we will have a forum where we can prevent or mitigate the use of force in settling disputes between nations.

If the United Nations is to function effectively in trying to prevent war, all nations must be represented. The Soviet Union, certainly a more powerful potential enemy than Red China, is a member of the United Nations. If discussions can lead to peace and replace the use of force, the nations of the world—all of them—have to take part.

We know that our position on this question could be misrepresented. We do not advocate "softness." We do not forget or forgive Red China's aggressions in Korea and elsewhere. We say that strengthening the United Nations so as to include all nations should be the most promising path to peace and that our civilization will not survive an atomic war.

Unless Red China agrees, how are we going to achieve an inspection system which many believe to be an essential prerequisite of an agreement to end nuclear wepons tests? Recognition of Red China and Red China's admission to the United Nations would not imply approval of her regime. We do not approve of the regime in the Soviet Union but we deal with it. Indeed, the President is encouraging visitor exchanges with the Soviet Union at all levels in order to achieve better understanding in the interests of peace.

Please consider these facts. We hope you will decide to vote "no" as a step along the way of calling for peace in a world under the rule of law.

Sincerely,

CHARLES O. PORTER.
WILLIAM H. MEYER.

In connection with this discussion, I would also like to direct your attention to views recently expressed by another nation, Ireland, on this subject:

SPEECH MADE BY THE DELEGATE OF IRELAND, MR. F. AIKEN, T.D., MINISTER FOR EXTERNAL AFFAIRS, AT THE 753D MEETING OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS (13TH SESSION) ON THE 22D OF SEPTEMBER, 1958, DURING THE DEBATE ON ADOPTION OF THE AGENDA, FIRST REPORT OF THE GENERAL COMMITTEE (AGENDA ITEM 8)

(A draft resolution calling for adoption of the report was before the General Assembly and was eventually passed. An amendment proposed by India, Afghanistan, Burma, Ceylon, Indonesia, Nepal, and the United Arab Republic, asking for the placing on the agenda of an item entitled "The Representation of China in the United Nations," was defeated. The vote on the crucial part of this draft amendment was 29 for, 40 against, 12 abstentions.)

Our delegation would have preferred to have postponed public debate on this question to some time later in this session in order not to interfere with the Warsaw talks, but we failed to secure this. The question as to whether this item is to be included in our agenda for this session at all has, therefore, to be decided now.

May I emphasize that the issue raised by the resolution and the amendment is not whether the Communist government in Peiping should be admitted to this organization, with or without conditions, this year or next year or at all. The issue is whether this Assembly is to feel free to debate openly and comprehensively any important questions affecting international relations.

There can be doubt that the question of whether Peiping China should or should not be represented here is one of major importance. The situation in the Far East not only affects the interests of China and Korea but is an immediate threat to local peace and to world peace. Indeed, I wonder whether our refusal to discuss it in previous years may not have contributed to the present dangerous situation in the Far East.

Those of us who represent functioning democracies and wish to see this Assembly a model and exemplar of democratic procedure may perhaps ask ourselves how a question of the same relative importance would be handled in our own Parliament. Could a government properly refuse to allot government time for such a debate or refuse to allow opposition deputies to table a motion regarding it? Discussions on major issues of policies are often an embarrassment to democratic governments, opinions are often expressed and proposals made which are anathema to the Government and sometimes detrimental to the national interest and to national morale. But in Ireland we take the view that, in the long run, free and open parliamentary discussion leading to a well-informed public opinion on the issues involved is by far the better and more healthy course to adopt. If damage is done by debate, it is less than would be caused by suppression of debate and by the uncertainties and suspicions aroused through the denial of rights of minorities or of individual deputies. We might all detest what a

deputy says but, in our tradition, we must unite to defend his right to say it in an orderly way in a free Parliament.

Our delegation holds the view that this Assembly should discuss in orderly fashion and on appropriate occasions questions of the magnitude and importance covered by the Indian amendment. It is not a question of whether we approve or disapprove the doctrines and methods of the Chinese Communists. My own country is unalterably opposed to doctrines which involve the suppression of religious freedom and to methods which have caused death and suffering on a great scale inside and outside China, and have helped to bring about the division of ancient nations.

The Irish people know historically what it means to be deprived of religious and political freedom. They detest oppression, whatever form it takes, and it has taken many forms. They are freedom-loving people in the fullest sense of that term. But can the cause of freedom really be served by shirking discussion? The Chinese Communists, like other Communists, deny the right of free discussions. But for peoples of the democratic traditions, that right is fundamental.

If this Assembly decides to have a free and open debate on this question, that decision will not be in our opinion a victory for Chinese communism or any other communism: It will be a victory for the vital principle of the democratic tradition, and not that merely, but an important step toward the securing of peace by making this Assembly what it should be, a Parliament for the nations of the world. For these reasons we must vote for the Indian amendment.

Some additional remarks in the Irish Parliament on this issue are also of interest and I insert the following excerpts from speeches delivered on July 7, 1959, in the Dail Eireann. First, here are some of the remarks by the Taoiseach, or Prime Minister, Mr. Sean Lemass, T.D.:

We know that in the United Nations there are many countries whose form of government we would not like to see repeated here, countries of whose policies we strongly disapprove and the philosophy of whose rulers is abhorrent to our people. However, if the United Nations is to become what we want to see it, an effective shield for world peace, then clearly it must be of that character. A grouping of nations that were not likely to become involved in conflict with one another, whose forms of government and outlook regarding the conduct of the affairs of the world were not in disagreement, would be an alliance of a different character. Perhaps it would have some value but it would not be the United Nations which we want to see growing in influence and effectiveness in preventing the danger of war. We want to see a real United Nations whose members are pledged to peace and who are willing to accept the verdict of the other member countries in relation to any acts of theirs which might imperil peace.

Whether it is in the interests of world peace that Communist China, with 600 million people, even though it is ruled by a Communist government with whose outlook we are in complete disagreement, should be within the United Nations or out is a question upon which many strong views have been expressed here. Certainly in a situation in which any one country can, through the use of nuclear weapons, bring about almost total world destruction, and knowing as we do that China has the technical capacity to create these weapons, we would like to see her in some situation under which she would be pledged to submit any disputes which might develop between her and other countries to the judgment of the United Nations before seeking to settle them by the arbitrament of war. If every time we vote on any issue in the United Nations we are going to be held to approve of everything done and said by those who vote with us, or if every time we vote in favor of having a discussion on a problem we are to be represented as having a particular view on that problem, then our position there would become impossible and we had perhaps better withdraw from the organization altogether.

In this same debate, the Minister for External Affairs for Ireland, Mr. Frank Aiken, T.D., had this to say:

There is no one, I think, who dislikes dictatorship of any kind more than I do. I am glad the day has gone when the opposition used to wear the Fascist blue shirt. It is right that with the world as it is, being in a situation where we cannot make war to establish right because if we do we blot out everything, if people have a message to pass on, we should keep contact with those to whom we have to deliver it. On the basis that you cannot have any contact and that it is betraying civilization and spiritual values if contact takes place with people of whom you do not approve, St. Patrick would have stayed out of Ireland.

I believe we should keep in contact with all the countries who have power over the fate of the world whether for good or evil. We have no means of combating them or turning their energies to useful purposes except by keeping in contact with them and by encouraging them to negotiate and to evolve a system of world order based on peace and justice, the sort of peace that we want to achieve. I trust we shall continue in our efforts like all sensible people and I pray God that the negotiations at present going on in Geneva between the Russians, the Americans, the British and others will be successful, and that the outcome will show some little step, however small, on the road to reducing tension and opening the way for a more stable peace which will be lasting and which will open up new possibilities for our children and an improved standard of life for people whose standard is very low at the present time.

Also the following comments unidentified as to source but made by various retired Foreign Service officers as printed in "Study of U.S. Foreign Policy" of Committee on Foreign Relations, U.S. Senate, June 15, 1959:

What would be our attitude if men whom we considered rebels were to occupy Staten Island with the assistance of some foreign power and use it as a base for espionage and propaganda and a possible jumping-off place for an invasion of the country? What would be our attitude if a former President of the United States, refusing to give up his authority, had retreated with a small army to Puerto Rico and there, with the aid of a foreign power, had established himself and threatened from time to time an invasion and the overthrow of the Government in Washington?

* * * * *

I felt strongly then and equally so now that if we had displayed from the beginning of the Revolution in 1917 greater resiliency and flexibility in our relations with the Soviet Union, of whose incipient strength I then had no doubt, our subsequent relations might have been altogether different. Closing our minds to any attempt to understand the implications of this vast social upheaval, which was beyond our simplified view of the world, we thought we might escape its influence by quarantining it, as we are endeavoring futilely to do today in the case of Communist China.

* * * * *

Our nonrecognition of Communist China based on moral considerations is in the last analysis a self-denial of opportunities to progress in that area. Since Peking is unlikely to agree to the establishment of relations without unacceptable modifications of our unfortunate commitments to Chiang Kai-shek, the best we can do to mitigate our disadvantages is to raise the ban on China travel.

* * * * *

It is nevertheless patent that we cannot for an indefinite period continue our present attitude toward Communist China. We shall have to accommodate ourselves to the situation there just as we eventually did with respect to the Soviet Union, even though it took 15 years to get around to it. Khrushchev is not completely unreasonable when he points out that it is a political absurdity to have Nationalist China as a senior member of the Security Council of the United Nations. We are committed to support Chiang Kai-shek for the moment, but when he passes from the scene, we should advocate the holding of free elections in Taiwan for the purpose of determining whether the people of that island wish to remain independent or to unite with Communist China. In any event, we shall have to recognize the latter in the long run and agree to its having a seat on the Security Council of the United Nations.

* * * * *

Our relations with China, which for the time being would seem to constitute our second most important problem of foreign policy, should be recognized as a source of terrible potential danger. We cannot afford to continue to play the ostrich in dealing with China. We cannot afford to continue the pretense that Formosa is China and that the Chinese Government with full control over 600 million people is a negligible quantity. The Chinese, after all, not long ago inflicted upon us the most dreadful military defeat in our history. They are openly preparing to repeat that performance on a larger scale. We should begin by recognizing that the Chinese regimes of the past are dead and as gone as the czarist regime in Russia, and having recognized that fact, we should act accordingly. Let us remember that for many years our relations with Soviet Russia were dominated by wishful thinking that the Communist regime would soon collapse and that even during the last few years that type of wishful thinking has colored public statements by the Secreatry of State. How foolish that all seems now. Let us not continue to make the same mistake again. It is vitally necessary that we know what is going on in China, and our first step toward establishing reasonable relations with that country should be to permit travelers, and in particular newpapermen and qualified scholars, to travel there in order that the facts of the situation may gradually become known in this country. Our second step should be the giving up of Quemoy and the other offshore islands as soon as that can be conveniently brought about.

The problem of recognition is interwoven with the problem of our relations with China. We should recognize the Chinese Government as soon as we conveniently can, but the problem of recognition transcends the problem of our relations with China.

* * * * *

In other words, when we have to face a government like the present Government of China, that diplomatic relations are most important. We should not only recognize the Chinese Government but we should send to China the ablest Ambassador in our service with an exceptionally able staff and neither he nor they should be vilified for attempting to establish friendly and confidential relations with the most influential persons in the Chinese Government, in order to lay the foundation for possible eventual negotiations.

* * * * *

However, it should be noted that these reasons for a policy of nonrecognition can hardly be described as logical, because we have in fact recognized a number of other Communist governments, as well as totalitarian governments, who have equally indulged in blood baths and who have cruelly mistreated their people.

* * * * *

Finally, I believe that our policy with respect to Communist China should be marked by an intelligent flexibility that will be prepared to take the initiative whenever an opportunity presents itself.

The SPEAKER. The time of the gentleman from Vermont [Mr. MEYER] has expired.

Mr. ZABLOCKI. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, the only reason I take this time is because I think there ought to be in the RECORD a more accurate statement of what the position of the United States on Red China is, and why.

To begin with, it is the same under this administration as it was under the previous administration. When the Communist attacks on Quemoy began a year ago, the former President of the United States, Mr. Truman, was among the first to identify himself with the policy of the present President on this issue.

Those favoring membership for Communist China in the United Nations generally give about three major reasons. Two of them have been mentioned today. One is the realism argument. Red China is there, it exists, it is a fact; therefore we should admit it to the United Nations to represent the Chinese people in that organization. It is said that not to do so is unrealistic; we are hiding our heads in the sand; or, as the gentleman from Vermont has put it, we are trying to deny its existence. Now nobody denies the existence of Communist China. We are very acutely aware of its existence and its danger. That is precisely why we do not want to build it up. We recognize it for what it is—a dedicated enemy of the United States. Every instinct of self-preservation—that is, realism—requires that we not do anything to make it stronger or give it greater stature, influence, power—as acceptance into the U.N. would certainly do.

Gangsters are a fact in some of our own cities. Should we, therefore, take them into the FBI, the agency charged with maintaining law and order against the gangsters? Does anyone ask, How can the FBI plan its operations against the gangsters unless it has the gangsters in it to help it plan and carry out its operations against the gangsters? Of all courses, that would be the most unrealistic.

No one in this Government denies the existence of Red China. On the contrary, we have been dealing with it officially for years. We have had 87 official negotiations with its representatives in the last 4 years, at Geneva and at Warsaw. We have negotiated with it on two main issues, and only two. First, we have been trying to get the Chinese Reds to release American prisoners of war captured in Korea, or to account for them. We have tried to get them to do that in accordance with their pledges at Panmunjon, for two reasons. One, we care about our boys. Two, we would like to find out if, just once, they will keep their word. We accepted a military draw in Korea, the first time in our history that we ever took less than a victory. Part of the reason was in order to get back thousands of American boys who were in their cruel hands. Everybody remembers Little Switch and later Big Switch. But they held back on some 900 men. Little by little word has come through that at least half of those are dead. But there are still 450 who we know were in their hands at one time, and alive. They spoke over the Communist radio from Peiping in their own voices, and their folks here heard them. They sent postal cards home at Christmastime in their own handwriting. When John Jones was released he said that Bob Smith was in the bunk next to his, but Smith could not be exchanged because his leg had just been cut off. And so on. We know they had them. Why will they not release them? Maybe they are all dead now. But their mothers will not believe that. Why will not the Reds account for them?

Mr. Speaker, we paid a great price in exchange for those promises. We have been trying to get them to keep the promises. If just once they would do that, then the question asked by the gentlewoman from Oregon about changing our policy would be more pertinent. There might be some sense then in going on to a next step.

The other issue on which we have been negotiating with them is the issue of conquest by the use of force. We have tried to get them to agree to refrain from using war as an instrument of national policy in the Taiwan Straits and in Asia, without prejudice to their positions on the various disputes there. They have adamantly refused to renounce force as the way to get what they want, and yet they demand membership in the United Nations.

That brings up the second argument, namely that the United Nations is a universal organization and therefore all existing governments should be members. Of course the United Nations was never intended to be a universal organization. That idea was debated and rejected at San Francisco. It was to be a union of peace-loving nations which would accept certain obligations. They are very plain; you can read them.

Article IV reads:

Membership in the United Nations is open to all other peace-loving nations which accept the obligation contained in the present charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

What is the first obligation?

All members shall settle their international disputes by peaceful means.

And—

All members shall refrain in their international relations from the threat of use of force against the territorial integrity or political independence of any state.

We have been trying to get them to agree to accept those obligations. They would then be eligible for membership.

The United States is not stubbornly, capriciously, arbitrarily keeping Communist China out of the United Nations as you are told by some. It keeps itself out. It simply will not qualify. Whenever Red China is willing to qualify by accepting the obligations of the charter and will demonstrate in a dependable way that it is able and willing to carry out its international obligations under the charter, it will unquestionably be admitted at the next session of the U.N. General Assembly.

You may argue if you wish that the United Nations ought to be a universal organization. Then you should work to amend the charter and make it that. But please don't nullify the charter and make a mockery of it. Do not drag the United Nations down to the level of the lawless, but call upon the lawless to bring their conduct up to the standards of the charter, if they want the benefits of membership.

Somebody will raise the objection, "If you are not going to let Red China in, why do you not kick out the Soviet Union?" That is a fair question; but it is a useless question. Because you cannot kick the Soviet Union out. She can veto her own expulsion. So there is no use arguing about what cannot be done.

When the Soviet Union was admitted at the formation of the U.N., she was pretending to be democratic and peace loving. She agreed to accept and carry out the obligations of the charter. Her breaches of faith came after her admission. It is bad enough to have been fooled by Russia then. What excuse is there for taking in Red China now, when we know before admission that she had no intention of keeping the obligations of the charter? At the negotiations last year at the time of the Quemoy aggression, she insisted on four goals: Quemoy, Matsu, Formosa, and expulsion of the United States from the Western Pacific.

No one can appease Red China by giving it Quemoy, or even Formosa. It is destruction of our position in the Western Pacific that it is after, in order then to take over the rest of Asia, easily.

Mr. Speaker, ours is not an arbitrary action of prejudice or stubbornness. It is, first of all, hardheaded concern for the security of the United States.

It is said that since the Chinese are the most numerous people on the globe, they are entitled and ought to have representation in the U.N. Certainly, but the Peiping government does not represent the Chinese people. It is not working for their well-being. It is making war on them and on everything they hold dear, on order to use them for its world objectives. When a person becomes a Communist, he ceases to be a Chinese patriot, or a French patriot, or an American patriot. He is a world revolutionist. A Communist government does not operate in terms of national interests; it operates in terms of an international conspiracy.

Whenever the Reds will let the Chinese people choose their own representatives in free elections, these representa-

tives will promptly be admitted to the U.N.

Let me ask three questions.

First. Would admission of Communist China to the U.N. make that regime weaker or stronger? The answer is obvious. Why would every Red sympathizer in the world be moving heaven and earth all these years to get Red China admitted if such admission would weaken the Communists?

Second. Would admission decrease or increase Red China's prestige, power, and influence with its neighbors in Asia—Japan, the Philippines, southeast Asia, India—and the neutrals everywhere? The answer again is obvious.

Third. Would admission make Red China a lesser or a greater danger to ourselves and to genuine peace in the world? Once more the answer is obvious.

To build up an avowed enemy, as admission to the U.N. would undeniably do, could only be described as an act of folly. The future of our Nation and the cause of freemen everywhere require that this not happen, unless or until the Communist government in China is willing to qualify for admission by meeting the requirements for admission, particularly the requirement of "refraining from the threat or use of force against the territorial integrity or political independence of any state."

It is not a blind and stubborn United States that is blocking admission; it is Red China's stubborn refusal to change her lawless international conduct.

Let me sum up the reasons why the United States resolutely opposes admission of Communist China to the United Nations. They are not founded on emotional prejudice. They arise from the true character of the Chinese Communist regime.

First. Such admission would destroy the United Nations as an effective instrument for justice and freedom and peace in the world. It would make a mockery of both the letter and spirit of the charter.

Almost all Americans want to see the United Nations succeed as an instrument to insure justice, and security, and peace in the world. To convert it from a union of peace-loving nations into a league with lawless gangsters could only destroy it.

Second. Admission of Communist China would weaken our own security and that of the free world. The Communist world conspiracy is openly dedicated to our destruction. We are at war with it in every sense except open hostilities. If we are not at war with it, then why are we straining ourselves so dangerously to help about 60 other countries in the world build up their strength and maintain their security against its pressures and threats? If we are at war with it, then how can anybody justify our taking an action that would greatly strengthen it?

Admission to the United Nations would give the Communist dictatorship in China legitimacy, respectability, enormously increased prestige, and influence, and power. It would lead to recognition by most, probably all, other governments and thus enable Peiping to turn every Chinese Embassy and consulate in the world into a center of espionage, sabotage, and conspiracy against the governments and peoples still free and independent.

Third. Admission of Communist China to the United Nations would represent the abandonment to Communist enslavement of almost one-fourth of all the human beings on this planet. That we are not willing to do.

We cared enough about freedom of choice for Communist prisoners of war to delay the Korean truce for months, secrificing thousands of American lives in the process. How can we accept for 600 million Chinese people the enslavement we rejected for 15,000 Chinese prisoners of war in Korea?

Such a course would be not only morally wrong, it would be shortsighted and a foolish abandonment of the national character that has given us greatness and the terrible responsibility of world leadership.

Mr. ZABLOCKI. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, in urging the prompt adoption of the pending House Concurrent Resolution 369, I should like to point out, as was previously stated by the distinguished gentleman from Wisconsin [Mr. ZABLOCKI], that adoption of this resolution would certainly cause no change or alteration of public opinion or policy of the United States on this subject. This House has many, many times adopted this very proposition against the admission of Red China to the United Nations. Today the law of the land on this subject is contained in Public Law 86–84, 86th Congress, signed by the President on July 13, 1959, the act making appropriations for the Departments of State and Justice, the judiciary and related agencies. I read to you therefrom section 105:

> It is the sense of the Congress that the Communist Chinese government should not be admitted to membership in the United Nations as the representative of China.

This House acted upon that very provision on May 27, 1959, when it passed the bill H.R. 7343 which I had the honor to introduce. I feel that this should fairly and quite fully answer the distinguished gentleman from Vermont [Mr. MEYER] when he says that the pending resolution was too hastily conceived for him.

I should add that the language expressing the sense of the Congress against the admission of Communist China to the United Nations has been contained in the State and Justice, the judiciary and related agencies appropriations bills for many years and without a dissenting vote.

Mr. Speaker, I am confident the pending resolution will be promptly and overwhelmingly adopted.

Mr. ZABLOCKI. I yield 1 minute to the gentleman from Pennsylvania [Mr. FULTON.]

Mr. FULTON. Mr Speaker, I would like to say that our current U.S. policy that has been adopted in respect to Communist China has been a completely bipartisan policy of both parties in this country. Each of the Republican and Democratic Parties have firmly stated their position.

Secondly, in the hearings on the mutual security program, in each year the Foreign Affairs Committee and the House Appropriations Committee have gone into this question and studied it thoroughly. We have had witnesses from the executive departments as well as from the military branch who all favored this policy. Our U.S. Ambassadors have come in and told us what would happen if we took a different policy, and advised against a change.

In fact, we have unanimously passed this type of resolution, time after time in this House. So this is a continuation of a basic U.S. policy and not the formation of a new one.

I am sorry to disagree with the gentleman from Vermont because I do not believe the House Committee on Foreign Affairs or anybody has rammed this resolution down anybody's throat. We have given full consideration to the policy, and its effect on the basic security and best interests of the United States. I ask that this resolution be unanimously adopted so that we show a united position in our U.S. policy in the Far East.

Mr. ZABLOCKI. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. O'NEILL].

Mr. O'NEILL. Mr. Speaker, I feel that the American people who are so bitterly opposed to Red China should have an affirmative stand on this matter by their Congress. It is interesting to note how times will change things. Only a few short years ago it would have been appalling to have Khrushchev come to this country. But that is the prerogative of the President of the United States to invite whomever he wants. But on this particular matter the United Nations was set up as an instrument for permanent peace. It was set up as an instrument or an organization with only peace-loving nations as members thereof. In view of the past record of Red China who today openly and boastfully admits that she has from 5 to 10 million people doing slave labor and who is talking about increasing the output of steel by small plants in backyards where people who have labored all day long come home at night and in their spare time try to produce more steel, where we have the situation of Red China advocating a great plan of hatred and bigotry against the American people, I figure it is high time that this Congress show the world how we stand.

Mr. Speaker, I hope the resolution is adopted.

Mr. ZABLOCKI. Mr. Speaker, I am delighted to yield the balance of the time to our distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK], who over the years has been one of the most outspoken advocates of the position expressed in this resolution.

Mr. McCORMACK. Mr. Speaker, I commend the action of the majority of the Committee on Foreign Affairs in reporting this concurrent resolution. There seem to be some things that those who are demanding the recognition of Red China and her admission into the

United Nations fail to recognize. They fail to also demand as a condition precedent that Red China change its tactics and policies and its aggressions and its disturbances to the peace of the world.

At San Francisco in 1945 there was a long debate as to whether membership in the United Nations should be based on universality or on qualifications. The latter prevailed.

The United Nations is an organization to maintain peace and its charter requires that a member be a peace-loving nation willing to assume the obligations of the charter. That is the important question involved here.

Is there anyone in this Chamber who requires that a member be a peace-loving nation and willing to live up to the obligations of the United Nations Charter?

It is only a few days ago when President Eisenhower in a letter to a Member of this House dated August 7 said:

> I cannot agree with you that it would be desirable for this country to give diplomatic recognition to Communist China or for me to invite Chou En-lai to visit this country. So long as the balance of advantage lies in maintaining our present policies in the Far East, I believe we should not change them. I believe these policies best serve the cause of peace.

It was not so many weeks ago that Red China went into Tibet and we all know what happened there. Is that consistent with peace? Or is that consistent with Red imperialism?

Only a few days ago Red China threatened the United States in connection with Laos. Is that action consistent with world peace, or is that an action consistent with aggression? I am very sure the threat against the United States was also intended as a message to Khrushchev, that Mr. Khrushchev had better recognize that Red China is not a junior partner in the Communist world, but a coequal partner with the Soviet Union. At the same time that Red China made this threat to the United States, Red China was indirectly conveying the message to Mr. Khrushchev that he had better be careful while he is in the United States. So the threat to the United States is also probably a message to Khrushchev. As I have said, that Red China is a full partner in the Communist world, and for the Soviet Union and Mr. Khrushchev never to forget that fact. It is also a direct threat to the United States. Is that any course of action which would qualify Red China for admission into the United Nations? How it could be so construed is beyond my comprehension.

Mr. ANDERSEN of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I am happy to yield to my colleague from Minnesota.

Mr. ANDERSEN of Minnesota. I want to compliment the distinguished gentleman from Massachusetts and also my colleague, the gentleman from Minnesota [Mr. JUDD], for their continuous fight throughout the years and their steadfast opposition in keeping this Red Communist country out of the United Nations.

Mr. McCORMACK. I thank my good friend from Minnesota. I cannot understand how anyone with a feeling of responsibility can interpret world events in any sense that would lead one to believe that China has not been an aggressor, or that Red China is not determined to make its contribution toward revolution and world domination by the Communist ideology.

Until Red China changes its tactics it seems to me it would be disadvantageous to all the peaceful world ultimately and for the national interests of our United States particularly to recognize Red China or agree to her admission in the United Nations.

This resolution comes at a timely period immediately prior to the visit of Khrushchev to the United States.

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

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

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, it is with certain misgivings that I vote for House Concurrent Resolution 369, for I am not convinced that it is either necessary or that any vote on the measure faithfully reflects an exact consensus of the House.

There are, apparently, I agree, compelling reasons to object to the seating of Communist China in the United Nations. At various times in the past 12 years, Red China has pursued policies in derogation of the requirement for United Nations membership that a nation be peace loving. The most recent act for which objection can be made on that ground is the invasion and overthrow of the Government of Tibet.

However, the overriding concern for world peace, and the collateral concern for the national welfare may persuade the President and the State Department to assume, at some future time, a new attitude toward this problem and to waive objections formerly made. Our action here today should not be construed to recommend to the Executive that our China policy be placed in deep freeze, and to suggest that a reevaluation of our national position in this regard is forbidden.

Further, as a personal view, I would like to see us evolve a policy or to seek an appropriate United Nations charter amendment, whereby all the nations of the world would be represented in the United Nations, good or bad, popular or unpopular. At that juncture, I would hope that we, in concert with other nations, would rise above individual considerations of self-interest. I cannot conceive of the United Nations as a private club for compatible members. Unhappily, present standards for admission appear to be more restrictive.

In view, then, of existing criteria for membership, I reluctantly agree with this resolution though I am of the opinion that there are many nations, nonmembers and members, who would similarly be disqualified along with Red China.

Mr. FRIEDEL. Mr. Speaker, as an American who believes in democracy, freedom, and the great ideals for which each of us is ready to defend with his very life, I must emphatically concur with House Concurrent Resolution 369 that it is the sense of the Congress against the seating in the United Nations of Red communistic China.

It is a fact that Red China is not an independent nation, but is merely a vassal state of godless communistic Russia, ready to do the bidding and obey the orders from its overlords in the Kremlin. Have we not learned that Soviet history is replete with instances of treachery, broken treaties, and the making of veritable slave states of other nations which at one time were independent.

To admit Red China to the U.N. is but to give the international Communist criminal conspiracy another vote and an additional voice in the council and assembly of God-fearing men. Please remember that the iron fist of the Communist tyrant is often concealed by the velvet glove of so-called peaceful coexistence.

I plead with my colleagues in the Congress not to be duped by any so-called peaceful coexistence for that is impossible and is clearly contrary to the oft announced intentions of the Reds. Those misguided people firmly believe and labor incessantly for world revolution and global conquest. To them, there is no such thing as "peaceful coexistence." It is either their way or none.

As for me, as a duly elected Representative, I stand four square for American principles and ideals of democracy, freedom, and liberty. I shall continue to fight communism or its recognition in any form, because it is the sworn enemy of human dignity and human rights.

Communism and belief in God cannot peacefully coexist because God's truth is communism's mortal enemy. Therefore, Mr. Speaker, when my name is called I will vote "aye" in favor of the resolution against the admission of Russia's puppet—Red China—to the U.N.

Mr. REUSS. Mr. Chairman, I intend to vote for House Concurrent Resolution 369. With the fall session of the United Nations approaching, our Government must once again take a position either for or against the seating in the United Nations of the Communist China regime. Although matters involving recognition and seating are peculiarly the province of the Executive, it is apparent now that there is not in train any package of political or strategic solutions for the Far East such as would make consideration of recognition or seating necessary or desirable.

I want to make clear, however, that when Congress expresses its "sense," it does so as of the date of such expression and not from here to eternity.

In his press conference on August 4, 1954, President Eisenhower was questioned as to whether he could see any merit in the view of the organization, the American Assembly, against allowing Red China into the U.N. at this time but opposing "a rigid policy of permanent opposition to"—admission of—"this regime." The President replied—New York Times, August 5, 1954, page 12:

> Well, he thought they were being realistic.

Might he ask anybody here who, in the spring, let us say the winter of 1944 or 1945 when we were engaged in the Battle of the Bulge could have seen the time when we were looking upon Germany and then applying the same standard to Japan, and Japan, as people we ought to reach understandings with and to make close associates?

Now, remember, China was a great mass of human beings, hundreds of millions. Those of them who had traveled through China he knew had been as astonished as he had that so many people could live in such a space. They had a government of which we violently disapproved and we were not going to accept them in any organism in which we had any say under present conditions. But for him to say to them here that he knew what the conditions 5 years from now were going to be, well, they would know that he was a little bit off his rocker. And so he was not going to try. [Laughter.]

So the Assembly, as far as he saw it—and he hadn't seen that quotation—they were merely saying, of course, we were not going to admit them if we could help it at this time—and he thought we could help it—but we were always ready to see whether the sinner reformed and came into the fold. That was the way he felt about it.

Again, in the August 1958 State Department memorandum on policy toward Communist China, inserted into the CONGRESSIONAL RECORD on August 13, 1958, the Department said:

Basically the U.S. policy of not extending diplomatic recognition of the Communist regime in China proceeds from the conviction that such recognition would produce no tangible benefits to the United States or to the free world as a whole and would be of material assistance to Chinese Communist attempts to extend Communist domination throughout Asia. It is not an inflexible policy which cannot be altered to meet changed conditions. If the situation in the Far East were so to change in its basic elements as to call for a radically different evaluation of the threat Chinese Communist policies pose to U.S. and free world security interests, the United States would of course readjust its present policies.

The sole relevant question which the U.S. Government must ask itself, in connection with the question of recognition or seating of Communist China, is: What is the best interest of the United States?

That is a question which we should ask ourselves anew each morning.

Mr. HENDERSON. Mr. Speaker, once again the Congress is considering an important international problem, Red China and the United Nations. For many years it has been the sense of this Congress that Red China should not be admitted to the United Nations.

Before a nation is welcomed into the fellowship of nations, she must meet certain obligations and demonstrate that she is qualified for recognition.

The people of my congressional district have been consistent in their opposition to recognition as demonstrated by their response to a question contained in my annual questionnaire. Their vote has been overwhelming in opposition to such recognition.

The record is one of monstrous rascality, aggression, lies, broken promises, and inhumanity on the part of the Red Chinese regime. No remorse, no desire to change her pattern of thought or action has been suggested.

We have painfully built up a security system in southeast Asia intended to protect ourselves and the millions of peoples in the new nations there from the aggressive designs of Communist China. If we were to adopt a soft policy toward Red China now, that security system would be gravely weakened and the southeast Asians, many of whom recognize the danger of Red China for the first time since the recent tragic events in Tibet, would be disheartened and confused as to the future or consistency of our policy. What is done there is of immense importance to us and to the security of the free world.

The Congress must reaffirm its position in strong unequivocal language that the Communist regime has not demonstrated its willingness to fulfill the obligations contained in the Charter of the United Nations and should not be seated in the United Nations.

Mr. LANE. Mr. Speaker, this resolution—House Concurrent Resolution 369—expressing the sense of Congress against seating Red China as a member of the United Nations, is good commonsense, straight and to the point.

It is clear, forthright, and faithful to American concepts of peace with justice.

The way that our national self-respect has been melting in recent weeks. I was dreading the day when the administration would invite the leaders of Red China to be the honored guests of the United States, and to enjoy our deferential hospitality.

The facts on Red China cannot be hidden. They cannot be changed by any wishful thinking.

Red China has trampled on every human right.

It has violated with cynical contempt, every principle of international law and morality.

The United Nations, after deliberate consideration, found it guilty of aggression against Korea. Every intelligent person knows that Red Russia instigated that attack, encouraged and supported it. But the U.N., frustrated by Soviet vetoes, and intimidated by Soviet threats, did not follow through and indict Red Russia as well as Red China.

The Peiping regime sent troops pouring into Korea to fight against the United Nations. It has failed to obey the mandate of the U.N. and clear itself of aggression by withdrawing its material support of the North Korean Reds.

It wants to gate-crash the U.N., and then blackmail that organization once it gets inside.

This outlaw nation, which is responsible for the deaths of tens of thousands of young Americans, and still keeps American civilians in illegal confinement, scorns all standards of civilized behavior.

Mainland China must never be accepted into the family of nations until the Chinese people purge their country of the brutal Communist oppressors who torture them, and who seek to extend their power by conspiring against the governments of neighboring nations. This fanatical desire to enslave people is a form of mental derangement. It is a menace to the world.

With no respect whatever for the sanctity of human life, the new class called communism, with its tightly organized power elite in Red China is more repressive and cruel than any emperor or war lord of the old days, because it perverts all the modern knowledge and facilities at its command, to serve evil.

Its power is based upon lies, betrayals, and merciless regimentation of all the human resources under its whip. It is not the chosen government of the Chinese people. It does not represent their true and honorable interests.

I have only one reservation regarding Resolution 369.

It does not go all the way.

Instead of merely expressing opposition to the admission of Red China to the United Nations, it should seize the initiative and denounce Red China for its crimes against humanity.

However, it still has the courage to close the door to an aggressor.

That is a rare and valuable quality in this strange summer of appeasement.

This resolution, by the Congress, will tell the world that the American people are not backtracking.

We know that this world will never be safe for ourselves and other free peoples, and for those who aspire to freedom, until communism mends its ways—if ever—and gives conclusive evidence that it has abandoned permanently, the use of force and subversion as instruments of national policy.

No words will suffice.

We must have guarantees subject to the supervision and effective control of a grownup United Nations.

Until that day, Red China must be quarantined, to protect the uncertain peace.

I consider it a privilege to vote for this resolution that sternly rejects any proposal that Red China should even be considered for admission to the U.N.

Let us make it unanimous.

Mr. ASHLEY. Mr. Speaker, the best that can be said about the resolution before us, in my opinion, is that it shows questionable judgment and reflects an astonishing lack of self-confidence.

We are told that the single purpose of this resolution is "to reaffirm the attitude of the Congress that it is opposed to the seating of Communist China in the United Nations." The same proponent goes on to point out that since 1948, the House on 15 occasions has approved language opposing the admission of the Communist regime in China to the U.N.

This is an average of 1.3 times per year for the past 11 years, Mr. Speaker, and I am constrained to wonder if this almost routine expression of opposition is really necessary or desirable.

Does the legislative branch of our Government so distrust the executive, which is charged with the conduct of our foreign policy, that it finds it necessary to continuously reestablish and emphasize such guidelines as contained in the resolution before us?

I have not noticed any tendency on the part of the administration to be soft on communism or to favor the admission of Red China to the United Nations, either in the past or at the present time. For this reason, the resolution before us appears to me to be totally unnecessary.

But maybe I am wrong about this, Mr. Speaker. Maybe the drafters of this

resolution detect a slight quavering on the part of the administration in its conduct of the cold war. If so, then there might be a very real question as to whether 1.3 times per year is actually often enough for us to express congressional opposition to Red China's admission to the U.N. If the distinguished Committee on Foreign Affairs detects such a quavering, perhaps we should incorporate an expression of congressional opposition as part of our daily routine. Just after the morning prayer or perhaps prior to adjournment each day.

Mr. Speaker, I can see where some Members may feel that a difficult question is raised by the House record of 15 protestations on this subject in the last 11 years. After all, if we do not continue to maintain a batting average of 1.3 protests per year our constitutents may find cause to question our resolve and determination in freedom's fight against totalitarianism.

I am happy to say, Mr. Speaker, that I don't think the people whom I have the privilege of representing in Ohio would be terribly upset even if our batting average falls to less than one resolution on this subject per year. Nor do I think that our neighbors in the U.N. would construe such inaction as an affirmative indication that the United States wants China in the United Nations. Our position is perfectly clear on this score and there is no reason whatever to suppose it in doubt.

The resolution, as I see it, is undesirable as well as unnecessary. It is undesirable because it interjects Congress into the conduct of our foreign affairs in a manner which serves no constructive purpose whatever. If we persist in this kind of nonsense, Mr. Speaker, every vestige of flexibility in the conduct of our foreign policy stands to be destroyed. It is time we recognize that such infringements by Congress upon Presidential authority can lead to confusion, if not disintegration, in the implementation of an affirmative foreign policy.

Mr. Speaker, many of us here are vehemently opposed to the admission of Red China as a member of the U.N. at this time. But it does not follow that we must therefore cast an affirmative vote for the resolution before us. I am sure that if the membership of the House is careful to distinguish between the question of whether Red China should at this time be a member of the U.N. and whether or not the legislation before us can serve any proper or useful purpose, an intelligent decision on the resolution will be reached.

The SPEAKER. The question is on suspending the rules and passing the resolution.

The question was taken; and there were—yeas 368, nays 2, not voting 64, as follows:

[Roll No. 135]

YEAS—368

Abbitt
Abernethy
Adair
Addonizio
Albert
Alexander
Alford
Allen
Andersen, Minn.
Anderson, Mont.
Andrews
Arends
Ashmore
Aspinall
Auchincloss
Avery
Ayers
Baker
Baldwin
Baring
Barr
Barry
Bass, N. H.
Bass, Tenn.
Bates
Baumhart
Becker
Beckworth
Belcher
Bennett, Fla.
Bennett, Mich.
Bentley
Berry
Betts
Blitch
Boggs
Boland
Bolling
Bonner
Bosch
Bow
Bowles
Boyle
Brademas
Bray
Breeding
Brewster
Brock
Brooks, La.
Brooks, Tex.
Broomfield
Brown, Ga.
Brown, Mo.
Brown, Ohio
Broyhill
Budge
Burke, Ky.
Burke, Mass.
Burleson
Bush
Byrne, Pa.
Byrnes, Wis.
Cannon
Carnahan
Casey
Cederberg
Chamberlain
Chelf
Chenoweth
Chiperfield
Church
Clark
Coad
Cohelan
Collier
Colmer
Conte
Cook
Cooley
Corbert
Cramer
Cunningham
Curtin
Curtis, Mo.
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Delaney
Dent
Derounian
Devine
Diggs
Dingell
Dixon
Dollinger
Donohue
Dorn, N.Y.
Dorn, S.C.
Dowdy
Downing
Doyle
Dulski
Durham
Dwyer
Edmondson
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Fenton
Fisher
Flood
Flynn
Flynt
Fogarty
Foley
Forand
Ford
Forrester
Fountain
Frazier
Frelinghuysen
Friedel
Fulton
Garmatz
Gary
Gathings
Gavin
George
Giaimo
Goodell
Granahan
Grant
Gray
Green, Pa.
Griffin
Griffiths
Gross
Gubser
Hagen
Haley
Halpern
Hardy
Hargis
Harmon
Harris
Harrison
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hiestand
Hoeven
Hoffman, Ill.
Hoffman, Mich.
Hogan
Holland
Holt
Holtzman
Hosmer
Huddleston
Hull
Ikard
Irwin
Jarman
Jennings
Jensen
Johansen
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jonas
Jones, Mo.
Judd
Karsten
Karth
Kasem
Kastenmeier
Kearns
Kee
Keith
Kelly
Keogh
Kilday
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Kluczynski
Knox
Kowalski
Lafore
Laird
Landrum
Lane
Langen
Lankford
Latta
Lennon
Lesinski
Levering
Libonati
Lindsay
Loser
McCormack
McCulloch
McDonough
McDowell
McFall
McGinley
McGovern
McIntire
McMillan
Machrowicz
Mack, Ill.
Mack, Wash.
Madden
Magnuson
Mahon
Mailliard
Marshall
Matthews
May
Meader
Merrow
Metcalf
Michel
Miller, Clem
Miller, George P.
Milliken
Mills
Minshall
Moeller
Monagan
Montoya
Moore
Moorhead
Morgan
Morris, N. Mex.
Morris, Okla.
Moss
Moulder
Multer
Mumma
Murphy
Murray
Natcher
Nelsen
Nix
Norblad
Norrell
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Ill.
O'Konski
O'Neill
Oliver
Ostertag
Passman
Patman
Pelly
Perkins
Pfost
Philbin
Pirnie
Poage
Poff
Preston
Price
Prokop
Pucinski
Quie
Quigley
Rabaut
Rains
Randall
Ray
Reece, Tenn.
Rees, Kans.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Riley
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rogers, Mass.
Rogers, Tex.
Rooney
Rostenkowski
Roush
Rutherford
St. George
Santangelo
Saund
Saylor
Schenck
Schwengel
Scott
Selden
Shelley
Sheppard
Shipley
Short
Simpson, Ill.
Simpson, Pa.
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, Kans.
Smith, Miss.
Smith, Va.
Spence
Springer
Staggers
Stratton
Stubblefield
Sullivan
Taber
Teague, Calif.
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wyo.
Thornberry
Toll
Tollefson
Trimble
Tuck
Udall
Utt
Vanik
Van Zandt
Vinson
Wainwright
Wallhauser
Walter
Wampler
Weaver
Weis
Westland
Wharton
Whitener
Whitten
Widnall
Wier
Willis
Winstead
Wolf
Wright
Yates
Young
Younger
Zablocki
Zelenko

NAYS—2

Ashley
Meyer

NOT VOTING—64

Alger
Anfuso
Bailey
Barden
Barrett
Blatnik
Bolton
Boykin
Buckley
Burdick
Cahill
Canfield
Carter
Celler
Coffin
Curtis, Mass.
Dawson
Denton
Derwinski
Dooley
Elliott
Fino
Gallagher
Glenn
Green, Oreg.
Hall
Halleck
Hays
Hess
Holifield
Horan
Jackson
Johnson, Colo.
Jones, Ala.
Kilburn
Lipscomb
McSween
Macdonald
Martin
Mason
Miller, N.Y.
Mitchell
Morrison
O'Hara, Mich.
Osmers
Pilcher
Pillion
Porter
Powell
Rodino
Roosevelt
Scherer
Sikes
Siler
Steed
Taylor
Teller
Thompson, La.
Ullman
Van Pelt
Watts
Williams
Wilson
Withrow

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Martin and Mr. Buckley for, with Mr. Porter against.

Mr. Anfuso and Mr. Hays for, with Mr. Johnson of Colorado against.

Until further notice:

Mr. Mitchell with Mr. Alger.
Mr. Pilcher with Mr. Halleck.
Mr. Rodino with Mr. Wilson.
Mr. Bailey with Mr. Taylor.
Mr. Roosevelt with Mr. Withrow.
Mr. Boykin with Mr. Glenn.
Mr. Jones of Alabama with Mr. Horan.
Mr. Steed with Mr. Jackson.
Mr. Williams with Mr. Miller of New York.
Mr. Morrison with Mr. Osmers.
Mr. Thompson of Louisiana with Mr. Lipscomb.
Mr. Gallagher with Mr. Kilburn.
Mr. Dawson with Mrs. Bolton.
Mr. Elliott with Mr. Cahill.
Mr. Macdonald with Mr. Van Pelt.
Mr. Holifield with Mr. Scherer.
Mr. Barrett with Mr. Mason.
Mr. Blatnik with Mr. Siler.
Mr. Celler with Mr. Curtis of Massachusetts.
Mr. Powell with Mr. Fino.
Mr. Teller with Mr. Hess.
Mr. Sikes with Mr. Pillion.
Mr. Hall with Mr. Dooley.
Mr. Denton with Mr. Canfield.
Mr. Coffin with Mr. Derwinski.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPEAL ACT OF OCTOBER 20, 1914, LEASING COAL LANDS IN ALASKA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6939) to repeal the act of October 20, 1914 (38 Stat. 741), as amended (48 U.S.C., secs. 432–452), and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado. [After a pause.] The Chair hears none and appoints the following conferees: Messrs. ASPINALL, ROGERS of Texas, POWELL, SAYLOR, and WHARTON.

DESIGNATING DYBERRY DAM AND RESERVOIR, LACKAWAXEN RIVER BASIN, PENNSYLVANIA, AS GENERAL EDGAR JADWIN DAM AND RESERVOIR

Mr. PROKOP. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8035) to designate the Dyberry Dam and Reservoir, Lackawaxen River Basin, Pennsylvania, as the General Edgar Jadwin Dam and Reservoir. That is No. 246 on the Consent Calendar. I have cleared the bill with all members of the Committee of Official Objectors and they have no objection.

The Clerk read the title of the bill.

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

Mr. ARENDS. Mr. Speaker, reserving the right to object, I wish the gentleman would withdraw his request under the circumstances because it is late in the day and the objectors on this side have left and I was left with instructions that no bill which had been objected to or passed over should be taken up.

The SPEAKER. The gentleman from Pennsylvania has assured the Chair that the bill has been cleared.

Mr. ARENDS. I had this last word from some of the gentlemen who are on the Objectors Committee on this side. If they want to change their position, all fine and good.

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

Mr. ARENDS. I yield.

Mr. WEAVER. Mr. Speaker, this bill was not called on the Consent Calendar for today. The gentleman from Pennsylvania has cleared it with me and so far as I am personally concerned I have no objection to the present consideration of the bill.

Mr. ARENDS. I had understood the gentleman to say that it was on the calendar. If that is not the case, then it is all right. I was talking about bills that were called on the calendar today.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dam and reservoir known as the Dyberry Dam and Reservoir, authorized to be constructed in the Lackawaxen River Basin by section 203 of the Flood Control Act of 1948 (62 Stat. 1176; Public Law 858, Eightieth Congress), shall be known and designated hereafter as the "General Edgar Jadwin Dam and Reservoir". Any law, regulation, map, document, record, or other paper of the United States in which such dam and reservoir are referred to shall be held to refer to such dam and reservoir as the "General Edgar Jadwin Dam and Reservoir."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADM. ARLEIGH A. BURKE, CHIEF OF NAVAL OPERATIONS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, today, August 17, Admiral Burke begins a third term as Chief of Naval Operations and as a member of the Joint Chiefs of Staff. This represents not only an unprecedented honor for Admiral Burke, but it also provides the U.S. Navy, the Joint Chiefs of Staff, and the Nation with the benefits of his great capacity and leadership.

In its long distinguished history, the U.S. Navy has had a number of outstanding leaders. One of them was the great wartime commander, Fleet Admiral William F. Halsey, whose passing from this life the whole Nation mourns today. Throughout its brilliant history, however, no naval leader has brought to the U.S. Navy, and to the national defense of the Nation, a greater understanding of the problems involved, greater force and greater energy, and a more cooperative and efficient Naval organization within the national defense structure than has and does Admiral Burke.

Admiral Burke is a thorough student of naval defense. He is strong, capable and all business. He is constantly studying and measuring the job constituting the military responsibility of our Nation. He is constantly working upon the correct methods to meet this great responsibility. Admiral Burke is an extremely reasonable naval officer constantly seeking the truth, and constantly trying to develop the best and most efficient methods to accomplish the needs of the present and insure the Nation's future security. When he believes he is right, he has the courage to stand up for his views. If anyone can show him a better way, he is always anxious and ready to accept such suggestions. It is the job he is concerned with and he has proved on many occasions he wants to do the job the best way it can be done.

The U.S. Navy and the Nation is fortunate, indeed, President Eisenhower asked Admiral Burke to serve an unprecedented third term as Chief of Naval Operations. In accepting this responsibility, and in doing the job, Admiral Burke will never take his eye off of the prime target, which is the best way to defend and protect the security of the United States of America and the free world.

In beginning this unprecedented third term, I know all of my colleagues here in the Congress extend to him their best wishes and their cooperation. Although the Navy and the other military services, as well as the whole Department of National Defense have many fine military officers and officials, nevertheless, I feel, and I am sure Americans throughout the Nation feel, a sense of security and a sense of strength because we know Admiral Burke is still to be in command and our entire national defense responsibilities will have the benefit of his counsel and wisdom.

Yesterday, in the Sunday Star, appeared a very fine editorial written by the Star staff writer, Mr. L. Edgar Prina, entitled "Reflections of a Top Military Planner." It is altogether fitting, I think, Mr. Speaker, to include this article about Admiral Burke as a part of my remarks at this time:

REFLECTIONS OF A TOP MILITARY PLANNER

(By L. Edgar Prina)

Adm. Arleigh A. Burke, who tomorrow begins an unprecedented third term as Chief of Naval Operations and as a member of the Joint Chiefs of Staff, was a deeply troubled man when he was asked to stay on for 2 more years.

It wasn't that the 57-year-old destroyerman was tired or fed up. Far from it. The reason, which may astonish those who don't know the admiral, projects light on his character and personality.

"I wasn't sure it would be a good thing for the Navy for one man to run the show, to have things done his way, for so long a period," he told a reporter. "And I am still not sure."

But while Admiral Burke may have preferred to step aside, when he was told that his Commander in Chief particularly wanted him to continue, he responded willingly.

It was President Eisenhower, of course, who, in 1955 dipped down past 4 admirals, 20 vice admirals, and 63 rear admirals to pick the two-star Burke, then commander, Atlantic Fleet destroyers, to succeed Adm. Robert B. Carney as Chief of Naval Operations. Of the 87 flag officers he leapfrogged, only 30 are on active duty today.

YOUNGEST MEMBER OF JOINT CHIEFS OF STAFF

Admiral Burke, who remains the youngest member of the Joint Chiefs of Staff, still has 4 months and 14 days to go before he will have served longer as Navy boss than any other officer. Adm. William Shephard Benson held the post from May 11, 1915, to September 24, 1919.

The heads of each of the armed services automatically serve as a member of the Joint Chiefs of Staff. Before the appointment of Admiral Burke to a third 2-year term, no officer had ever served more than two terms. The admiral is credited with having a particularly acute grasp of Soviet tactics and global strategy. The late Secretary of State, John Foster Dulles, often conferred directly with him.

The President and Admiral Burke have not always seen eye-to-eye on major defense issues. One of the prime examples was the admiral's opposition to key portions of Mr. Eisenhower's Pentagon reorganization plan. But a great deal of mutual respect exists between the two men.

Not the smoothest of the Joint Chiefs on the witness stand, Admiral Burke nevertheless has been a particular favorite on Capitol Hill. Although he sometimes gropes for words in his eagerness to explain his position, he almost always finds the right ones.

After a hearing earlier this year on the Nation's defense posture, Senate Majority Leader LYNDON JOHNSON told reporters that in his more than 25 years of attending congressional hearings he has never heard a more competent or more honest witness than Arleigh Burke.

TO PRESS FOR MORE DEFENSE

In an interview in his Pentagon office late last week the Navy chief made it clear that in the next two years he would press for the strengthening of America's limited war capabilities.

He feels keenly about this because, in his opinion, all-out war between the United States and the Soviet is only a remote possibility and will grow less likely as newer, deadlier and less vulnerable weapons come into being.

Admiral Burke contends that there is "no real evidence" that the Russians' No. 1 priority is a sneak attack against this country at the earliest moment. If such was their aim they would have built up a large heavy bomber force, he says. This they have not done.

According to the admiral, the American people, as a whole, still do not understand that the Communist strategy is for a ceaseless war of attrition and an avoidance of any dramatic military attacks.

Asserting that Soviet nibbles around the periphery of the free world "are going to come faster and faster, and faster," he asked a Naval War College audience last April:

"Why can't we realize that we cannot react violently to one provocation and then sink back into lethargy? Why do recurring offers of Soviet peace stir a new but vain hope?"

The admiral complained, too, that we let the Soviet Union set the ground rules—like the one that the battleground of the cold war is always in a free world territory, never within the Soviet bloc. He said:

"What they (the Russians) say in effect is that what happens in the non-Communist world is their business, but what happens in the Communist world is nobody else's business. * * *

"Something very dangerous happens to the man who comes to accept that the other fellow will always carry the ball."

THE REAL FIGHT

The real fight with communism is on the "day-to-day scene" and that is where "we will have to take them on," he declared. If we don't, he warned, "there will be no death agony," but rather a "prolonged, gradual, almost painless ebbing of the life and spirit of the free world."

Admiral Burke said he figuratively keeps pasted in his cap a statement made by Dimitri Manuilsky, the old Soviet warhorse, in 1931. He expressed a wish that all Americans could occasionally refer to it. This is what Mr. Manuilsky said:

"War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. The bourgeoisie will have to be put to sleep, so we will begin by launching the most spectacular peace movement on record.

"There will be electrifying overtones and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down we shall smash them with our clenched fist."

The admiral conceded that the public today probably does not understand as thoroughly as it did before and during World War II, the need for strong sea forces.

IMPORTANCE OF MOBILITY

He feels, however, that the Lebanon, Formosa, and other cold-war incidents of the past couple years, the development of the Polaris missile and its atomic-powered submarine base—"the best retaliatory system in the world by far"—and an increasing realization of what mobility means in the ballistic missile age, has turned the spotlight on the Navy again.

"But we still haven't been able to crack the money barrier," he said. "We continue to get about 28 percent of the total defense budget."

He explained that the Navy has not been able to obtain a percentage increase—nor has the Army—even though, in his opinion, we already have more than enough strategic weapons, very expensive items. He believes that some of the funds now being allocated to increasing our stocks of these big weapons should go to the modernization of the fleet and ground forces.

There is not any relief in sight either. According to the admiral, the money squeeze, tight last year, "will be worse this year."

While he declined to predict what defense spending will be limited to in the new budget, he made the point that even if there is no reduction, the rising costs of labor and materials and the increasing complexity of equipment could mean less defense for the dollar.

The admiral asserted that drastic steps, such as the elimination of entire weapons systems, probably will have to be taken if the Navy is going to live within its share of the 1961 budget now being drawn up.

PROGRAM FOR BALANCE OF WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he has some additional information as to the program for the balance of the week.

Mr. McCORMACK. I am glad the gentleman asked that question, because while I have nothing to announce yet as to additional legislation that would come up under a rule this week, the Rules Committee is meeting tomorrow and considering several bills; nevertheless, before we take up H.R. 8374, relating to the exposition in Seattle, the following bills from the Ways and Means Committee will be called up following the Private Calendar but not necessarily in the order listed:

First. H.R. 4857, admission tax, crippled children.

Second. H.R. 2886, tariff, suspension of duty, silk yarn.

Third. H.R. 6368, tariff, pumice stone, put on free list.

Fourth. H.R. 6579, tariff, tanning products, free list.

Fifth. H.R. 47, taxes, exemption, children placed for adoption.

Sixth. H.R. 2573, taxes, marital deduction to widow's allowance or award.

Seventh. H.R. 4384, tariff, free entry, religious articles.

Eighth. H.R. 4586, to amend section 4021 of the Internal Revenue Code of 1954, aromatic cachous.

Ninth. H.R. 4576, tariff, suspend duties on bookbinding and covers.

Tenth. H.R. 4029, taxes, eliminate the proration of the occupational tax on persons dealing in machineguns and certain other firearms.

Eleventh. H.R. 7588, taxes, copyright royalties, holding company.

Twelfth. H.R. 7456, tariff, free entry, casein.

Thirteenth. H.R. 3151, withholding city income taxes.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman from Illinois yield?

Mr. ARENDS. I yield.

Mr. HOFFMAN of Michigan. Can the majority leader tell us how long the legislative program will take tomorrow?

Mr. McCORMACK. There will be the call of the Private Calendar and these bills from the Ways and Means Committee. There are but three other bills for the balance of the week; H.R. 8374 relating to the exposition out in Seattle, Wash., then H.R. 7985, the Communications Act, and H.R. 1341, the safety standard for Government-passenger-carrying vehicles. It is not intended to bring those three up tomorrow.

Mr. HOFFMAN of Michigan. Would the gentleman say we would run past 3 o'clock?

Mr. McCORMACK. I would say we might run until 5 o'clock. If the gentleman has any special reason for wanting earlier recognition perhaps we could accommodate him.

Mr. HOFFMAN of Michigan. I just want to get 20 additional minutes for either Wednesday, Thursday, or Friday, and I wanted to know what the legislative situation was going to be.

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

Mr. ARENDS. I yield.

Mr. GROSS. The gas tax bill from the Ways and Means Committee will not come up tomorrow, will it?

Mr. McCORMACK. That bill will come from the Committee on Public Works. They have had no meeting as yet and while I do not want to foreclose myself, the probabilities are that it will not be brought up this week. I do not want to make a definite statement to that effect, however.

Mr. ARENDS. I thank the gentleman from Massachusetts.

SPECIAL ORDERS

Mr. HOFFMAN of Michigan. Mr. Speaker, under consent previously granted I have 30 minutes tomorrow and 10 minutes on Wednesday, Thursday, and Friday. I would like, if I do not use more than 5 of my 30 minutes tomorrow, to have the privilege of using the remaining time on those other days; and I assure the Speaker I will never use them but once.

The SPEAKER. Without objection the gentleman's amendment to his previous request is agreed to.

There was no objection.

LABOR, VETERANS, AMERICANS: PROTEST KHRUSHCHEV VISIT

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

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

There was no objection.

Mr. LANE. Mr. Speaker, for the first time since that deadly evil communism was spawned in the Russian Revolution of 1917, an American President has shocked and humiliated our people by inviting Khrushchev, the assassin of human freedom, to be his guest at the White House.

"Blood on the White House" is the reaction of a front-page editorial in the Manchester (N.H.) Union-Leader of August 6, 1959.

"Enter, Czar Nikita" is the mocking comment of David Lawrence in the August 10 editorial of U.S. News & World Report.

Surprise, disbelief, resentment, anger—these are the feelings aroused in the American public by the colossal blunder of the administration and its advisers.

Turning its back on Captive Nations Week, the administration now asks us to participate in Shame Day—September 15—when the free air of this country will be polluted by this administration's welcome to the enemy of humanity.

"Be nice to (Killer) Khrushchev" says the administration. "Hasn't he promised that you and your children will live under communism? Remember now to be polite and let him have his own way. Be friendly and he will be friendly."

Sure, like the wolf in sheep's clothing.

"But see how he smiles and winks at pretty girls and pats babies on the head," says the administration in a hollow voice, as with secret misgivings, it begins to realize how it was baited and hooked by Khrushchev.

In every captive nation there is despair at the news that the President of the United States has personally invited their oppressor to enjoy the hospitality of our country. Has the United States deserted them?

In every smaller nation that looked up to our example, there is bewilderment and emergency sessions of the governments as they try to adjust themselves to the new look at communism fashioned by the White House.

In view of this sudden about face, can the United States be trusted, they anxiously ask themselves?

And in many an American home there is frustration and doubt and dismay.

"What has happened to our American birthright?"

"What induced our leaders to misrepresent us before the world?"

"What can we do to change the disgraceful image of our country that is to be presented to the world and regain the faith that freedom-hungry people once reposed in us?"

It can—it must be done.

By speaking up for the true America—its people—as distinguished from the administration that has done it such a disservice.

For the real America is not in the material toys that the administration is so anxious to show to Khrushchev, but in the spirit of its people who will never compromise with despotism, or permit themselves to be used as extras to provide the background for a disgusting reception to Khrushchev.

That spirit must express itself so that the world will clearly note, understand, and be inspired by the fact that we have not abandoned our faith in freedom.

And so we appeal to every clear-thinking American who is not hypnotized or brainwashed into believing the tragic fallacy of the administration that "we can do business with communism" to protest vigorously and continuously: We do not want Khrushchev to come here."

To the great labor organizations, and veterans' groups, and fraternal societies, to all nationalities and religions, we plead for a great outpouring of public protest against the shameful spectacle of a once proud Nation honoring a mass murderer.

TAX TREATMENT OF AMERICAN CONCERNS OPERATING ABROAD

The SPEAKER. Under the previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 15 minutes.

Mr. BRAY. Mr. Speaker, the House Ways and Means Committee has been holding hearings for several days on legislation that, if finally enacted into law, would, in my opinion, do great damage to American industry and especially to American labor. I refer to H.R. 5, which was introduced by Representative HALE BOGGS, of Louisiana, and which would give to American manufacturers preferred treatment with respect to income derived from foreign activities.

Under this bill, American concerns—if they manufacture goods abroad using foreign labor—will have to pay only 38 percent corporation tax on their net income instead of 52 percent which they would have to pay on the same goods manufactured in America using American labor. This legislation, if passed, will, among other things, tell the American manufacturer that he will be taxed at a rate 14 percent less on profits made abroad than he would have to pay in making the same profits operating in the United States; or, in plain English, this legislation tells the American manufacturer that he is being given a bonus and special privileges if he moves a plant to foreign soil to do his manufacturing. He can then ship the goods that are manufactured abroad back into competition with like goods made in America. In addition, the manufacturer operating abroad will pay no taxes on his net profits until they are brought back into the United States.

Even without this 14-percent tax benefit, American industry has already invested more than $27 billion abroad since World War II in factories, oil wells, mines, and other enterprises. I would like to briefly point out the great extent to which American companies are already manufacturing goods abroad even without this 14-percent tax benefit that H.R. 5 proposes.

American investments abroad have already created over one million jobs for foreign labor. General Motors this year will import 40,000 of their German-made Opels and 24,000 of their British-made Vauxhalls, which is approximately 100 percent more of these automobiles than they brought to this country last year. Ford Motor Co. will import 44,000 of its British-made Fords and German-made Taunus this year, a great increase over 1958. Chrysler imported 12,800 of their French-made Simcas last year and plan to import 50,000 this year, an increase of almost 400 percent. The workers in these countries are poorly paid by American standards. In England, the average hourly pay to the automobile worker is $1.25 an hour; in France and Germany, 70 cents an hour, while in America it is $2.66 an hour.

The Hamilton Watch Co. is now having a Japanese firm manufacture watches. It has also purchased a factory in Switzerland. The Elgin National Watch Co. is also leasing a factory in Switzerland. The Singer Sewing Machine Co. is now manufacturing sewing machines in Scotland. The H. J. Heinz Co., famous for its 57 varieties, is building one factory in England that alone will employ 7,500 workers. It has also opened a factory in Holland. The Borden Co. is now operating in Holland and Denmark.

Incidentally, a few days ago I received a letter from the Amalgamated Meat Cutters and Butcher Workmen, expressing great concern as to the American packinghouses that are being closed because of the importation of cheaply slaughtered processed meats from abroad. I have just noted that in the first 5 months of this year, the United States has imported three times as much beef from Australia as they did in the entire year of 1958. If American packinghouses get a 14 percent tax advantage for operating outside of the United States, they will continue to slaughter more and more foreign meats to the ultimate detriment of all Americans.

I also received a letter last week from the Amalgamated Clothing Workers of America, expressing concern about the impact brought about by the importation of foreign clothing.

Parke Davis & Co. and Bristol-Myers Co. are now operating abroad. International Harvester Co. is shipping tractors to the United States which are made in England. J. I. Case Co., of Racine, Wis., has purchased the controlling interest in a French company, and states that it will probably import a small diesel tractor into the United States. Johns-Manville Corp. is opening two new plants in Italy. Minneapolis-Honeywell Regulator Co. has bought a half-interest in a Japanese firm which employs 13,000 workers.

I have given only a very brief résumé of the many hundreds of American manufacturers who are operating or are planning to operate factories abroad using cheap foreign labor and using cheap power created from coal mined in Europe or Asia. In addition to the payroll that is being distributed to the foreign labor, many millions are being spent abroad for the power, energy, raw products, and such that go into the manufacture of the finished product. Yet these finished products are imported into America in competition with American-made goods.

The farmer is also a victim of unfair trade policies. In addition to the meat, many other farm products are being imported today in large quantities. Those products we produce in surplus and those traditionally American should be protected by import quotas. These jobs should be saved for American workers and farmers. It is the duty of the State Department, the Congress, and the President to give to the American farmer and the American worker the same advantages and protection as offered by foreign countries to their farmers and workers.

By these remarks, I do not mean to infer that I am against foreign trade

or against American industry operating abroad. Our country, however, must keep in mind that while we should be a true friend to other countries, our first responsibility is to take proper care of the needs of our own people. Neither do I intend to condemn American business for moving their operations abroad. Our governmental trade policies are making it increasingly difficult for manufacturers operating in America, paying American wages, to successfully compete with cheap foreign imports.

I believe that last year Congress could have passed certain amendments to the extension of the Trade Agreements Act that would have given American industry and labor this needed protection without greatly damaging our foreign trade.

On the 10th day of June last year, I addressed this body, opposing the 4-year extension of the Trade Agreements Act unless we included amendments to given some protection to American labor and industry against the importation of goods made by foreign labor receiving only a fraction of what American labor received. A few of us made a bitter fight to get for American business and labor that minimum of necessary protection. I regret to say that, while we did get some minor changes in the legislation, on the whole, we lost the fight. This was not a political fight, as the leadership of both political parties favored the legislation without change. We, who attempted to get this protection for American labor, were accused of being against world trade. This accusation was unfounded; speaking for myself, I realize the importance of world trade, but I realize that American industry and labor need protection in the ruthless competition of foreign labor. Our labor is paid generally from $1 to $3 an hour, whereas foreign labor generally is paid from 30 cents to 70 cents per hour.

I would like to give just a few figures to point out the justification of the fears which I expressed on the floor on June 10, 1958. May I quote from the Wall Street Journal of Wednesday, June 29, 1959:

> For 6 months through May, imports have exceeded exports each month. This pattern runs counter to all experience. * * * New imports have been increasing steadily since last December.

Since the beginning of 1959, our exports have dropped 20 percent. On the other hand, imports into the United States from abroad have increased by some 6 percent in the first quarter of 1959 as compared with the first quarter of 1958. Also, since the beginning of 1959, we have lost $2.6 billion in gold; that is, we have been running a deficit in our total foreign account.

There are many types of tariffs, quotas, blocking of currencies, and such methods that other countries are using to discourage American imports into their countries.

American industry is being threatened by foreign competition in such fields as: textiles, coal by the importation of residual oil, glass, clothing, wood products including veneers, rubber products including clothing, automobiles including equipment and parts, electronic products including all types of electrical equipment, fabrication of steel, structural tile, clay pipe, canned meats slaughtered and processed abroad, and countless other items.

I am well aware of the problems American business has in operating in America without some protection against foreign imports. I am very much in favor of giving American industry and labor that protection, and I think that soon enough Members of Congress will be aware of this situation to approve of such legislation. However, I insist that legislation such as H.R. 5 is not the solution to our problem. This piece of legislation would, in my opinion, damage all America.

I regret that all too many Americans seem to forget that any economic conditions that tend to injure any segment of our economy will ultimately adversely affect us all. For instance, in my district, the rubber worker in Washington, the clay worker in Brazil, the glass worker in Vincennes, the miner in Princeton, the gypsum worker in Shoals, the electronics worker in Bloomington—if he is out of work, he in turn cannot buy from his grocer, his filling station operator, his clothier, the auto appliance salesman. Neither can he pay his doctor or dentist nor hire a carpenter or painter.

Every town in my district would welcome a branch of one of these industries into their business community. I receive many letters concerning the possibility of bringing new plants to Indiana communities. Our people are particularly sensitive to increasing their markets of labor, power, and products.

An unemployed America cannot keep up our high standard of living and cannot pay taxes to keep up our American Government—local, State and National. I trust that the House Ways and Means Committee will not report favorably on H.R. 5, and I trust that we may be able to defeat or properly amend it in the House if it should be brought before us. We do need to give American industry some protection but in my opinion, to encourage our industries or to even force them to leave America and operate abroad certainly is not the assistance that we should give them.

The original idea of reciprocal trade was to sell automobiles, textiles, steel, wheat and cotton to the other countries of the world, and buy tea, coffee, cocoa, and products we need. No one would ever dream of asking Brazil to import coffee, nor India to import tea, nor Honduras, bananas, nor the Malaya States, rubber. Never before in the history of the world has a nation been required to import things it already has in surplus. Yet, that in effect is what we are doing today.

I do not mean to be an alarmist. American industry is operating at a high level. Our standard of living is the best on earth, and still improving. American labor on the whole is at the highest degree of employment. However, I can see the approaching shadow on this bright economic picture. To me, it is apparent that there is a trend in our trade policies that can become critical in the near future unless these policies are more in accord with plain common sense.

A PLAN TO HELP HIRE MORE MIDDLE-AGED AND OLDER PEOPLE

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 20 minutes.

Mr. PUCINSKI. Mr. Speaker, I have today introduced legislation which I believe will help solve one of the most pressing problems confronting America—the problem of helping our middle-aged and older citizens obtain employment.

The legislation which I have introduced would give an employer a full tax credit for whatever additional costs he may encounter whenever he hires or retains as an employee an older person. Under my proposal, the Federal Government would help eliminate one of the biggest obstacles confronting modern American industry regarding the hiring of older people and would in effect encourage industry to make employment available to our growing army of older workers.

This is a far-reaching measure which for the first time would recognize that under our modern concept of business and industry, where the employer is faced with ever-increasing costs of fringe benefits in employment, including pension plans and health and welfare programs, the hiring of older people frequently imposes additional financial burdens on the employer which he avoids merely by not hiring these older people.

A recent study by the U.S. Department of Labor shows that unemployment is more prevalent among older workers in this country. This situation exists not because older workers are less capable or less productive, but simply because it costs an employer more money to hire them. This is a fact which too many of our social agencies have tried to minimize.

I firmly believe the time has come when we in Congress should face this issue fairly and squarely.

I have just completed a very thorough study of this subject only to find that most social agencies—including a very distinguished citizens' committee recently appointed by the Secretary of Labor—have tried consistently to minimize this cost factor in appraising the entire problem of why industry is becoming more and more reluctant to hire older workers.

I submit, Mr. Speaker, that these efforts to minimize the additional costs of hiring older people—well meaning as they may be—are misdirected. The fact of the matter is that older workers have a higher rate of unemployment in America—despite our present boom—than their younger counterparts.

In 1955, the last comparable year when this Nation experienced a period of relatively full employment for which statistics are available, the Department of Labor reports that there were only 2.9

percent of people between the ages of 25 to 44 unemployed as against a total of 3.5 percent unemployed between the ages of 45 and over. More tragically, this same survey showed that older people remain unemployed for a longer period of time. Witness these figures prepared by the Department of Labor: In 1955, 30.1 percent of the people between the ages of 25 to 44 were unemployed for 15 or more weeks against 42.3 percent of those unemployed for 15 or more weeks in the age group of 45 or older.

We must recognize the fact that modern business theories are based on dollar volume and dollar profits. Because of intense competition, the modern businessman or industrialist—no matter how considerate he may want to be—must consider his enterprise in terms of costs versus profits. Many theorists have tried to persuade industry under our free enterprise system—as we know it—to forsake its profits for more humane programs. This, of course, is a worthy cause but unfortunately fails to recognize the realities of a desire for highest profits on an investment. Why should one businessman be asked to take a loss when such action may well drive him out of business because of mounting competition from similar industries not quite as altruistic as himself.

The fact of the matter is that in actual employment practices today, as the Department of Labor points out, the age at which the job seeker encounters employment varies widely with his occupation, industry, locality, and with the general conditions of the labor market in his area. Age restrictions are applied arbitrarily by many employers—sometimes as low as 35 or 40 years of age—more often at age 45 years or older.

Changes in policies, practices, and attitudes toward the hiring, training, and use of middle-aged and older workers frequently vary among employers.

I have introduced this legislation because I believe that job opportunities should be available for all of our people who are able and want to work. Each worker should be considered for employment on the basis of his individual qualifications as these measure up to the basic requirements of the job. Every employer should be permitted to recognize that in a job it is ability that counts—regardless of age—and that in reality there is no fixed age at which a person becomes too old to work.

I have thousands of letters from my constituents who tell me they have been out of work for months or even years simply because they are told they are considered too old to be hired.

The tragedy of these people is that they are too young to claim their pensions under social security and too old to be hired by private industry.

I have tragic letters from both men and women who are either in their late thirties or early forties and cannot get employment simply because industry tells them they are too old. In many instances, these people have growing children who must be fed and educated. What are these unfortunate souls to do?

We in Congress must also recognize that the whole concept of family life in modern America has changed. When I was a little boy, it was a practice for the young people to take care of their older relatives. It was not uncommon in my home—and I am sure this was true in many of your homes—that we always found an extra room for either a grandparent, or a parent, or some uncle or aunt, to put them up for a spell if they were out of work. The whole family would pitch in and help. But today, when the modern house barely has room for the immediate members of the family; when young people in these times of inflation find it difficult to make ends meet for the needs of their own immediate family, including the wife and children, they can hardly be expected to look after their older relatives. Lamentable as this may be, it is a hard and fast economic reality in modern America.

It is for this reason that I urge the Congress to approve as quickly as possible my proposal to give industry a tax credit against its income tax for the additional costs of hiring older people. I firmly believe this problem has reached the proportion of a national crisis.

I could cite a myriad of statistics to prove that middle aged or older workers are more reliable; more productive; more dependable and less susceptive to changing their position once they gain employment.

But I can also cite statistics to prove that the reason why employers prefer not to hire older people is because it costs them more to train an older worker and it also costs the employer more in the way of pension contributions—where a firm has a pension plan—and more for health and welfare insurance.

I must state as firmly as I can that those who have tried to minimize these additional costs—well meaning as they may be—have done a grave disservice to the older workers of America. The businessman or industrialist who must bear the additional costs knows these indisputable facts, regardless of what the various "experts" may claim to the contrary.

Permit me, Mr. Speaker, to cite figures prepared by the Department of Labor as to additional costs involved in hiring older workers in the steel industry—which has an excellent pension plan. These figures clearly show that the employer's annual contribution to the pension fund for a worker starting out at age 30 is only $120 annually; but this same employer's annual contribution to the pension fund for a worker starting out at age 45 is almost double, or $214 annually. The cost per hour per worker is 6 cents an hour for the employee starting out at the age of 30 years as against 10.7 cents an hour for the worker aged 45. The cost jumps to $242 a year, or 12.1 cents an hour, for the worker aged 50. For the worker aged 55, the annual cost is $265 a year, or 13.2 cents an hour.

This is for the pension fund only. To this you must add the additional cost to the employer for health and hospitalization insurance and all other fringe benefits. This is why I am proposing this tax credit so the employer will not have to carry the extra burden of these costs and actually have an incentive to capitalize on the older workers' stability when hiring him.

My proposal will in no way hurt the younger workers of America. The population growth of this Nation along with the increase in the labor force which we will need to fulfill our needs will make plenty of jobs available for all—both young and old. However, because industry knows that it costs more to hire an older person—a cost which industry is reluctant to absorb—industry is increasing automation to eliminate the worker entirely. We all know that too much automation could well destroy the very foundation of our national economy.

The plan I have introduced today would actually serve as an incentive to hire older people and serve the best interest of our entire Nation. Simply stated, it means that an employer can claim a tax credit for whatever the additional costs may be in hiring or continuing to employ an older person, as compared to what it would normally cost him to hire the youngest person who could do the same job effectively. To cite an example, an employer with 100 employees would determine what the fringe benefits cost him for his youngest group of employees doing work comparable to those of older employees. Using this figure as a base, he would compute the difference between this cost and the cost for all of his other employees in the same job classification. He could claim the total of the difference as a tax credit. Thus, the employer would not suffer the extra cost from his own profits.

Under existing law, an employer may now absorb part of this increased cost as a tax deduction in the normal course of doing business. But under existing procedures he recovers only a fraction of the added cost of hiring or retaining older people. By allowing the employer a full tax credit after he has computed his corporate tax, in addition to his normal tax deduction, he would be able to claim the entire additional cost of hiring older people against his firm's income tax.

I believe the plan is sound and I earnestly hope Congress will approve it just as quickly as possible. I have discussed this proposal with the Legislative Council here in Congress and am assured it is not in conflict with our existing revenue code.

In the name of humanity, in the name of helping our older citizens keep the jobs they now have, and help those unemployed to get employment, I urge speedy approval of this measure.

THE NEW YORK TIMES AND THE 4¼ PERCENT CEILING ON U.S. BONDS

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. REUSS. Mr. Speaker, Congress has been considering the administration's request to raise the 4¼ percent ceiling on U.S. bonds. The House Committee on Ways and Means on July 8 adopted the Metcalf-Reuss resolution, stating the sense of Congress that the Federal Reserve System, "where practicable, should bring about future needed monetary expansion by purchasing U.S. securities, of varying maturities."

The Treasury, the Federal Reserve, and the New York Times have since conducted a vigorous campaign against the "sense" resolution. Last week they won a skirmish in the interest-rate battle by inducing a majority of the Ways and Means Committee to substitute the administration's own "sense" resolution, in effect praising the administration for its debt management policies. So far as I know, this is the only case on record where the agency which is being directed is allowed to write the directive itself. According to press reports, Democrats on the Ways and Means Committee voted 2 to 1 against the administration's "sense" resolution.

The New York Times has repeatedly presented its views editorially. In its July 29 editorial, the Times said:

A DANGEROUS PROPOSAL

In regulating the reserves of the member commercial banks of the country—and thereby the potential volume of the money supply—the Federal Reserve authorities rely upon three major instruments, namely, (1) open market operations, (2) changes in the rediscount rate, and (3) changes in the percentage of reserves that the member banks must maintain against the volume of their deposits. Of the three, in central bank practice as it has been developed in the United States, the first of these is the most important.

When it is the purpose of the central bank policy to restrict the expansion of credit and the money supply the Reserve sells Government securities in the open market. When the purchasing bank pays for such purchases the result is to reduce its balance with its regional bank; and since its balance with the regional bank represents its reserves, the effect upon its ability to create credit is a multiple one. At the present time the ratio is roughly as seven is to one. In times of policy expansion the System buys "Governments," which sets in motion a sequence that is precisely the reverse of this.

Long a moot issue bearing upon the technique of open market policy has been the question: "Should the monetary authorities, in carrying it out, confine themselves (or virtually confine themselves) to dealing in short-term securities (which is the case at the present time) or should they expand their operations to include long-term Government issues as well?" At the moment this issue has been lifted by events out of the realm of purely academic controversy. Representative REUSS of Wisconsin has attached an amendment to a pending administration measure that would declare it to be "the sense of Congress" that adhering to their "basic mission" of conducting a sound monetary policy, the Reserve authorities should, "when appropriate," buy Government securities "of varying maturities" when it wants to expand the monetary supply.

Now this issue is one on which able and conscientious men may, and have, differed. The highy respected Allan Sproul, former president of the New York Reserve Bank, differed with Mr. Martin on the question. This represented an honest difference of opinion between two extremely able central bankers within the System whose integrity and whose nonpolitical approach to the issue was never in question. It is quite a different thing when Congress seeks to impose its political judgment on the Reserve System on a technical problem of this kind with which it cannot possibly be equipped to debate with the authorities, either in terms of experience or objectivity.

Even if we had had no experience with the dangerously inflationary temptation that is inherent in "pegging" the Government bond market, such a directive would seriously hamper the freedom of action of the System when the desideratum is a maximum of flexibility and it could be a one-way street to monetary disaster.

What with all the talk in the editorial about integrity, I felt impelled to answer the editorial, as follows:

JULY 29, 1959.

LETTERS TO THE EDITOR,
New York Times,
New York, N.Y.
To the EDITOR:

In your July 29 editorial, you label as "a dangerous proposal" the Reuss amendment declaring it to be "the sense of Congress" that the Federal Reserve should purchase U.S. securities "of varying maturities," instead of its present "bills only" policy.

Your opinion that the Reuss amendment is dangerous is evidently not based on any disagreement with its substance, for you point out that the highly respected Allan Sproul, former president of the New York Reserve Bank likewise disputes the wisdom of Fed's "bills only" policy. You might well have quoted Mr. Sproul's testimony before the Joint Economic Committee that the "bills only" policy puts us in danger of placing ourselves in a straitjacket which would not permit us to accomplish what the Congress and the public might expect us to accomplish in terms of monetary management.

Apparently it is all right for the highly respected Mr. Sproul to recommend flexibility, but it becomes political and dangerous when Congress does so. This is the nub of your editorial.

Congress has the duty under our Constitution to coin money (and) regulate the value thereof. It cannot escape ultimate responsibility for safeguarding the Nation's credit, although it wisely delegates day to day administration to the Federal Reserve.

Any action by the Congress, I suppose, is political. Democracy, fortunately or unfortunately, is political.

Speaker RAYBURN summed it up well the other day when he said:

"I have been forced to the conclusion that the Federal Reserve authorities have reached a point in their thinking where they consider themselves immune to any direction or suggestion by the Congress, let alone a simple expression of the sense of Congress. It appears that the fault of the suggested committee bill was not that the language itself was wrong, but that the Congress dared even to speak to the Federal Reserve, a creature of Congress."

Sincerely,

HENRY S. REUSS,
Member of Congress,
Fifth District, Wisconsin.

My reply was not printed by the Times. Instead, I received the following note on August 1:

THE NEW YORK TIMES.

Your letter has been noted by the editorial staff, which appreciates your interest in writing. We regret that we are not able to publish it. Unfortunately, the amount of space available is so limited that much material of interest and value must be passed over.

LETTERS EDITOR.

The amount of space available was not so limited, however, as to prevent the Times from printing on August 2 still another editorial on the subject:

IGNORING SOME MONETARY FACTS

When William McChesney Martin, Jr., Chairman of the Federal Reserve Board, appeared before the Joint Economic Committee of Congress, he found the Democratic members virtually united in criticizing one basic policy of the Reserve System. This was its so-called "bills only" policy, which means that in its conduct of "open market operations" it confines its purchases and sales of Government securities almost exclusively to those in the very-short-term category.

In short, they stood with Representative HENRY S. REUSS, Democrat of Wisconsin. Representative REUSS is the author of an amendment to the administration's proposal for eliminating the prevailing ceiling of 4¼ percent on the coupon rate for Government securities with maturities of five years or over. The Reuss amendment would establish it as "the sense of Congress" that the Federal Reserve, while cleaving to its principal mission of conducting a "sound monetary policy," should, when appropriate, buy Government securities as an alternative to the technique of reducing the member banks' required minimum reserves. The basic objective, when one removes the frills from this suggestion, is the always politically popular one of achieving cheap money by increasing the money supply.

Since this is what the proposal boils down to, nonparticipants in this controversy may be excused for wondering about a strange omission on the part of Mr. REUSS and his supporters. We refer to the fact, so spectacularly ignored by Mr. REUSS and his fellow advocates of cheap money, that Congress passed and sent to the White House only a few days ago a bill that would liberalize drastically the amount of reserves that member banks are required to maintain under the present law. This would be achieved by permitting the banks to count their vault cash in the form of currency and coin in computing their reserves. It would provide the banks with an estimated additional reserve of $2.447 million (based on the figures as of the last week in June). This could permit a sevenfold expansion of bank credit, or roughly $17 billion. Mr. REUSS and his colleagues seem to think that this legislation isn't worth mentioning. We doubt that many nonpolitically minded followers of this controversy would share their point of view.

Anxious not to let the accusation of my alleged "strange omission" go unchallenged, I wrote the Times as follows on August 5, 1959:

AUGUST 5, 1959.

LETTERS TO THE EDITOR,
The New York Times,
New York, N.Y.
To the EDITOR:

In your editorial of August 2, "Ignoring Some Monetary Facts," you refer to "a strange omission on the part of Mr. Reuss and his supporters." You go on to accuse me of suppressing mention of the fact that Congress recently passed the vault cash bill, which you imply is an easy-money measure to permit a sevenfold expansion of bank credit.

The facts are these. Far from concealing mention of the vault cash bill, I have been most vocal about it. And, far from wanting to use the vault cash bill as a method of achieving cheap money by increasing the money supply, I warned the Federal Reserve during the July 1 debate on the House floor against using it for any such purpose:

"I want to make it very clear that Congress, in enacting this bill, has no intention whatever of giving the Federal Reserve a

mandate to lower member bank reserve requirements, in the overall. * * * If, when, and to the extent that the Fed does permit the counting of vault cash, there is no reason under the sun why it cannot at the same time raise the general percentage of reserve requirements for the banks affected, so that the credit-creating powers caused by permitting the counting of vault cash are neutralized by an increase in overall reserve requirements."

Public discussion of how we can improve our debt management practices is all to the good. But it should stick to the facts, and not dismiss as political anyone who disagrees with the New York Times' editorial writers.

Sincerely,

HENRY S. REUSS,
Member of Congress,
Fifth District, Wisconsin.

My August 5 letter, like my July 29 letter, was not published by the Times. Instead, on August 11, I received a rejection slip identical with the August 1 rejection.

And now today, on August 17, the Times breaks another galley of type over my head with the following:

THE BOND BILL

The House Ways and Means Committee has voted the President authority to raise the interest rate ceiling on Government bonds. Moreover, it has approved the measure without the amendment to which Chairman William McC. Martin, Jr., of the Federal Reserve Board, supported by Secretary of the Treasury Robert B. Anderson, had vigorously objected.

This was the so-called Metcalf amendment, which in an earlier form had been submitted unsuccessfully before the House Banking and Currency Committee by Representative HENRY S. REUSS, Democrat, of Wisconsin. In character it was a sort of veiled directive, "suggesting" that when undertaking credit-expansion policies the Reserve System give preference to buying Government bonds of varying maturities in the open market rather than, as it sometimes does, reducing the minimum margin requirements of the member banks.

This has been replaced with a new—and very general—amendment reading as follows: "It is the sense of Congress that monetary and debt management officials of the Government shall * * * take fully into account the importance of promoting a continuity of employment opportunities, achieving the maximum sustainable rate of economic growth, maintaining reasonable stability in the purchasing power of the dollar and assuring that the cost of managing the public debt is kept to the minimum consistent with these vital objectives."

The original amendment not only attempted to impose its judgment on a matter concerning the technical aspects of the Board's operations. It also suggested specifically that the Board abandon a policy that it deliberately adopted in 1953 after a lengthy study of alternatives.

Certainly it is a far cry from the wisdom of the Reserve Board to the half-informed views of Representative REUSS, who a few days ago "explained" his own proposal. "Some 80 to 90 percent of the purpose," he declared, "was to provide the Reserve with increased earning assets and thus by adding to its profits save the taxpayers money." The only question here is which is the more naive: (1) To propose dealing with matters of central bank policy on the basis of which method is financially the most profitable; or (2) to propose substituting "open market operations" when a general reduction in reserve requirements may be indicated—all this under the mistaken assumption that the two are interchangeable instruments for dealing with identical situations.

I would be moved to answer this editorial, too, but my spirit has been broken by the steady stream of rejection slips. The Times will no doubt continue to conduct the great debate on monetary policy with itself. It seems too bad, though, because some of its readers might like to read what the other side has to say.

LABOR-MANAGEMENT REFORM LEGISLATION

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the action taken last Thursday and Friday prompts me to voice deep concern that we have not passed a true reform measure for which I fought with conviction and sincerity in my support of the Shelley bill. I do not say this to impugn the motives of anyone. I say this to point up the fact that I view, with justifiable alarm, the antilabor provisions contained in the Landrum-Griffin bill on the theory—a false theory, in my considered judgment—that such provisions are needed to cure the patient from a designated disease. I am firmly convinced that if these antilegitimate trade union provisions become the law of the land, then we will have killed or seriously maimed the patient—incidentally, the self-same patient whom the supporters of such provisions or amendments have claimed they want to save from the malignancy. I, for one, cannot follow this type of reasoning.

To punish the honest 99 percent of the trade unionists for the failings and condemned and inexcusable actions of the dishonest 1 percent is, in my opinion, a direct violation of our cherished common law concept to protect the innocent in our efforts to weed out the guilty.

I was not panicked, Mr. Speaker, by the volume of mail that came in from business groups urging a strong labor bill—and I might add that it was always in terms of a strong labor bill, and not a strong labor-management bill. I say I did not panic because the points they stressed most vociferously were not those dealing with the crooks, the embezzlers, the bribegivers in management and the bribetakers in labor, and so on, but with matters which would make the Taft-Hartley law even more biased in favor of management. Thus, the management groups and representatives have presented a special interest viewpoint—not a public viewpoint—in the area of labor-management relations. They have seized on the reform issue to push for their desire to weaken the role of organized labor in the give-and-take of labor-management relations.

I have been most impressed and, yes, encouraged, by the equally heavy volume of mail received from individual workers urging my support of the Shelley bill.

Among the letters received from individuals was one that impressed me particularly because it summed up in essence the thinking and concern of the many, many persons who wrote as individuals and as citizens. This wage earner wrote:

I am writing this for a great number of friends who asked me to tell you thanks for your stand on the labor issue. We feel that your proposal will stop abuses and help the labor movement better living standards of millions of underpaid workers. We feel that Hoffa's mob is doing great harm to the labor movement as it gives labor haters an excuse to pass antilabor laws.

In concluding, the writer said:

I wish all Members of both the House and the Senate could hear what the voters are saying. I am sure they would join you if they could.

One final observation, I believe, is in order. A lot of words have been spoken about the rights of union members. And yet, this concern suddenly lost many of its crusading advocates when efforts were made to protect the rights of all workers by providing that it would be an unfair labor practice on the part of a labor organization to refuse or restrict membership on the basis of race, religion, color, or national ancestry, or to discriminate against union members for such reasons.

It is not too difficult to assess the reason for the defeat of such an amendment—an amendment which I supported. As I stated on the floor, when this amendment was offered to the Shelley bill:

We will now see whether our Republican colleagues will vote against civil rights for the sake of preserving the coalition that fights real progress and protection for all, not some, Americans.

Well, we have seen that the coalition approach, for the sake of "getting" the labor movement, took precedence over a principle affecting American workers, workers for whom so much concern has been expressed for many and many a month.

The so-called bill of rights will mean little to those workers who must continue to suffer the sting and indignity of prejudice and discrimination.

I cannot help but note, Mr. Speaker, that the defeat of this civil rights amendment is based on the reasoning set forth in George Orwell's book "Animal Farm." To paraphrase the author's sharp commentary:

In this labor bill, all workers are equal but some are more equal than others.

In order that I may be specific, the following are reasons—and this is by no means an all-inclusive list—why the Landrum-Griffin bill is a union-busting measure, at its worst, and a union harassment measure, at its best:

First. It imposes undue expense on the small union in its reporting requirements, and only by having the Secretary of Labor review some 40,000 cases will any of them be granted an exemption. Obviously, few, if any, will be exempted.

Second. It contains completely inadequate reporting provisions for employers, thus failing to get at the Schefferman-type middleman.

Third. It contains a bond provision automatically eliminating most of the eligible bonding companies, both within and outside the United States.

Fourth. It imposes a double standard of labor law by allowing the National Labor Relations Board to cede its jurisdiction to State jurisdiction.

Fifth. It outlaws hot cargo contracts, having nothing to do with the Teamsters, by making all hot cargo contracts with any employer an unfair labor practice, thus greatly encouraging the non-union-made product and products produced under sweatshop conditions.

Sixth. It eliminates the amendment involving the building trades, which was previously recommended by President Eisenhower in order to reverse the so-called Denver building trades rule.

Seventh. It outlaws all organizational and recognition picketing by an uncertified union under conditions which give no recognition to the many proven cases where organizational picketing is a vital economic weapon in a union's organizing efforts.

Eighth. It eliminates any provision that an employer's unfair labor practice may be used as a defense against a charge of illegal picketing.

Ninth. It fails to grant equal opportunity for membership in, and equal rights within, a labor organization regardless of race, color, or creed.

Tenth. It provides no provision for voting by economic strikers.

Further, other general provisions will result in unions being constantly engaged in legal actions, the financial cost of which will probably break the back of most unions. The Landrum-Griffin bill, I predict, will be a lawyer's windfall but a paper nightmare for the legitimate trade union movement.

Mr. Speaker, I am proud to be counted among those who fought for the Shelley antiracketeering and anticorruption bill vis-a-vis union-busting proposals and among those who wanted to bring real meaning to the bill of rights for workers.

"LOBBYISTS USE HEAVY PRESSURE ON LABOR BILL"

Mr. CURTIS of Missouri. 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 Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, there have been times when I have criticized the press for what I thought was inaccurate or slanted reporting. Therefore it is with considerable pleasure that I call to the Members' attention an Associated Press news item which appeared in the St. Louis Post-Dispatch on August 9, 1959, which I regard as fair, accurate, and informative reporting.

This news item is headlined in the St. Louis Post-Dispatch as follows: "Lobbyists Use Heavy Pressure on Labor Bill." I expected to read one of the usual run-of-the-mill stories taking to task one group, or the other group—depending upon the sentiments of the reporter—for lobbying. I was pleasantly surprised to find the article, though, recounting heavy lobbying pressures on the labor bill, pointing out that lobbying is a "legal and time-honored practice." It might also be said that it is one of the constitutional rights all of our citizens have, to petition the Congress, and that employed properly is a necessary and beneficial part of the democratic process.

It is important that our people understand that lobbying is legal and time honored because understanding that they will take a more active part in their government. This is not to minimize the fact that there are improper lobbying techniques which should be condemned. It is to point out, however, that it is the improper techniques that should be condemned, not lobbying itself.

There is such a thing as ineffective lobbying also. I received a hand-written letter from one of my labor union constituents which might well serve as a prototype of ineffective lobbying, particularly as it revealed the techniques of the real lobbyist, the labor leader who ordered his members to "write to the Congressmen." I quote the letter in its entirety:

DEAR SIR: I do not know what this is all about. We were told to write but they did not give me any paper like the other girls got.

Sincerely,

E. —— J. ——.

I set out the Associated Press news item I referred to with warm approbation to the unnamed reporter who wrote it:

[From the St. Louis Post-Dispatch, Aug. 9, 1959]

LOBBYISTS USE HEAVY PRESSURE ON LABOR BILL

WASHINGTON, August 8.—Probably no issue in recent years has subjected Members of the House to such a crossfire of pressures as has the current controversy over labor legislation.

The lobbying on both sides has been terrific, varying from the direct and blunt to the subtle and diplomatic approach. It has been conducted over the breakfast and dinner tables, in the hallways of the Capitol, and the House Office Buildings, through the mails, and over radio and television networks.

Lobbying means, in general, seeking to influence legislation. A constituent who urges his Congressman to vote for or against a bill is lobbying. It is a legal and time-honored practice.

In a broad sense, the more prominent lobbyists in the labor battle have been President Eisenhower and George Meany, president of the AFL–CIO.

Both expressed their views last Thursday night—Mr. Eisenhower on radio-television networks and Meany on radio—on the controversy which the House will decide next week.

The President said neither a bill passed by the Senate nor a measure backed by the House Labor Committee would really do the job of curbing labor-management abuses. He said "a good start toward a real labor reform law" is to be found in another bill, sponsored by Representative PHIL M. LANDRUM, Democrat, of Georgia, and ROBERT P. GRIFFIN, Republican, of Michigan.

Meany described the Landrum-Griffin bill as a blunderbuss that would inflict grievous harm on all unions. The AFL–CIO has indorsed a third bill, sponsored by Representative JOHN F. SHELLEY, Democrat, of California, an active member of the Teamsters' Union and a former president of the California State Federation of Labor.

Stanley C. Hope, president of the National Association of Manufacturers, commended Mr. Eisenhower for having "fulfilled an obligation to speak out on the critical need for a real labor law reform measure."

During House committee hearings on the various bills, representatives of unions, the National Association of Manufacturers and the United States Chamber of Commerce flocked to Capitol Hill.

The Teamsters Union, headed by James R. Hoffa, invited groups of Congressmen to a series of breakfasts. The Teamsters followed up with personal visits to congressional offices. Representative GRAHAM A. BARDEN, Democrat, of North Carolina, chairman of the Labor Committee, accused organized labor of trying to take over his committee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RODINO (at the request of Mr. FASCELL), for Monday, August 17, 1959, on account of illness in family.

Mr. PORTER (at the request of Mr. MEYER), for Monday, August 17, 1959, on account of official business.

Mr. STEED (at the request of Mr. ALBERT), through August 20, on account of official business (conducting hearings, Dairy Industry Subcommittee, Denver, Colo.).

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. PUCINSKI, for 20 minutes, today.

Mr. HOFFMAN of Michigan, for 30 minutes, on Tuesday, for 10 minutes, on Wednesday, Thursday, and Friday.

Mr. CURTIN (at the request of Mr. GRIFFIN), for 10 minutes, on Tuesday, August 18.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BARING.

Mr. ALGER.

Mr. MEYER, to revise and extend his remarks and include extraneous matter in his remarks made on House Concurrent Resolution 369.

Mr. ROONEY to revise and extend the remarks he made earlier today and include extraneous matter.

(At the request of Mr. GRIFFIN, and to include extraneous matter, the following:)

Mrs. BOLTON.

Mr. SCHWENGEL.

(At the request of Mr. BRADEMAS, and to include extraneous matter, the following:)

Mr. POWELL.

Mr. BRADEMAS.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7509. An act making appropriations for civil functions administered by the Department of Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1960, and for other purposes.

ADJOURNMENT

Mr. BRADEMAS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 18, 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:

1309. A letter from the Assistant Comptroller General of the United States, transmitting a report on review of the acquisition of 33 Wherry housing projects purchased by the Department of the Air Force through June 30, 1958; to the Committee on Government Operations.

1310. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation entitled "A bill to create the National Capital Airports Corporation, to provide for the operation of the federally owned civil airports in the District of Columbia or its vicinity by the Corporation, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1311. A letter from the Secretary of the Army and Secretary of Agriculture, transmitting a notice of the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of lands within the Lucky Peak Reservoir project, Idaho, and the Boise National Forest, as authorized by law, pursuant to Public Law 804, 84th Congress; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of August 14, 1959, the following bills were reported on August 15, 1959:

Mr. COOLEY: Committee on Agriculture. H.R. 1359. A bill to provide for the establishment of a food stamp plan for the distribution of $1 billion worth of surplus food commodities a year to needy persons and families in the United States; with amendment (Rept. No. 907). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 8609. A bill to amend the Agricultural Trade Development and Assistance Act of 1954, as amended, by extending the authorities of titles I and II, strengthening the program of disposals through barter, and for other purposes; without amendment (Rept. No. 908). Referred to the Committee of the Whole House on the State of the Union.

[Submitted August 17, 1959]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3144. A bill to place in trust status certain lands on the Standing Rock Sioux Reservation in North Dakota and South Dakota; without amendment (Rept. No. 909). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs: H.R. 6128. A bill to provide for the division of the tribal assets of the Catawba Indian Tribe of South Carolina among the members of the tribe, and for other purposes; with amendment (Rept. No. 910). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 8317. A bill to amend the law relating to the distribution of the funds of the Creek Tribe; without amendment (Rept. No. 911). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 7437. A bill to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes; without amendment (Rept. No. 912). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 8514. A bill to authorize the sale of 40 acres of land owned by the Creek Tribe of Indians; without amendment (Rept. No. 913). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 4029. A bill to amend the Internal Revenue Code of 1954 to eliminate the proration of the occupational tax on persons dealing in machineguns and certain other firearms, to reduce occupational and transfer taxes on certain weapons, to make the transferor and transferee jointly liable for the transfer tax on firearms, and to make certain changes in the definition of a firearm; with amendment (Rept. No. 914). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 7588. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of copyright royalties for purposes of the personal holding company tax; with amendment (Rept. No. 915). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. House Joint Resolution 80. Joint resolution providing for the erection of a memorial tablet at Garden Key, Fla., in honor of Dr. Samuel Alexander Mudd; with amendment (Rept. No. 916). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FOLEY:

H.R. 8693. A bill to amend the act approved April 11, 1956, to extend the jurisdiction of the domestic relations branch of the municipal court for the District of Columbia to cover the adjudication of the interests of husband and wife, of personal and real property in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KILGORE:

H.R. 8694. A bill to authorize the Starr-Camargo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.; to the Committee on Foreign Affairs.

By Mr. PUCINSKI:

H.R. 8695. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

By Mr. KEARNS:

H.R. 8696. A bill to amend the District of Columbia Police and Fireman's Salary Act of 1958 to remove certain inequities and for other purposes; to the Committee on the District of Columbia.

By Mr. RABAUT:

H.R. 8697. A bill to amend the District of Columbia Redevelopment Act of 1945 with respect to the requirements for adoption of a redevelopment plan for a project area; to the Committee on the District of Columbia.

By Mr. SHIPLEY:

H.R. 8698. A bill to provide additional compensation for employees in the postal field service required to qualify on scheme examinations; to the Committee on Post Office and Civil Service.

By Mr. McCORMACK:

H.R. 8699. A bill to assist the U.S. cotton textile industry in regaining its equitable share of the world market; to the Committee on Agriculture.

By Mrs. BOLTON:

H.J. Res. 502. Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune; to the Committee on House Administration.

By Mr. HALL:

H. Con. Res. 382. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. HARGIS:

H. Con. Res. 383. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. HOGAN:

H. Con. Res. 384. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. KASTENMEIER:

H. Con. Res. 385. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H. Con. Res. 386. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H. Con. Res. 387. Concurrent resolution providing for certain priorities for the temporary employment of civilian personnel to conduct the decennial census; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. Con. Res. 388. Concurrent resolution expressing the sense of Congress that in the future memorials to great statesmen of the United States in the District of Columbia should be living memorials, and that living memorials to Presidents James Madison, Woodrow Wilson, Theodore Roosevelt, and William Howard Taft and other great statesmen are overdue, and that a community art center such as was recommended by the Commission of Fine Arts in its 16th report would be suitable for this purpose; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS:

H.R. 8700. A bill to authorize the President to reappoint Elwood R. Quesada, formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes; to the Committee on Armed Services.

By Mr. BENNETT of Michigan:

H.R. 8701. A bill to authorize the President to reappoint Elwood R. Quesada formerly lieutenant general, U.S. Air Force, retired, to the grade of major general and to retire him in the grade of lieutenant general, and for other purposes; to the Committee on Armed Services.

By Mr. DADDARIO:

H.R. 8702. A bill for the relief of Aldo Francesco Carbone; to the Committee on the Judiciary.

By Mr. GEORGE P. MILLER:

H.R. 8703. A bill for the relief of Chew Wah Young (Joseph T. Chew); to the Committee on the Judiciary.

By Mr. NIX:

H.R. 8704. A bill for the relief of Laibeck Teitelbaum; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 8705. A bill for the relief of Mrs. Annie Zambelli Stiletto; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 8706. A bill for the relief of Mara Zorich; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

256. The SPEAKER presented a petition of the secretary-treasurer, Socialist Party, Milwaukee, Wis., petitioning consideration of their resolution with reference to "calling for the enactment of a substantial housing and slum clearance bill whether the President of the United States threatens to veto it or not", which was referred to the Committee on Banking and Currency.

EXTENSIONS OF REMARKS

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 17, 1959

Mr. ALGER. Mr. Speaker, the following is my newsletter of August 15, 1959:

WASHINGTON REPORT BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS

The labor bill passed, unbelievably the strongest of the three bills considered, and by a lopsided resounding vote, 303 to 125. A victory for Senator McCLELLAN and his committee (through its disclosures), for the President, for the minority Republican House leadership, and for the coalition of Republicans and southern Democrats. By their own statements against the bill, it was a defeat for the House Democrat leadership, the AFL–CIO, the Teamsters, and the dedicated House liberals. But, most of all, it was a victory for the people, both in and out of unions, who by letters and wires demanded labor reform and an end to the abuses and excesses of the power of labor leaders.

The bills considered and their sponsors: (1) The Teamsters sponsored the weakest bill, the Shelley bill (defeated 245 to 132). (2) The Democrat House leadership (and AFL–CIO indirectly) sponsored the committee bill. (3) The administration, most business interests, the minority House (Republican) leadership, and southern Democrats sponsored the bipartisan Landrum-Griffin substitute bill, passed with 156 Democrats and 147 Republicans for, 122 Democrats and 3 Republicans against. Oddly enough and yet understandably, the excesses of labor and of proponents of labor's legislative demands brought on their own downfall or correction. These excesses include (1) unwillingness to concede that effective labor reform legislation was needed; (2) intemperate and inaccurate criticism of the substitute bill; (3) accusations of management's lobbying (galleries full of labor representatives and most lobbying by labor as usual); (4) sponsorship of committee bill that would actually weaken present labor law (example: exempt from boycott provisions 88 percent of truckers now covered); (5) those against the committee bill were accused by Democrat leadership of being "labor haters" and partisan.

The debate raged around the differences of the three bills (see last week's newsletter). On study I found arguments for the substitute bill outweighed the arguments for the Committee bill (after Shelley bill was eliminated). Arguments for committee bill include: (1) It's stronger than Shelley bill; (2) It goes as far as possible without hurting labor movement; (3) The substitute bill is "punitive" and goes too far. Rebuttal by proponents of the substitute bill (see last week): (1) Only the substitute bill covers the main areas of abuse: (a) Workers' bill of rights (b) union finances (c) No man's land labor disputes jurisdiction (d) Blackmail picketing (e) Secondary boycotts and hot cargo; (2) the substitute bill is not punitive and will eliminate from labor movement only the undesirable.

The debate was the most stimulating of the year—the air almost crackled with excitement, intemperate statements were hodgepodged with studious presentations, tempers flared, laughter greeted many exchanges. Debate highlights, humor or oddities include: (1) Threats by labor proponents that dire political consequences would befall those voting against organized labor's wishes, that this would be the "Congressional Retirement Act of 1959"; (2) The disclosures of brutality, violence, and coercion by John L. Lewis, Hoffa, and Reuther; (3) The intemperate charges of partisanship by House Democrat leadership, even as Republicans and Democrats smoothly joined (the "coalition") to put through the Landrum-Griffin bipartisan substitute; (4) The union-member Congressman who pleaded for labor reform to protect working people which he claimed only by the substitute bill could provide; (5) The attempt by labor's spokesmen to sabotage the substitute bill by tagging it NAM (National Association of Manufacturers) or chamber of commerce-sponsored; (6) The liberals' amendment to include no discrimination in union membership because of race, color, creed or sex, contrary to AFL–CIO desire to select membership by their own rules,[1]—and many others. Volumes will be written describing this 4-day debate and its legislative outcome, a landslide of popular opinion for correction of labor's indiscretions.

My own belief is that even here we are attempting to doctor the surface sores rather than cure the basic illness. The boycotts, financial embezzlements, violence, and other abuses are the sores; the basic illness stems from the monopolistic power of unions which further result in dictatorial power of the national union leaders. The shutdown nationally of the steel industry (Hoffa's power to tie up transport nationally), prevention of piggy-back trucking, price fixing, limiting of new businesses entering trades, limitation of new products' use such as prefabricated window, door, and building units or plastic pipe, all these and more are situations that cannot be cured short of antitrust law. Why shouldn't labor be treated as equal to business which is under antitrust law? I presented this viewpoint in suggesting my bill H.R. 8003, which would: (1) Return control of local unions to local union members and their elected officers; (2) end monopolistic practice of industry-wide bargaining by professional labor bosses at national and international level; (3) unions no longer could fix prices, restrict uses of new processes and products. Enforcement would be injunctive relief in Federal court (not criminal prosecution). I predict that, though the bill just passed was the best before us, the abuses, excesses and dangers of organized labor's power will not be curbed until and unless labor organizations are placed under antitrust law. Only then will union members, the consumer, and management-labor relations be really protected. Because I believe this, I predict that the national labor leaders will never rest until I am removed from office, no matter how greatly my bill would benefit union members. As always, it is up to the people. The victory of the labor bill resulted from aroused public opinion communicated to Congressmen.

[1] Senator McCLELLAN's endorsement of the substitute bill.

Magazine Publisher Who Toured Russia With Vice President Nixon Says Communism Not Answer to Race Problem

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 17, 1959

Mr. POWELL. Mr. Speaker, any Negro who feels that communism is the solution to the race problem in the United States will be sadly disappointed if he takes a trip to Soviet Russia.

This is the opinion of John H. Johnson, publisher of Jet and Ebony magazines, who, with his wife Eunice, was a member of the press group which accompanied Vice President NIXON on his recent trip to Russia and Poland. There are relatively few Negroes in the Soviet Union, and Mr. Johnson agrees with the

Russian claim that it does not have a race problem. However, he is quick to point out that most of the privileges which we take for granted, such as freedom of speech and the press, and the right to own property, are not enjoyed by the Russian people.

The American Negro who wants better housing, more productive employment, and more individual opportunities will find that they are not available to him in Russia because they are not available to the majority of the Russian people.

Says Mr. Johnson. He does feel, however, that even though the Communist philosophy is not a good one for Negro, or white Americans, there is no reason why the United States and Russia should not be friendly and peaceful.

Mr. Johnson believes that the Nixon trip contributed much to the development of friendly relations between the two countries and that further cultural and educational exchanges should be continued.

Mary McLeod Bethune

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 17, 1959

Mrs. BOLTON. Mr. Speaker, nearly 100 years have passed since President Abraham Lincoln signed the great Emancipation Proclamation into law. In commemoration of this "century of freedom," the National Council of Negro Women has voted unanimously to undertake in 1963 the project of memorializing their founder, the late Mary McLeod Bethune.

I have today introduced a House joint resolution authorizing the Secretary of the Interior to grant authority to the National Council of Negro Women to erect in the District of Columbia a memorial honoring Mary McLeod Bethune, the design and location of the memorial to be approved by the Secretary, the Commission of Fine Arts, and the National Capital Planning Commission.

Among the Negro people who have truly shared the American dream of freedom none stands higher than the late Mary McLeod Bethune. Rightly called the "first woman of her race," her life work stands as a testimonial to selfless dedication in behalf of her people.

Born of slave parents in South Carolina on July 10, 1875, Mary McLeod Bethune was educated in South Carolina, North Carolina, and Illinois. Consumed with a desire to help others, she set about finding a place to teach with only $1.50 in her pocket. Through prayer, determination and unbounded faith, she was enabled to open a small school with only five girls as students. Today this little school has grown into the thriving institution of Bethune-Cookman College, in Daytona Beach, Fla.

During her 38 years as a college president, Mary McLeod Bethune participated in numerous constructive efforts of her time. Responding to the call of Government she occupied many important posts including service under Presidents Coolidge and Hoover as a member of the National Commission for Child Welfare. During the administration of Franklin D. Roosevelt, she was Director of the Office of Negro Affairs, National Youth Administration, Special Advisor to the President on Minority Affairs, and Special Assistant to the Secretary of War for selecting candidates to the first WAC Officers Candidate School.

Mary McLeod Bethune was affiliated with numerous literary and religious societies and served as an active officer for dozens of professional and civic associations. Next to building Bethune-Cookman College into a million-dollar coeducational institution, her greatest interest was founding the National Council of Negro Women. She considered the vast potential of organizing into one unit the woman power of 800,000 Negro women, already organized into more than 20 national groups. Her dream was accomplished in 1935 and she became the council's first president, a position she held for 14 years, at which time she became president emeritus. Untimely though her passing on May 18, 1955, her memory is enriched by her works and her rare spirit.

It is the hope of the council that the statue of Mrs. Bethune can be erected in Lincoln Park on East Capitol Street where the dramatic figure of President Lincoln and the Negro slave, known as the emancipation group, was erected by the Western Sanitary Commission of St. Louis. Dedicated on April 14, 1876, the 11th anniversary of the assassination of President Lincoln, this memorial was built with funds contributed solely by emancipated citizens.

Mr. Speaker, this is a moment of great significance in the history of mankind's progress toward social justice. Adoption of this resolution will demonstrate that America is keeping faith with its destiny, and will provide renewed inspiration to free peoples throughout the world.

A Boost for Conservation

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 17, 1959

Mr. SCHWENGEL. Mr. Speaker, it is my privilege to call attention to the third annual National Conservation Sports Tournament to be held near Davenport, Iowa, August 21, 22, and 23.

This event is sponsored each year by the Davenport Chapter of the Izaak Walton League of America in conjunction with the Buffalo Bill Council of the Boy Scouts of America.

Over 500 Explorer Scouts from all over the United States will participate in the 3-day event again this year. The purpose of the tournament is to promote among the Nation's youth the need for the wise use of our soil, woods, water, and wildlife. The sponsor's hope to influence the minds of the participants so that they will realize that only through the wise use of our natural resources can we continue to prosper.

The events of the tournament help develop physical fitness, keen competitive ability, character, sportsmanship, and a basic understanding of the constant need for conservation of resources.

A winner and runner-up will be selected in each of seven competitive vents including marksmanship, archery, mo-skeet, bait casting, fly casting, swimming, and nature trail.

Although my duties here will not permit me to attend this event this year, I have had the pleasure in the past of seeing these young Americans take part in this program which is wholesome and beneficial to all. I trust that other communities will see fit to pattern similar events after this one so that this experience can be made available to more young people all across the Nation.

A Letter to Bankers and Insurance Executives

EXTENSION OF REMARKS

OF

HON. ANDREW F. SCHOEPPEL

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Monday, August 17, 1959

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article written by the Honorable STYLES BRIDGES, entitled "A Letter to Bankers and Insurance Executives—Why the Nation Needs Your Activity in Politics," published in Human Events, on August 19, 1959.

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

[From Human Events, Aug. 19, 1959]

A LETTER TO BANKERS AND INSURANCE EXECUTIVES—WHY THE NATION NEEDS YOUR ACTIVITY IN POLITICS

(By the Honorable STYLES BRIDGES)

In recent months various corporations have announced their intention of becoming active in politics. Programs have been established to encourage employees to register and work for the party of their choice. Political activity once frowned upon by many corporations as too controversial is now being accepted as one of the civic responsibilities of Americans.

Intelligence has recently been received from the great metropolitan centers of the United States that insurance and banking institutions are also becoming concerned with the importance of political activity on the part of their employees.

It seems clear that the votes of the great numbers of blue and white collar workers offer the only hope of balancing the various political pressure groups including the extremes of the labor movement.

It is encouraging, therefore, that bankers and insurance men have determined to discard the ancient antipathy toward politics which has characterized these professions and are launching a program to protect the public interest. This is a very laudable activity and in the words of Shakespeare:

"'Tis a consummation devoutly to be wished."

While the grand master plan for political activity is being designed, however, politics continues as usual in Washington, D.C. It is for this reason that I am writing to you.

It happens that the most vital problems which face our Nation at this time concern matters which lie within your domain of special competence. Never before has your guidance and sound advice been so desperately needed by our legislators.

The problems of inflation, deficit financing, interest rates, the role of the Federal Reserve System and the question of gold supply, et al., are complex and confusing to the average Senator and Congressman.

Crackpot plans and panaceas are being daily advocated by those who little realize that most of their suggestions have in the past caused economic collapse of civilizations. All too often those who are uninhibited by the facts grab the spotlight and get the publicity.

May I respectfully submit to the banking and insurance fraternity, therefore, a list of items now pending before the councils of our Government, which need immediate, aggressive and enthusiastic attention by men like yourselves who are experts in the field:

1. The President and the Treasury Department have requested permission of the Congress to remove the fixed interest rates on Government borrowings.

Demagogues have attempted to make this request appear as an insidious conspiracy against the "little man" and for the benefit of the Wall Street bankers' vested interests.

It is clear to you that if we are to have a free economy, we must maintain a free money market. Government bonds must be sold on the basis of their safety and their yield and must compete for the purchaser's dollar with other investments available. Accordingly, interest rates in a free society can never be fixed by anyone except the prospective buyer.

It would be very helpful if bankers and insurance executives would testify to this fundamental, economic truth before the various committees of Congress concerned with the problem.

It would be a great public service if bankers and insurance men all over the country communicated with their local, State and Federal representatives and dispelled the smokescreen of socialistic propaganda on this subject.

This question of interest rates is immediate and pending business before the Congress.

How many of your colleagues have made their feelings known? How many of your correspondent banks have been actively recruited in this struggle?

Certainly Congressmen WILBUR MILLS and RICHARD SIMPSON, of the House Ways and Means Committee, and Senators HARRY BYRD and JOHN WILLIAMS, of the Senate Finance Committee, would appreciate a statement of your views.

There is still time to be effective, but there is no time to be leisurely.

Every sizable community in the United States has some type of banking and insurance facility. In addition to providing a repository for the funds of the people and financing local projects, do you agree that your profession has some responsibility for the economic education of your customers?

If so, haven't we reached the time when local bankers and insurance brokers should be organized on a national basis in order to carry the message of the importance of fiscal solvency throughout their communities?

Is it not desirable for local bankers and insurance men to utilize every opportunity before the service clubs, fraternal organizations and civic meetings to emphasize the present dangers of irresponsible and socialistic monetary and fiscal policies?

Is it not necessary for informed people like you to tell the parents of your community what is being done to the legacy of their children?

In modernization programs of banking and insurance institutions, in which the business machines play such a large part, have you allowed finance to become so impersonal that the customer has ceased to be a man and is merely a number?

The traditional and honored role of economic counselor and adviser to the local community must not be lost by bankers in the whirring of electronic machines.

2. It has been said that, "Those who know better should say so."

Officials of financial and insurance institutions do not normally write letters to the editor; but who else is to challenge the fallacious schemes which are proposed daily in both editorial and news columns by persons who are generally unqualified and ill equipped to speak on monetary and fiscal matters?

A recent editorial in the St. Petersburg (Fla.) Times, for example, advocated the hackneyed, repudiated theory of escalation clauses for Government bonds. This would provide that Government bonds at maturity would be redeemed for face value plus a sum equal to the amount of inflation which had occurred since the date of issuance.

To those who have difficulty with thinking this proposal might have some appeal: Should it go unchallenged in the public press; or should the bankers and insurance executives of Florida, independently and collectively, register their professional opinion concerning such an absurd proposition?

It is difficult to select at random a metropolitan newspaper without finding some items of false economics to which the bankers and insurance men of America should address themselves.

3. At the present time an assault is being aimed at the Federal Reserve System in an attempt to use this agency as an instrument to promote cheap money and easy credit.

The scheme is patently preposterous, but how will the people of America ever know unless professionals like yourselves inform them?

4. There is presently an organized campaign to promote a little inflation.

Left-wing economists and socialistic politicians are trying to convince the public that creeping inflation is inevitable, necessary, and desirable.

Yet, with blatant intellectual dishonesty, they add that this inflation will be controlled at a level of from 2 to 4 percent a year.

Obviously, if inflation is inevitable, once it starts spiraling it cannot be controlled at any annual percentage level. The ultimate reckoning of creeping inflation has always been collapse and chaos.

Only the bankers and insurance men of America are in a position to inform the people as to hazards of the weird economic propositions with which we are being bombarded daily.

May I emphasize that in no way do I advocate your activities be characterized as partisan politics. Your professional colleagues throughout the Nation belong to both great political parties.

In the House of Representatives and the Senate of the U.S. Congress, there are many Members from both political parties who realize the importance of the matters which we are here discussing. Unfortunately, they are not in the majority. However, they have steadfastly opposed irresponsible fiscal proposals. These individuals need all the support and assistance which you can give them.

National solvency and sound fiscal policies transcend partisan politics. They are not legitimate matters of debate. They are matters of fact. They have been established by the entire history of man's social and economic organization.

Eventually our survival may depend upon the action we take in respect to these problems.

Other nations of the world such as Japan, Argentina, Germany, Great Britain, France and, in fact, the entire European Economic Community have awakened to the necessity for putting their fiscal houses in order.

As members of the banking and insurance professions you now have the strategic opportunity to be of inestimable service to the Nation and to the world.

Please assert yourself now and speak out with vigor and authority before it it too late.

(STYLES BRIDGES, of New Hampshire, is the ranking Republican Member of the U.S. Senate, ranking Republican member of the Senate Appropriations Committee, and a member of the Senate Armed Services Committee. His most recent article to appear in Human Events was "The American Heritage." June 3, 1959.)

DAV Services in Nevada

EXTENSION OF REMARKS

OF

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 17, 1959

Mr. BARING. Mr. Speaker, an exceptional record of vital rehabilitation services freely extended to thousands of Nevada citizens has recently come to my attention. These splendid humanitarian services are not sufficiently appreciated by those who have benefited thereby, directly and indirectly.

Among the several congressionally chartered veteran organizations, which have State departments and local chapters in Nevada, is the Disabled American Veterans. The DAV is the only such organization composed exclusively of those Americans who have been either wounded, gassed, injured, or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war. Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have benefited every compensated disabled veteran. Its present national commander is another judge, David B. Williams, of Concord, Mass. Its national adjutant is John E. Feighner, of Cincinnati, Ohio. Its national legislative director is Elmer M. Freudenberger; its national director of claims, Cicero F. Hogan; and its national director of employment relations, John W. Burris—all located at its national

service headquarters at 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—some 2 million—the DAV can never aspire to become the largest of the several veteran organizations. Nevertheless, since shortly after its formation in 1920, the DAV national headquarters, located in Cincinnati, Ohio, has maintained the largest staff of any veteran organization of full-time trained national service officers, 138 of them, who are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration, and in its central office in Washington, D.C. They have ready access to the official claim records of those claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these services officers are sympathetic and alert as to the problems of other less well-informed claimants.

The DAV national service officer in Nevada is Mr. Melvin L. Jacobsen, located at the Veterans' Administration Regional Office, 1000 Locust Street, Reno. The department commander is Mr. Charles F. Hardin, 130 North Virginia Street, Reno, and the department adjutant is Mr. Charles E. Jackson, 1853 G Street, Sparks, Nev. The DAV VAVS representative is Mr. John Haley.

The Veterans' Administration hospital located in Reno is a 166-bed general medical hospital.

During the last fiscal year, the VA paid out $6,108,000 for its veteran program in Nevada, including disability compensation to its 2,094 service disabled veterans. The amount of $1,848,614. These Federal expenditures in Nevada furnish substantial purchasing power in all communities. Only about 12 percent, 253, are members of the 5 DAV chapters in Nevada.

This 12 percent record is strange, in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officer in behalf of Nevada veterans and dependents during the last 10 fiscal years, as revealed by the following statistics:

Claimants contacted (estimated)	5,995
Claims folders reviewed	4,996
Appearances before Rating Boards	2,243
Compensation increases obtained	319
Service connections obtained	167
Nonservice pensions	125
Death benefits obtained	18
Total monetary benefits obtained	$178,984.57

These above figures do not include the accomplishments of other national service officers on duty in the Central Office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32, and in the central office, they handled 58,282 reviews and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Nevada veterans, their dependents and their survivors.

These figures fail properly to paint the picture of the extent and value of the individualized advice, counsel and assistance extended to all of the claimants who have contacted DAV service officers in person, by telephone, and by letter.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guarantee loans for homes, farms, and businesses, and so forth. Helpful advice was also given as to counseling and placement into suitable useful employment—to utilize their remaining abilities—civil service examinations, appointments, retentions, retirement benefits, and multifarious other problems.

Every claim presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans—not given on a silver platter. Frequently, because of lack of official records, death or disappearance of former buddies and associates, lapse of memory with the passage of time, lack of information and experience, proof of the legal service connection of a disabality becomes extremely difficult—too many times impossible. A claims and rating board can obviously not grant favorable action merely based on the opinions, impression or conclusions of persons who submit notarized affidavits. Specific, detailed, pertinent facts are essential.

The VA, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits provided under the laws administered by it, only under certain conditions.

A DAV national service officer can and does advise a claimant precisely why his claim may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer will, of course, advise him as to its possible improvement, before presenting same to the adjudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, regulations, and schedule of disability ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants, with justifiable claims.

The VA has denied more claims than it has allowed—because most claims are not properly prepared. It is very significant, as pointed out by the DAV acting national director of claims, Chester A. Cash, that a much higher percentage of those claims which have been prepared and presented with the aid of a DAV national service officer are eventually favorably acted upon, than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

Another fact not generally known is that, under the overall review of claims inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued and reduced, as to about 27,300 others at an aggregate loss to them of more than $28 million per year. About one-tenth of 1 percent of such discontinuances and reductions have probably occurred as to disabled veterans in Nevada with a consequent loss of about $28,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veteran organization. Judging by the past, such unfavorable adjudications will occur as to an additional equal number or more during the next 3 years, before such review is completed. I urge every disabled veteran in Nevada to give his power of attorney to the national service officer of the DAV, or of some other veteran organization, or of the American Red Cross, just as a protective measure.

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent expert national service officer.

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

Evidently, most claimants are not aware of the fact that the DAV receives no government subsidy whatsoever. The DAV is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income on its Idento-Tag—miniature automobile license tag—project, owned by the DAV and operated by its employees, most of whom are disabled veterans, their wives, or their widows, or other handicapped Americans—a rehabilitation project in thus furnishing them with useful employment. Incidentally, without checking as to whether they had previously sent in a donation, more than 1,400,000 owners of sets of lost keys have received them back from the DAV's Idento-Tag department, 1,354 of whom, during the last 8 years, were Nevada residents.

Every eligible veteran, by becoming a DAV member, and by explaining these factors to fellow citizens, can help the DAV to procure such much-needed public support as well as enable it to maintain its invaluable nationwide service setup on a more adequate basis. So much

more could be accomplished for distressed disabled veterans, if the DAV could be enabled, financially, to maintain an expert service officer in every one of the 173 VA hospitals.

During the last 10 years, the DAV has also relied on appropriations from its separately incorporated trustee, the DAV Service Foundation, aggregating $3,300,000 exclusively for salaries to its national service officers. Its reserves having been thus nearly exhausted, the DAV Service Foundation is therefore very much in need of the generous support of all "serviced" claimants, DAV members and other social-minded Americans—by direct donations, by designations in insurance policies, by bequests in wills, by assignments of stocks and bonds and by establishing special types of trust funds.

A special type of memorial trust fund originated about 3 years ago with concerned disabled veteran members of the DAV chapter in Butte, Mont., which established the first perpetual rehabilitation fund of $1,000 with the DAV Service Foundation. Recently it added another $100 thereto. Since then, every DAV unit in that State has established such a special memorial trust fund, ranging from $100 to $1,100 equivalent to about $5 per DAV member.

Each claimant who has received any such rehabilitation service can help to make it possible for the DAV to continue such excellent rehabilitation services in Nevada by sending in donations to the DAV Service Foundation, 631 Pennsylvania Avenue NW., Washington, D.C. Every such serviced claimant who is eligible can and should also become a DAV member, preferably a life member, for which the total fee is $100—$50 to those born before January 1, 1902, or World War I veterans—payable in installments within 2 full fiscal year periods.

Every American can help to make our Government more representative by being a supporting member of at least one organization which reflects his interests and viewpoints—labor unions, trade associations, and various religious, fraternal, and civic associations. All of America's veterans ought to be members of one or more of the patriotic, service giving veteran organizations. All of America's disabled defenders who are receiving disability compensation, have greatly benefited by their own official voice—the DAV.